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# Journal of the Assembly

DURING THE

Fifty-first (Extraordinary) Session

OF THE

Legislature of the State of California

# 1936

BEGAN ON MONDAY, MAY TWENTY-FIFTH, AND

ENDED ON TUESDAY, MAY TWENTY-SIXTH

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# CALIFORNIA LEGISLATURE—ASSEMBLY.

## FIFTY-FIRST (EXTRAORDINARY) SESSION.

### IN ASSEMBLY.

ASSEMBLY CHAMBER,  
SACRAMENTO, Monday, May 25, 1936.

The Assembly met at ten o'clock a.m., pursuant to the provisions of the proclamation of His Excellency Frank F. Merriam, Governor of the State of California, dated May 23, 1936.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

### Announcement.

Arthur A. Ohnimus, Chief Clerk, announced that, pursuant to the requirements of the Political Code, section 237, the following officers of the Assembly of the fifty-first (regular) session of the Legislature were present and in their respective positions: Arthur A. Ohnimus, Chief Clerk; Chas H. Erb, Minute Clerk, and Joseph Moloney, Sergeant-at-Arms.

### Roll Call of Members.

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

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

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stram, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

The Speaker thereupon declared a quorum present.

### Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

### Proclamation by the Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA  
Proclamation by the Governor Convening the Legislature in  
Extraordinary Session.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

I, Frank F. Merriam, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Monday, the twenty-fifth day of May, one thousand nine hundred thirty-six, at ten o'clock a.m. of said day, for the following purposes and to legislate upon the following subjects, to wit:

1 To consider and act upon an act to make available during the eighty-seventh fiscal year, as well as the eighty-eighth fiscal year, the moneys heretofore appropriated by section 1 of the "California Unemployment Relief Act of 1935," for the same purposes as in said section now provided, creating in the State treasury a special fund for the handling of such moneys and providing for loans to said fund and for the repayment of said loans with such moneys heretofore appropriated by

said section 1, by adding to the "California Unemployment Relief Act of 1935" a new section to be numbered 1a.

2 To consider and act upon an amendment of section 2 of Chapter 352, Statutes of 1935, said amendment to relate exclusively to providing definitely for refunds to employers and employees of contributions deposited in the Unemployment Fund in the State treasury (including funds deposited to the credit of this State in the United States Unemployment Trust Fund) in the event that Title IX of the Federal "Social Security Act" is hereafter repealed, amended, affected or otherwise changed in such manner that the contributions required by Chapter 352, Statutes of 1935, or some portion thereof can not be credited against the tax required to be paid under the provisions of said Title IX.

3 To consider and act upon an act to make registered warrants of this State legal investments for funds the investment of which is restricted by law, and to make registered warrants of this State acceptable as security in all cases in which security is required by law.

4 To consider and act upon an amendment to section 613 of the Fish and Game Code to make applicable to fish and game district 14 the provisions of said section which relate to open season and bag limit for steelhead trout.

5 To consider and act upon an act to validate bonds of all school districts, high school districts and junior college districts of every kind and character.

6 To consider and act upon amendments to sections 821 and 827 of the Agricultural Code to eliminate and reduce certain standards for Gravenstein apples in order that such apples may be marketed.

7 To consider and act upon an act providing, in the manner provided in Chapter 313, Statutes 1935, for the extension of periods of redemption, reduction and remission of penalties, and postponement of times of sale, resale, and execution of deeds in respect to delinquent county taxes upon real property sold to the State on or before July 6, 1936.

8 To consider and act upon an act to provide for redemption, in ten annual installment payments, of land sold prior to September 30, 1935, to any irrigation district for any delinquent irrigation district tax or assessment if the district still holds the certificate of sale.

9 To consider and act upon an act to provide for the revival and restoration of corporate powers, rights and privileges suspended or forfeited for the nonpayment of taxes or penalties due the State under the provisions of sections 3664a, 3664c and 3664d of the Political Code as said sections existed at any time prior to September 15, 1935, and to validate such revivals made subsequent to September 15, 1935.

10 To consider and act upon an act to validate bonds of water conservation districts organized under the Water Conservation Act of 1929 as amended or reenacted.

11 To consider and act upon an act to make the laws of this State relating to aid to the needy blind conform to the requirements of the Social Security Board pursuant to section 1002 of the Federal Social Security Act.

12 To consider and act upon an act to validate the formation, organization and existence of sanitary districts and the bonds, including refunding bonds, of such districts.

13 To consider and act upon an act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California in relation to residence of recipients of aid, appeals to the State Department of Social Welfare, amount of aid granted, time of approval and payment of aid to a person discontinuing attendance at a home or institution, and requiring counties to comply with the act and with orders of the State Department of Social Welfare.

14 To consider and act upon an act to delete from the law the provision that artificially colored canned tomatoes or tomato products are adulterated food, by amending section 4 of Chapter 181, Statutes of 1907.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol, this twenty-third day of May, in the year of our Lord one thousand nine hundred thirty-six.

ATTEST:

FRANK F. MERRIAM,  
Governor.

FRANK C. JORDAN,  
Secretary of State.

[SEAL]

ASSISTANT CLERK DESCH READING.

### Motion to Print.

Mr. Jones moved that the Chief Clerk instruct the State Printer to print 500 copies of the Governor's Proclamation and have same back in the Assembly as soon as possible.

Motion carried.

**Resolution.**

The following resolution was offered:  
By Mr. Jones:

**Resolution.**

*Resolved.* That the following named persons constitute the officers of the Assembly with the per diem as fixed by statute

|                        |       |                       |
|------------------------|-------|-----------------------|
| Hon. Edward Craig      | ----- | Speaker               |
| Hon. John H. O'Donnell | ----- | Speaker pro tempore   |
| Arthur A. Ohnimus      | ----- | Chief Clerk           |
| Fred J. Desch          | ----- | Assistant Chief Clerk |
| Charles H. Erb         | ----- | Minute Clerk          |
| Joseph Moloney         | ----- | Sergeant-at-Arms      |
| Father John E. Tumulty | ----- | Chaplain              |

and be it further

*Resolved.* That the State Controller be, and he is hereby directed to draw his warrants in favor of the above named persons, and the State Treasurer is hereby directed to pay such warrants for and at the fixed per diem.

Mr Jones moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Dombue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fuleher, Garibaldi, Geyer, Gilbert, Gilmore Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

**NOES**—None.

Whereupon the Speaker declared the above named the duly elected officers of the Assembly for the fifty-first (extraordinary) session of the Legislature.

**Appointment of Committee of Escort.**

The Speaker appointed Messrs. Mayo, Chatters and Cottrell a Special Committee to escort Speaker pro tempore Hon. John H. O'Donnell to the bar of the Assembly.

**Oath of Office Administered.**

Hon. Edward Craig, Speaker; Hon. John H. O'Donnell, Speaker pro tempore; Arthur A. Ohnimus, Chief Clerk; Fred J. Desch, Assistant Chief Clerk; Charles H. Erb, Minute Clerk; Joseph Moloney, Sergeant-at-Arms, appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by J. A. Plummer, Associate Justice of the Third District Court of Appeal:

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

**Resolution.**

The following resolution was offered:  
By Mr. Lyon:

**Resolution.**

*Resolved.* That the Speaker of the Assembly appoint a Committee of Three to inform the Senate that the Assembly is in session, pursuant to the proclamation of

His Excellency the Governor, dated the twenty-third day of May, 1936, and is ready for the transaction of legislative business, with the following officers, to wit:

|                        |                       |
|------------------------|-----------------------|
| Hon. Edward Craig      | Speaker               |
| Hon. John H. O'Donnell | Speaker pro tempore   |
| Arthur A. Ohmhus       | Chief Clerk           |
| Fred J. Desch          | Assistant Chief Clerk |
| Charles H. Erb         | Minute Clerk          |
| Joseph Maloney         | Sergeant-at-Arms      |
| Father John E. Tumulty | Chaplain              |

Resolution read, and adopted.

### Appointment of Select Committee.

The Speaker appointed Messrs Lyon, Maloney and Evans, Herbert J., as a Select Committee to convey the above message to the Senate.

### Resolution.

The following resolution was offered:

By Mr. Field:

#### Resolution.

*Resolved.* That a Select Committee of Five be appointed by the Speaker, to act with a like committee from the Senate, to wait upon His Excellency the Governor, and inform him that the two houses of the Legislature are in session and in readiness to receive any communication which he may have to make.

Resolution read, and adopted.

### Appointment of Select Committee.

The Speaker appointed Messrs. Field, Garibaldi, Jones, Hornblower and Scudder as a Select Committee to convey the above message to the Governor.

### Resolution.

The following resolution was offered:

By Mr. Wallace:

#### Resolution.

*Resolved.* That until further notice the Standing Rules of the last regular session be, and the same are, hereby adopted as the rules of this extraordinary session.

Mr. Wallace moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Malouey, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

### Reports of Standing Committees.

The following report of standing committee was received and read:

#### On Mileage.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1936.

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

*Resolved.* That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers

and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same.

| District | Name                 | Address                             | Distance from seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 5 cents per mile |
|----------|----------------------|-------------------------------------|--------------------|---------------------------------|---------------------------------|-----------------|---------------|----------------------------|
| 1        | Michael J Burns      | Eureka, Humboldt County             | 312                | --                              | --                              | --              | 624           | \$31 20                    |
| 2        | Clinton J Fulcher    | Lookout, Modoc County               | 324                | --                              | 44                              | 280             | 560           | 28 00                      |
| 3        | John H. O'Donnell    | Woodland Yolo County                | 23                 | --                              | --                              | --              | 46            | 2 30                       |
| 4        | J. E Frazier         | Gridley, Butte County               | 86                 | --                              | 14                              | 72              | 144           | 7 20                       |
| 5        | Ernest C Crowley     | Susun, Solano County                | 48                 | --                              | --                              | --              | 96            | 4 80                       |
| 6        | Jesse M Mayo         | Angels Camp, Calaveras County       | 73                 | 12                              | --                              | 85              | 170           | 8 50                       |
| 7        | Hubert B Scudder     | Sebastopol, Sonoma County           | 90                 | 7                               | --                              | 97              | 194           | 9 70                       |
| 8        | Roy J Nielsen        | Sacramento, Sacramento County       | --                 | --                              | --                              | --              | --            | --                         |
| 9        | Earl D Desmond       | Galt, Sacramento County             | 24                 | --                              | --                              | --              | 48            | 2 40                       |
| 10       | T H DeLap            | El Cerrito, Contra Costa County     | 62                 | 18                              | --                              | 80              | 160           | 8 00                       |
| 11       | Charles M Weber      | Stockton, San Joaquin County        | 48                 | --                              | --                              | --              | 96            | 4 80                       |
| 12       | James E Thorp        | Lockeford, San Joaquin County       | 48                 | --                              | 3 45                            | 90              | 180           | 9 00                       |
| 13       | James M Cassidy      | Oakland, Alameda County             | 84                 | --                              | --                              | --              | 168           | 8 40                       |
| 14       | Charles J Wagner     | Alameda, Alameda County             | 84                 | 5                               | --                              | 89              | 178           | 8 90                       |
| 15       | Leon M Donihue       | Oakland, Alameda County             | 84                 | --                              | --                              | --              | 168           | 8 40                       |
| 16       | Arthur H Breed, Jr   | Piedmont, Alameda County            | 84                 | --                              | --                              | --              | 168           | 8 40                       |
| 17       | Henry P Meehan       | Oakland, Alameda County             | 84                 | --                              | --                              | --              | 168           | 8 40                       |
| 18       | Charles W Fisher     | Oakland, Alameda County             | 84                 | --                              | --                              | --              | 168           | 8 40                       |
| 19       | Gardiner Johnson     | Berkeley, Alameda County            | 84                 | --                              | 1 83                            | 166             | 332           | 16 60                      |
| 20       | Thomas A Maloney     | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 21       | Joseph P Gilmore     | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 22       | Kenneth B Dawson     | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 23       | William B Hornblower | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 24       | Patrick J McMurray   | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 25       | Melynn I Cronin      | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 26       | Ray Williamson       | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 27       | Jefferson F Peyser   | San Francisco, San Francisco County | 90                 | --                              | --                              | --              | 180           | 9 00                       |
| 28       | Fredrick Peterson    | Burlingame, San Mateo County        | 119                | --                              | 8 111                           | 222             | 444           | 22 20                      |
| 29       | H Dewey Anderson     | Cupertino, Santa Clara County       | 128                | 13                              | --                              | 141             | 282           | 14 10                      |
| 30       | C C Cottrell         | San Jose, Santa Clara County        | 128                | --                              | --                              | --              | 256           | 12 80                      |
| 31       | Hugh P Donnelly      | Turlock, Stanislaus County          | 77                 | 14                              | --                              | 91              | 182           | 9 10                       |
| 32       | James D Garibaldi    | Merced, Merced County               | 114                | --                              | --                              | --              | 228           | 11 40                      |
| 33       | Clifford R Kallam    | Watsonville, Santa Cruz County      | 198                | 20                              | --                              | 218             | 436           | 21 80                      |
| 34       | Ellis E Patterson    | King City, Monterey County          | 208                | 50                              | --                              | 258             | 516           | 25 80                      |
| 35       | Claude Minard        | Fresno, Fresno County               | 169                | --                              | --                              | --              | 338           | 16 90                      |
| 36       | S L Hershuger        | Fresno, Fresno County               | 169                | --                              | --                              | --              | 338           | 16 90                      |
| 37       | Paul A Chatters      | Lindsay, Tulare County              | 206                | 20                              | --                              | 226             | 452           | 22 60                      |
| 38       | Alfred W Robertson   | Santa Barbara, Santa Barbara County | 460                | --                              | --                              | --              | 920           | 46 00                      |
| 39       | James J McBrade      | Ventura, Ventura County             | 490                | --                              | --                              | --              | 980           | 49 00                      |
| 40       | Rodney L Turner      | Bellevue, Kern County               | 278                | --                              | 30 248                          | 406             | 812           | 40 60                      |
| 41       | Flmer F Lore         | North Hollywood, Los Angeles County | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 42       | C Don Field          | Glendale, Los Angeles County        | 447                | --                              | 10 437                          | 874             | 1748          | 87 40                      |
| 43       | John B Pelletier     | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 44       | Charles A Hunt       | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 45       | Ralph W Evans        | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 46       | Eleanor Miller       | Pasadena, Los Angeles County        | 447                | 13                              | --                              | 460             | 920           | 46 00                      |
| 47       | Frank G Martin       | Altadena, Los Angeles County        | 447                | 15                              | --                              | 462             | 924           | 46 20                      |
| 48       | Herbert J Evans      | Monrovia, Los Angeles County        | 447                | 18                              | --                              | 465             | 930           | 46 50                      |
| 49       | Frank W Wright       | Whittier, Los Angeles County        | 447                | 15                              | --                              | 462             | 924           | 46 20                      |
| 50       | Wm Museley Jones     | Montebello, Los Angeles County      | 447                | 10                              | --                              | 457             | 914           | 45 70                      |
| 51       | Ben Rosenthal        | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 52       | E V Latham           | Alhambra, Los Angeles County        | 447                | 9                               | --                              | 456             | 912           | 45 60                      |
| 53       | Wilbur F Gilbert     | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 54       | Frank D Laughlin     | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 55       | Thomas J Cunningham  | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 56       | Kent H Redwine       | Hollywood, Los Angeles County       | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 57       | Frank J Waters       | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 58       | Charles W Lvon       | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 59       | Groffrey F Morgan    | Santa Monica, Los Angeles County    | 447                | 22                              | --                              | 469             | 938           | 46 90                      |
| 60       | Ernest O Voigt       | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 61       | Augustus F Hawkins   | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 62       | Ralph Louis Welsh    | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 63       | John D McCarthy      | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 64       | Gene Flint           | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 65       | James J Boyle        | Los Angeles, Los Angeles County     | 447                | --                              | --                              | --              | 894           | 44 70                      |
| 66       | Lee E Geyer          | Gardena, Los Angeles County         | 447                | 10                              | --                              | 457             | 914           | 45 70                      |
| 67       | Fred Reaves          | San Pedro, Los Angeles County       | 447                | 23                              | --                              | 470             | 940           | 47 00                      |
| 68       | A Franklin Glover    | Compton, Los Angeles County         | 447                | 10                              | --                              | 457             | 914           | 45 70                      |
| 69       | John G Clark         | Long Beach, Los Angeles County      | 447                | 22                              | --                              | 469             | 938           | 46 90                      |
| 70       | Harry B Riley        | Long Beach, Los Angeles County      | 447                | 22                              | --                              | 469             | 938           | 46 90                      |
| 71       | Godfrey A Andreas    | Upland, San Bernardino County       | 508                | 22                              | --                              | 530             | 1,060         | 53 00                      |
| 72       | Gordon W Corwin      | Highland, San Bernardino County     | 508                | 10                              | --                              | 518             | 1,036         | 51 80                      |

| District | Name              | Address                       | Distance from seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 5 cents per mile |
|----------|-------------------|-------------------------------|--------------------|---------------------------------|---------------------------------|-----------------|---------------|----------------------------|
| 74       | James B Utt       | Tustin, Orange County         | 481                | 2                               | ---                             | 483             | 966           | \$48 30                    |
| 75       | Edward Craig      | Brea, Orange County           | 481                | ---                             | 14                              | 467             | 934           | 46 70                      |
| 76       | John Phillips     | Banning, Riverside County     | 512                | 35                              | ---                             | 547             | 1,094         | 54 70                      |
| 77       | Clarence R Walker | Westmoreland, Imperial County | 661                | ---                             | 32                              | 639             | 1,278         | 63 90                      |
| 78       | Ralph W Wallace   | San Diego, San Diego County   | 573                | ---                             | ---                             | ---             | 1,146         | 57 30                      |
| 79       | Paul A. Richie    | San Diego, San Diego County   | 573                | ---                             | ---                             | ---             | 1,146         | 57 30                      |
| 80       | Charles W Stream  | Palm City, San Diego County   | 573                | 13                              | ---                             | 586             | 1,172         | 58 60                      |

OFFICERS

| Name             | Address                             | Distance from seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 10 cents per mile |
|------------------|-------------------------------------|--------------------|---------------------------------|---------------------------------|-----------------|---------------|-----------------------------|
| Arthur A Ohmimus | San Francisco, San Francisco County | 90                 | ---                             | ---                             | ---             | 180           | \$18 00                     |
| Charles H Erb    | San Francisco, San Francisco County | 90                 | ---                             | ---                             | ---             | 180           | 18 00                       |

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

CROWLEY, Chairman.  
DELAP.  
GARIBALDI  
ROBERTSON.  
WAGNER.

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

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

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Cowin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wight, and Mr. Speaker—65.

NOES—None.

Report of Select Committee.

The Select Committee appointed to wait upon His Excellency the Governor reported as follows:

That it had delivered the Assembly's message and that the Governor had informed them he had a further message to deliver.

Resolution.

The following resolution was offered:

By Mr. Cottrell:

Resolution.

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant upon the contingent fund of the Assembly, in favor of Arthur A. Ohmimus, Chief Clerk of the Assembly, in the sum of one hundred dollars (\$100 00), for the payment of postage, supplies and incidentals connected with this extraordinary session, and the State Treasurer is hereby directed and ordered to pay the same.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.



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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W. Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—64.

**NOES**—None.

**Resolution.**

The following resolution was offered:

By Mr. Utt:

**Resolution.**

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant upon the fund for payment of officers and employees of the Assembly in favor of the following named persons for the sums set opposite their respective names, and the Treasurer is directed to pay the same. Said amounts being in payment for services performed prior and incident to the convening of the present extraordinary session of the Assembly.

|                       |       |         |
|-----------------------|-------|---------|
| Fred J. Desch, 3 days | ----- | \$27 00 |
| Charles H. Erb, 1 day | ----- | 9 00    |

Mr. Utt moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W. Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

**NOES**—None.

**Resolution.**

The following resolution was offered:

By Messrs. Fulcher and Frazier:

**Resolution.**

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrants on the contingent expense fund of the Assembly in favor of

|                                     |       |         |
|-------------------------------------|-------|---------|
| J. E. Frazier (Travel expense)      | ----- | \$34 15 |
| Clinton J. Fulcher (Travel expense) | ----- | 33 60   |
| Fred J. Desch (Telegrams)           | ----- | 7 32    |
| Gilmore, Nagle and Slyter (Flowers) | ----- | 28 20   |

said expenses having been incurred by the above in attending the funeral of the Honorable Henry H. McGuinness, member of the Senate, at Dunsuir, California, and the State Treasurer is hereby directed to pay the same

Mr. Fulcher moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W. Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

**NOES**—None.

**Presentation of Petitions.**

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Apartment House Association of California, 369 Seventeenth Street, Oakland, a resolution relative to the Building and Loan Commissioner and the Insurance Commissioner.

Also:

From A. W. Rogers, 1525½ I Street, Sacramento, relative to relief funds.

Also:

From Mrs. Juanita Dependener, Chief Stenographer, expressing regret for not being able to attend the special session.

Also:

From City Clerk of Santa Barbara, relative to a moratorium law.

Also:

From the Speaker of the House of the State of Ohio, relative to legislation.

Also:

From Mrs. W. R. Rothacker, Triunfo, California, relative to taxation.

Also:

From Beeman Bros. and Co, of Santa Monica, California, relative to State Moratorium Relief Act.

Also:

From Blotners Market, Beverly, Massachusetts, relative to the protection of the independent retailer.

Also:

From Florence P. Kahn, Congresswoman, relative to the reciprocal tariff amendment and the passage of S. 1793

Also:

From the State Labor Commissioner, relative to the collection of statistics on the deaf.

Also:

From DeWitt V. Hutchings and Mrs. Alice Richardson, acknowledging thanks to the Assembly for the resolution concerning Mr. Miller.

Also:

From the City of Los Angeles Board of Education, relative to child labor

Also:

From the Secretary of State of New Hampshire, relative to an act establishing the New Hampshire Commission on Interstate Cooperation

Also:

From the Secretary of State of Florida, enclosing House Concurrent Resolution No 14, providing an unpaid Commission on Interstate Cooperation.

Also:

From the Anti-Nazi Conference, relative to Nazi persecutions.

**Privilege of Floor of Assembly Extended.**

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Citizenship Class of the Adult Education Department of Lodi, California, and party as follows: Mrs. Annetta B. Morrison, Instructor, Mrs. Bertha Seibel, George H. Seibel, Godfried Beisel, John F. Schlotthauer, J. J. Wolfe, Mrs. Martha Wolfe, Miss Louise Cooper, Miss Kathleen Calandri, Miss Isobella Martella, Edward B. Morrison, Mrs. Rebena Joens, Mrs. Helen Egan, and Mrs. Esther Gruber.

**Reports of Standing Committees—(Resumed).**

The following report of standing committee was received and read:

**On Attaches.**

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1936.

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

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

| <i>Commencing May 25, 1936:</i>               | <i>Per day</i> |
|-----------------------------------------------|----------------|
| Arthur A. Ohnimus, Chief Clerk.....           | \$10 00        |
| Fred J. Desch, Assistant Chief Clerk.....     | 9 00           |
| Charles H. Erb, Minute Clerk.....             | 9 00           |
| Cristel Hastings, Chief Stenographer.....     | 6 00           |
| Joseph Moloney, Sergeant-at-Arms.....         | 8 00           |
| Father John E. Tumulty, Chaplain.....         | 4 00           |
| Glenn Coolidge, Assistant Minute Clerk.....   | 6 00           |
| Chris Nelson, Assistant Sergeant-at-Arms..... | 5 00           |
| Ed Nathan, Assistant Sergeant-at-Arms.....    | 5 00           |
| Richard Desmond, Page.....                    | 2 50           |
| Dewey Baker, Page.....                        | 2 50           |

JAMES B. UTT, Chairman.

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

The question being on the adoption of the report and resolution

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

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donibue, Evans, Ralph W., Field, Fisher, Flmt, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgau, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None

**Senate Messages.**

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

SENATE CHAMBER, SACRAMENTO, May 25, 1936.

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

|                              |                  |
|------------------------------|------------------|
| President pro tempore.....   | W. P. Rich       |
| Secretary of the Senate..... | Joseph A. Beek   |
| Sergeant-at-Arms.....        | Joseph F. Nolan  |
| Minute Clerk.....            | Francis E. Dalin |
| Chaplain.....                | Newton E. Moats  |

J. A. BEEK, Secretary of Senate.

By FLORENCE I. MASON, Assistant Secretary

### Report of Committee from Senate.

Senators Deuel, Reindollar and Duval appeared before the bar of the Assembly, and announced that the Senate had reconvened, and was ready to proceed with the business of the State.

### Recess.

At ten o'clock and fifty-five minutes a m. on the motion of Mr Lyon, the Assembly was declared at recess until eleven o'clock and five minutes a m. of this day.

### Reassembled.

At eleven o'clock and five minutes a m., the Assembly reconvened. Speaker Craig in the chair.

### Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Nielsen, Peterson and Thorp to escort Lieutenant Governor George J. Hatfield to the bar of the Assembly.

### Recess.

At eleven o'clock and twenty-four minutes a m., the Assembly was declared at recess for the purpose of meeting with the Senate in Joint Convention.

## IN JOINT CONVENTION.

ASSEMBLY CHAMBER,

SACRAMENTO, Monday, May 25, 1936.

At eleven o'clock and twenty-five minutes a.m., the Senate and Assembly met in Joint Convention.

Hon. Edward Craig, Speaker of the Assembly, directed that Lieutenant Governor George J. Hatfield, President of the Senate, be escorted to the platform.

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

### Senate Roll Call.

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

Senators Allen, Biggar, Crittenden, Deuel, Difani, Duval, Edwards, Fletcher, Garrison, Gordon, Hays, Hulse, Jespersen, Keough, King, Knowland, McCormack, McGovern, Metzger, Mixer, Olson, Parkman, Perry, Pierovich, Powers, Reindollar, Rich, Schottky, Scollan, Seawell, Sharkey, Slater, Snyder, Stow, Swing, Tickle, Wagy, and Williams—38.

The President declared a quorum of the Senate present.

Hon. Edward Craig, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen

### Assembly Roll Call.

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

Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

The Speaker declared a quorum of the Assembly present

### Regular Order of Business.

The Joint Committee of Escort, consisting of Senators Swing, Slater and Sharkey, and Assemblymen Field, Garibaldi, Jones, Hornblower and Scudder, appointed to wait upon His Excellency Governor Frank F. Merriam to inform him that the Joint Convention was now in session, and to escort him to the convention, appeared at the bar of the House and announced the presence of His Excellency Frank F. Merriam, Governor of the State of California

#### Presentation of Governor Frank F. Merriam.

Hon. Edward Craig, Speaker of the Assembly, then presented Governor Frank F. Merriam to the Joint Convention.

#### Message of Governor Frank F. Merriam to the Extraordinary Session of the California Legislature, May 25, 1936.

The Governor then delivered the following message to the members in Joint Convention:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

Message of Governor Frank F. Merriam to the Legislature of the State of California in Extraordinary Session, May 25, 1936.

*To the California Senate and Assembly:*

In order to meet a critical situation created by depletion of the State's available unemployment relief funds, I have found it necessary to convene the Legislature in extraordinary session.

The emergency that brings you here requires certain legislative authority to provide relief funds over a period of approximately six weeks, ending June 30, 1936. There are a number of other matters of a more or less important nature which I have included in the official call and which I am assured are of a noncontroversial nature.

Should it become evident from your deliberations that any of these items, except relief, are to become the subject of controversy, I suggest they be, by common consent, laid aside until the regular session of the Legislature next January.

The existing emergency arises from the fact that funds provided by prior legislative act have proved inadequate to relief needs. The adjustments which I am submitting for your consideration and approval will carry through the remainder of this fiscal year, and it is hoped the balance of the biennial period. At least it will enable the State to meet the situation until the next regular legislative session.

It is estimated by those directly in charge of administering unemployment relief activities that a total of \$2,500,000 will be necessary to meet relief demands for the remainder of May and for the month of June. This sum can be made available from the \$24,000,000 which the Legislature appropriated for the fiscal year beginning July 1, 1936.

As members of the Senate and Assembly know, the efforts of the people of California to cooperate with the Federal government in providing unemployment relief have resulted in a series of appropriations of State monies, of which the first was a bond issue of \$20,000,000, voted in June, 1933. This fund was loaned to the various counties for relief.

In November, 1934, the people voted \$24,000,000 in bonds as a direct grant, such funds were merged with those allocated to the State by the National government and expended under supervision of the State Relief Commission.

When the Legislature met in 1935, a question arose as to the amount necessary for the State to contribute toward the Federal relief program in California for the biennial term. It was the opinion of Federal officials meeting in Sacramento with Senate and Assembly committees, and with the Governor, that if the California Legislature should appropriate \$24,000,000 annually for the biennium 1935-1937, or a total of \$48,000,000, the Federal government would undertake to provide such additional moneys as would be required to care for our relief needs.

It was in harmony with such an understanding and arrangement that the Legislature appropriated \$48,000,000 in relief funds. In the course of meeting the State's relief needs as they arose from month to month, and the withdrawal of Federal relief funds, it was found that the demands were in excess of the State's estimated amount of \$2,000,000 a month, and the total of \$24,000,000 appropriated for the fiscal year ending June 30, 1936, is now exhausted.

To January 1, 1936, the State expended \$2,000,000 per month, these monies being merged with Federal funds. On that date the Federal government withdrew relief aid and it was necessary for the State to exceed the estimated amount for

several months. For the preceding five months of this fiscal year relief funds were made available as follows:

|                  |              |
|------------------|--------------|
| January -----    | \$4,000,000  |
| February -----   | 2,000,000    |
| March -----      | 2,400,000    |
| April -----      | 2,400,000    |
| May (Est.) ----- | 1,200,000    |
| Total -----      | \$12,000,000 |

The administrative expense (often designated as overhead) has been reduced from \$801,811 with an administrative personnel of 6156 for January, 1936, when the Federal government transferred relief to the State, to \$360,238 and a personnel of 2163 for the month of April. It is estimated the personnel will be reduced to about 2000 for May at an expense of \$330,000. A further reduction is contemplated as the winding up of the former program proceeds and is eventually completed.

In addition to carrying on the normal relief activities and closing the previous program in which \$70,000,000 were expended July 1, 1935, to date, the commission and administrator found it necessary to close up the work program of the old SERA, including the accounting for \$1,500,000 of property, look after recruiting for the Civilian Conservation Camps and supervise distribution to clients of nearly \$19,000,000 of surplus commodities granted the State without cost by the Federal government, individual farmers and packing houses. The above activities have made necessary a greatly increased personnel.

When our situation was laid before Federal relief authorities with a request for additional financial assistance, they brought out the fact that no provision had been made to meet our added needs and that the supposed understanding with Federal representatives in attendance at the 1935 legislative session had not been made clear to or approved by the responsible relief heads in the National Capital.

The only recourse open to me, therefore, was to call a special session of the Legislature and ask the members to make available a part of the \$24,000,000 relief funds originally appropriated for use during the fiscal year of 1936-37.

Future plans contemplate turning the administration of relief over to the counties, it is hoped, not later than July 1, 1936, the commencement of the new fiscal year. Many of the boards of supervisors, the Relief Commission and the administration have practically agreed upon a procedure by which the counties will administer all the relief program except a limited number of investigators and auditors. It is proposed the State will provide the funds and make payments monthly or as agreed upon to the individuals on relief or to the counties on the basis of the case load carried in each county.

The relief program which I am submitting to you is wholly confined to meeting the critical emergency caused by the shortage of funds. The money needed to meet the needs of our unemployed citizens during the remainder of this fiscal year is to be expended on the basis of our established procedure. We are not at this time discussing any basic policy or program relating to the general subject of unemployment relief, as this is a matter which will properly come before the next regular session of the Legislature in January.

The primary consideration of this special session is to provide money whereby, under emergency conditions, thousands of California men, women and children may be fed and housed during the remainder of this fiscal year.

Other matters included in the call are, for the most part, designed to eliminate conflicts or inconsistencies in laws relating to Federal aid projects for child welfare, and to correct inadvertent omissions in State laws.

Bills regarded as noncontroversial will be presented for your consideration. These are proposed to enable California to take advantage of Federal statutes providing for allocation of Federal funds to State projects; to make State warrants more saleable, to amend the Unemployment Reserves Law in harmony with the request of the commission, to correct oversights in the Fish and Game Laws affecting certain districts; to amend the Apple Standardization Act to facilitate export of Gravenstein apples; to validate common school, high school and junior college bonds in order that various districts may obtain WPA funds, and to extend provisions of ten-year tax payment measures which have become noneffective due to expiration; to provide for restoration of corporate powers of corporations heretofore suspended; to validate bonds of water conservation districts; to amend the act providing aid for the needy blind so as to accept funds from the Federal government; to validate the formation of sanitary district and bonds, to amend the Old Age Security Act in relation to residence and appeals to the State Department of Social Welfare, and to amend the Tomato Standardization Act.

No additional taxation is proposed in this call. It is evident returns under existing tax schedules are sufficient to meet the ordinary and regular expenses of the State. No provision has been made in the State's income for the amounts appropriated for relief and the deficit existing at the commencement of the biennial period. These matters will come properly before the Legislature at its next regular session.

In concluding, I desire to thank the members of the Senate and House for their attendance here and to express on behalf of the State appreciation for service which is rendered without additional compensation and at considerable individual sacrifice upon the part of those forced to neglect private affairs in furtherance of public welfare.

FRANK F. MERRIAM, Governor of California.

### **Adjournment of Joint Convention.**

At eleven o'clock and forty-five minutes a m., there being no further business, Lieutenant Governor George J. Hatfield, President of the Senate, adjourned the Joint Convention.

### **IN ASSEMBLY.**

At eleven o'clock and fifty minutes a.m., the Assembly reconvened Speaker Craig in the chair.

#### **Recess.**

At eleven o'clock and fifty-six minutes a.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

#### **Reassembled.**

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

### **Introduction and Reference of Bills.**

The following bill was introduced:

Assembly Bill No. 1: By Mr. Wright—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, this act to take effect immediately.

Bill read first time.

### **Request for Unanimous Consent.**

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, at this time, without reference to committee or file, and that same be considered engrossed.

### **Consideration of Assembly Bill No. 1.**

Assembly Bill No. 1—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, this act to take effect immediately.

#### **Case of Urgency.**

The following resolution was offered:

By Mr. Wright:

*Resolved*, That Assembly Bill No. 1 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Wright moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

**NOES**—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1.

#### Second Reading of Assembly Bill No. 1.

Assembly Bill No. 1—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, this act to take effect immediately.

Bill read second time

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

**NOES**—None.

#### Third Reading of Assembly Bill No. 1.

Assembly Bill No. 1—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, this act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Senate.



### Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Bill No. 2: By Mr. Field—An act to add section 3669cc to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for non-payment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

Bill read first time.

### Request for Unanimous Consent.

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

### Consideration of Assembly Bill No. 2.

Assembly Bill No. 2—An act to add section 3669cc to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

### Case of Urgency.

The following resolution was offered:

By Mr. Field.

*Resolved*, That Assembly Bill No. 2 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Field moved the adoption of the resolution.

The question being on the adoption of the resolution

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crown, Cunningham, Dawson, DeLap, Desmond, Donhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Rilev, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wilhamson, Wright, and Mr. Speaker—78.

**NOES**—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2

### Second Reading of Assembly Bill No. 2.

Assembly Bill No. 2—An act to add section 3669cc to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of

taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donbue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

**NOES**—None.

#### Third Reading of Assembly Bill No. 2.

Assembly Bill No. 2—An act to add section 3669ee to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

Bill read third time

The question being on the passage of the bill.

#### Motion.

Mr. Jones moved, seconded by Mr. Gilbert, that Assembly Bill No. 2 be referred to Committee on Judiciary.

The question being on the motion to refer Assembly Bill No. 2 to Committee on Judiciary.

#### Substitute Motion.

Mr. Lyon moved, as a substitute motion, that the Assembly resolve itself in a Committee of the Whole to consider Assembly Bill No. 2.

Motion carried.

#### In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 2 considered

Mr. Field moved that the Committee of the Whole do now rise, and report back to the Assembly.

Motion carried.

#### IN ASSEMBLY.

Speaker Craig in the chair.

#### Report of Committee of the Whole.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1936.

**GENTLEMEN:** Your Committee of the Whole, to which was referred Assembly Bill No. 2—An act to add section 3669ee to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore sus-

pending or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately—has had the same under consideration, and does now report the same back.

CRAIG, Chairman.

### Third Reading of Assembly Bill No. 2.

Assembly Bill No. 2—An act to add section 3669ce to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

Bill read third time.

Passed on file.

### Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Bill No. 3: By Messrs. Riley and Martin—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817l and 3817m of the Political Code, and to add sections 3817b4 and 3817c4 thereto, relating to taxation and assessment including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

Bill read first time.

### Request for Unanimous Consent.

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

### Consideration of Assembly Bill No. 3.

Assembly Bill No. 3—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817l and 3817m of the Political Code, and to add sections 3817b4 and 3817c4 thereto, relating to taxation and assessment including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

### Case of Urgency.

The following resolution was offered:

By Mr. Riley:

*Resolved*, That Assembly Bill No. 3 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Riley moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Andreas, Breed, Buins, Cassidy, Chatters, Clark, Cowan, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donibue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hersinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Love, Lyon, Maloney, Martin, McBride,

McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 3.

#### Second Reading of Assembly Bill No. 3.

Assembly Bill No. 3—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817l and 3817m of the Political Code, and to add sections 3817b4 and 3817c4 thereto, relating to taxation and assessment including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrill, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

#### Third Reading of Assembly Bill No. 3.

Assembly Bill No. 3—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817l and 3817m of the Political Code, and to add sections 3817b4 and 3817c4 thereto, relating to taxation and assessment including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrill, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

**Introduction and Reference of Bills—(Resumed).**

The following bill was introduced :

Assembly Bill No. 4: By Mr. Scudder—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time.

**Request for Unanimous Consent.**

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 4, at this time, without reference to committee or file, and that the same be considered engrossed.

**Consideration of Assembly Bill No. 4.**

Assembly Bill No. 4—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples, declaring the urgency thereof, and providing that this act shall take effect immediately.

**Case of Urgency.**

The following resolution was offered :

By Mr. Scudder :

*Resolved.* That Assembly Bill No. 4 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Scudder moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Ruley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75.

**NOES**—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 4.

**Second Reading of Assembly Bill No. 4.**

Assembly Bill No. 4—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans,

Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75

NOES—None.

#### Third Reading of Assembly Bill No. 4.

Assembly Bill No. 4—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 4 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

#### Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Bill No. 5. By Mr. Cottrell—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the refunding of contributions.

Bill read first time.

#### Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 5, at this time, without reference to committee or file, and that the same be considered engrossed.

#### Consideration of Assembly Bill No. 5.

Assembly Bill No. 5—An act to amend section 2 of an act entitled "An act to establish a system of unemployment reserves for this State, and making an appropriation therefor," approved June 25, 1935, relating to the refunding of contributions.

Passed on file.

#### Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

Assembly Bill No. 6: By Messrs. Latham and Martin—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read first time.

### Request for Unanimous Consent.

Mr Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 6. at this time, without reference to committee or file, and that the same be considered engrossed.

### Consideration of Assembly Bill No. 6.

Assembly Bill No. 6—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

#### Case of Urgency.

The following resolution was offered:

By Mr. Latham:

*Resolved.* That Assembly Bill No 6 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Latham moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

**NOES**—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No 6.

#### Second Reading of Assembly Bill No. 6.

Assembly Bill No. 6—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

**NOES**—None.

**Third Reading of Assembly Bill No. 6.**

Assembly Bill No. 6—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 6 passed by the following vote:

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronm, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Senate.

**Introduction and Reference of Bills—(Resumed).**

The following bill was introduced:

Assembly Bill No. 7: By Messrs. Hornblower, Andreas, Burns, Cottrell, Cronin, Crowley, Dawson, Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Jones, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Peterson, Peyser, Reaves, Richie, Rosenthal, Stream, Turner, Voigt, and Wallace—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately.

Bill read first time.

**Request for Unanimous Consent.**

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 7, at this time, without reference to committee or file, and that the same be considered engrossed.

**Consideration of Assembly Bill No. 7.**

Assembly Bill No. 7—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately.

**Case of Urgency.**

The following resolution was offered:

By Mr. Hornblower:

*Resolved*, That Assembly Bill No. 7 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.



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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cowlin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

**NOES**—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 7.

#### **Second Reading of Assembly Bill No. 7.**

Assembly Bill No. 7—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cowlin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

**NOES**—None.

#### **Third Reading of Assembly Bill No. 7.**

Assembly Bill No. 7—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote :

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cowlin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

**NOES**—None

Title read and approved.

Bill ordered transmitted to the Senate.

#### **Third Reading of Assembly Bill No. 2.**

Assembly Bill No. 2—An act to add section 3669cc to the Political Code, relating to the revival and restoration of corporate powers, rights

and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cowin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Mechan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

#### **Introduction and Reference of Bills—(Resumed).**

The following bills were introduced:

Assembly Bill No. 8: By Mr. Jones—An act relating to the relief of hardship and destitution due to and caused by unemployment by amending sections 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 23, 24 and 25 of and by adding section 18a to that certain act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, providing for leasing of tide, overflowed or submerged lands of the State under which there is situate deposits of oil or gas within a known geologic structure of a producing oil or gas field, by competitive bidding, and for the acquisition and granting of easements by the State for the purpose of prospecting for and taking petroleum, gas and other hydrocarbon substances from such lands and from lands over which the State has or claims or asserts any jurisdiction or right, by means of wells drilled into such lands from uplands situate within two thousand feet thereof, providing for the administration of said act by the Director of Natural Resources and appropriating the moneys received by the State from such leases for the relief of hardship and destitution caused by unemployment.

Bill read first time, and ordered to printer.

Assembly Bill No 9: By Mr Wagner—An act to amend section 8 of the California Unemployment Relief Act of 1935, relating to the relief of hardship and destitution due to and caused by unemployment.

Bill read first time, and ordered to printer.

Assembly Bill No. 10. By Mr. Jones—An act to amend section 441 of the Political Code, and to add section 441.5 thereto, relating to registered warrants.

Bill read first time, and ordered to printer.

Assembly Joint Resolution No. 1: By Mr. Wagner—Relative to memorializing the President of the United States and the Works Progress Administrator to provide employment under the Works Progress Administration for those now unemployed who are employable.

Introduced, and ordered to printer.

### Senate Message.

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

SENATE CHAMBER, SACRAMENTO, May 25, 1936.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1—Relative to adjournment in respect to the memory of Henry McGuinness.

J. A. BEEK, Secretary of Senate

By FLORENCE I. MASON, Assistant Secretary.

Senate Concurrent Resolution No. 1 read.

### Request for Unanimous Consent.

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

### Consideration of Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 1—Relative to adjournment in respect to the memory of Henry McGuinness.

Mr. Fuleher moved the adoption of Senate Concurrent Resolution No. 1.

The question being on the adoption of Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 1 adopted unanimously.

Title read and approved.

Senate Concurrent Resolution No. 1 ordered transmitted to the Senate

### Senate Concurrent Resolution No. 1.

Relative to adjournment in respect to the memory of Henry McGuinness.

WHEREAS, On the sixteenth day of March, 1936, the Supreme Ruler of the Universe removed from our midst our esteemed associate, Honorable Henry McGuinness, and on the calling of the roll his voice is silent but his memory still lives; and

WHEREAS, Senator McGuinness was a genial companion, a loyal friend, and a man of honor; a friend of the poor and of those in need of help and friendship, and his kindly words and acts brought cheer and happiness to many hearts and many homes; and

WHEREAS, He was preceded in death but a few weeks by a beloved wife from whose loss he never recovered; in his death his children have lost a loving father, his friends and associates a wise counsellor, and the State an able representative; now, therefore, be it

*Resolved by the Senate, the Assembly concurring,* That his fellow members of the California Legislature in special session assembled do sincerely regret the death of Henry McGuinness and that when the respective houses of the Legislature of the State of California this day adjourn, they shall do so in memory of him; and be it further

*Resolved,* That we extend our heartfelt sympathy to his children and family and others near and dear to him and that the Secretary of the Senate be and is hereby directed to forward to the bereaved family an engrossed copy of this resolution and that the same be spread in full on the pages of the Journals of the Assembly and Senate.

### Adjournment.

At five o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 26, 1936, out of respect to the memory of Senator Henry McGuinness.

CHARLES H. ERB, Minute Clerk

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### IN ASSEMBLY.

ASSEMBLY CHAMBER,  
SACRAMENTO, Tuesday, May 26, 1936.

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

Hon Edward Craig, Speaker of the Assembly, in the chair

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

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

Quorum present.

### Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

### Reading of the Journal.

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

ASSISTANT CLERK DESCH READING.

### Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Eureka Fish and Game Club, extending appreciation relative to steelhead trout legislation.

Also:

From Oma Hunt and others, relative to WPA sewing project.

Also:

From Dr. D. Ray Dickey, relative to economic conditions.

Also:

From Thomas A Renshaw, relative to delinquent street bonds.

By Mr. McCarthy:

Announcing the candidacy of Mr Ralph W Evans for District Attorney of Los Angeles.

### Communications.

The following communications were presented by Mr. Lyon, and ordered printed in the Journal:

VETERANS CREDIT ASSOCIATION, 246 S. Hill Street,  
LOS ANGELES, CALIFORNIA, May 22, 1936.

*Hon. Charles W. Lyon, Los Angeles, California.*

DEAR MR. LYON. The Veterans Credit Association, a nonprofit California corporation will loan any county in the State of California the necessary credit secured by county warrants, delinquent tax accounts or other approved securities, to take care of the indigent and the unemployed.

Any public works project approved by the State Engineer may be constructed and paid for under the "Secured Credit" plan of financing.

The county furnishes the security in the form of warrants or delinquent tax accounts and the Veterans Credit Association extends the credit, furnishes the medium of exchange, and collects a service charge to make the plan self-supporting and the warrants self-liquidating.

This plan of financing public works projects so as to furnish work for the unemployed and gain back the buying power for the benefit of business does a great deal of good without increasing the tax load.

The mechanics of this financing plan for the benefit of the State or any county in the State are as outlined below:

The State of California or any political subdivision thereof may contract with the Veterans Credit Association to place its warrants or tax delinquent accounts in a trust fund held by the State or county treasurer for the purpose of serving under the terms of the proposed trust agreement.

The Veterans Credit Association shall be known as a "Credit Exchange" and when public bonds, warrants or tax accounts are placed in trust with said exchange or county treasurer, the exchange will extend credit to the county in the form of a contract-check-drawing privilege to the full face value of the bonds or warrants so deposited.

Checks are then issued by the county to those employed on public projects for wages, supplies and materials from retail merchants. Each person or firm receiving said checks, places them on deposit with the Veterans Credit Association or Credit Exchange, at which time a 5 per cent service charge is collected to the credit of the exchange.

This 5 per cent service charge collected by the Veterans Credit Association is divided into five funds as follows: 1 per cent for operating costs and the expense fund, 1 per cent for relief to the taxpayer in refunding the bonds or warrants, 1 per cent for a reserve fund to retire the checks, 1 per cent for the contingency fund and 1 per cent for the benefit and expansion fund.

When a sufficient number of turnovers have occurred to clear as outlined above, namely 100 check turnovers, the securities will be returned to the said county or to the State as being fully paid, so far as the principal is concerned and the interest charge for the time required to thus retire the bonds or warrants, say two years, is all that will be required in the way of interest charges. This sum will pay operating cost of the clearing house and trust charges.

Instead of it costing the taxpayer 100 per cent to pay off the principal and another 100 per cent of the face of the warrant in interest charges over the usual period of bonds, it will require but 5 per cent per year, for say two years, thus saving 100 per cent of the principal and about 90 per cent of the interest over a long period of years.

The checks drawn on this exchange are for deposit only, nonnegotiable, but with a check drawing privilege, thus assuring that each holder thereof will deposit same and share his part in the speedy retirement of the bond or warrant.

These checks will be accepted in payment of taxes by the political subdivision issuing them, thereby assuring their ready acceptance by all merchants, wholesalers and contractors.

Purchases from the retail merchants at regular selling prices may be made and wages at an advanced scale may be made by the State, county or city, in our march back to prosperity through the "secured credit" plan of financing public works projects without taxation, thus carrying out the wish of the National government that each State or each county assume all care of the indigent and the unemployed.

If the people wish the unemployed to have jobs without taxation—if the merchants would like the buying-power restored to the unemployed through public work-jobs, where all the people get the benefit of this construction for a public good, all they need do is to let their county supervisors know that they wish it financed under the "secured credit" method, instead of the old way of bonded indebtedness, taxes and more taxes.

This "secured credit" plan of financing has been approved by County Auditor, Herbert Payne and the Committee of 15 on Rehabilitation of Los Angeles County.

The Veterans Credit Association can do many things for the benefit of the unemployed and indigent of the State, with the use of county credit without taxation, that the county itself can not do without considerable legislation and a long amount of time wasted. The Veterans Credit Association is ready and willing to do these things now when it is needed.

This is a profit sharing arrangement between the exchange and the merchant—a voluntary contract agreement being entered into—everyone prospers or profits by the transaction. The merchant is pleased, as he never pays the 5 per cent service charge until after he has made a profit on the sale, made possible by the plan. Many debts will be paid under the "secured credit" plan and none of them will object to the 5 per cent service charge, on account of the good it will do the taxpayer and the veteran. The banks will be pleased to do business with a rehabilitated citizenry, as it will improve the conditions of all the people by putting back into circulation the check currency taken out when loans were called since 1929. This is strictly a recovery measure, that will benefit all and injure none. The banks should be highly pleased with the results.

Yours truly,

VETERANS CREDIT ASSOCIATION.

By C. STANLEY BLISS,

Chairman Executive Committee.

Also:

LOS ANGELES, CALIFORNIA,  
2827 Brighton Avenue, May 21, 1936.

Re: Relief Financing

*Hon. Chas. W. Lyon, Assemblyman, 59th Dist, Sacramento, California.*

MY DEAR MR. LYON:

You are again called to the State capital to devise ways and means for the immediate relief of several hundred thousand destitute citizens. The following proposal is made because I believe it is the quick and effective way out of the difficulty.

The Veterans Credit Association, a nonprofit California corporation, has been formed to perform a specific duty for the World War Veterans now about to receive their bonus bonds. The Vets may place a convertible bond or cash into trust with this association, receive check credits, spend them into general channels of trade, one cent of service charge being placed into redemption fund to redeem amount placed in trust after 100 turnovers have been effected—100 cents on the dollar—at which time the veteran may again take advantage of same operation—thus keep his cake and eat it too—and with 100 turnovers in two years, he will thus be able to receive, on a \$500 deposit, three (3) check-drawing privileges of \$500 each, or \$1500, and at the end of the operation receive his original \$500 convertible bond or cash in return, thus giving him in six (6) years \$2,000 for his \$500.

In looking into the tax delinquent lists of Los Angeles County, I find that there is constantly a sum due to the county, which, if used as a base for the issuance of credit similar to the plan outlined for the veterans, this county, as well as others, could at once enter into agreement with the Veterans Credit Association to hold in trust, or in a trust to be named by the supervisors of each county, against which the Veterans Credit Association will issue check credits to the county for distribution to indigents of other dependents employed by the county; the merchants in each city would accept the checks and pay a slight service fee in cash to the association; this cash fee will create the operating fund, the redemption fund, and emergency fund. When 100 turn-overs have been effected, the redemption fund will contain cash money to redeem all tax delinquent lists placed in trust, or money raised by payment of such taxes in meantime. Each county can do this at once and save the day. With county or State warrants or bonds (bearing no interest) placed in trust, it will operate in the same manner. This is the big chance for California to take the lead in this vital matter, and I hope you can succeed in having the Legislature approve such plan at this session.

Very sincerely yours,

ANDRAE B. NORDSKOG.

#### Suggestion for Method of Procedure in any County in California

The county board of supervisors may, by resolution or ordinance place in trust with the county treasurer (under agreement with the Veterans Credit Association), a sum of money, in the form of warrants or otherwise, sufficient to provide for the care of all indigents within the county; which money is to be used as security or collateral backing only for the issue of "Secured-credit-checks" for the exclusive use of the county, and not to be expended or dissipated; or, the county board of supervisors may, in lieu of cash money, or warrants, by resolution or ordinance, place in trust (under agreement with the Veterans Credit Association) a number of delinquent tax accounts to be used as collateral security or backing only for the issuance of Secured-credit-checks for the exclusive benefit of the county, with the proviso that if, as and when said delinquent tax accounts are paid to the county, the

county may substitute money for said delinquent tax accounts, and thereby release said accounts from the trust fund, or if, as, and when said delinquent tax accounts are collected through actual tax sale, then monies so collected shall substitute said accounts in trust fund, and said accounts shall be released and if theoretical tax sale is made, then properties thus taken by the county shall be substituted for said delinquent tax accounts and such accounts shall be released from trust fund.

### **Privilege of Floor of Assembly Extended.**

On request of Messrs. Nielsen and Desmond, privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Crocker School, sixth grade class, Pauline Olson, teacher; and the following pupils: Norman La Mar, class president; Jack Veon, vice president; Margaret Virga, secretary; Claire Fahn, treasurer; La Von Meador, Dolores Silva, Dorothy Jones, Betty June Myers, Sheila Lovell, Geraldine Webb, Marie McWilliams, Donnie Johnston, Ella-deane Scarlett, Asaye Tominaga, Sylvia Browne, Fern Douglass, Betty Jo Wilson, Marian Irving, Johanna Becker, Roy Howland, Jack Irwin, Donald Peterson, Harold Kuck, Robert Dailey, Fred Kirchubel, Solomon Neito, Wesley Kelly, Roy McAnaw, and Roy Johnson.

### **Senate Messages.**

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

SENATE CHAMBER, SACRAMENTO, May 25, 1936.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1—An act to add section 1a to the "California Unemployment Relief Act of 1935," relating to the appropriation to carry into effect the purposes of the act, creating a special fund therefor and providing for expenditures from and transfers to and from and for payments in lieu of transfers from said fund, this act to take effect immediately:

Also: Senate Bill No. 2—An act to amend section 613 of the Fish and Game Code, relating to steelhead trout,

Also: Senate Bill No. 3—An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof;

Also: Senate Bill No. 4—An act to validate the formation, organization and existence of sanitary districts and the bonds, including refunding bonds, of such districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, declaring the urgency of this act and providing that it shall take effect immediately.

J. A. BEEK, Secretary of Senate.

By FLORENCE I. MASON, Assistant Secretary.

Senate Bill No. 1 read first time.

Senate Bill No. 2 read first time.

Senate Bill No. 3 read first time.

Senate Bill No. 4 read first time.

### **Request for Unanimous Consent.**

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Bill No. 2, at this time, without reference to committee or file.

### **Consideration of Senate Bill No. 2.**

Senate Bill No. 2—An act to amend section 613 of the Fish and Game Code, relating to steelhead trout.

#### **Case of Urgency.**

The following resolution was offered:

By Mr. Burns:

*Resolved.* That Senate Bill No. 2 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Burns moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crown, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—62

NOES—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 2.

**Second Reading of Senate Bill No. 2.**

Senate Bill No. 2—An act to amend section 613 of the Fish and Game Code, relating to steelhead trout.

Bill read second time.

**Third Reading of Senate Bill No. 2.**

Senate Bill No. 2—An act to amend section 613 of the Fish and Game Code, relating to steelhead trout.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 2 finally passed by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crown, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—62.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

**Request for Unanimous Consent.**

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 3, at this time, without reference to committee or file.

**Consideration of Senate Bill No. 3.**

Senate Bill No. 3—An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof.

**Case of Urgency.**

The following resolution was offered:

By Mr. Garibaldi:

*Resolved*, That Senate Bill No. 3 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby



dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read

Mr. Garibaldi moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

**NOES**—None

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 3.

**Second Reading of Senate Bill No. 3.**

Senate Bill No. 3—An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof.

Bill read second time

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote.

**AYES**—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

**NOES**—None.

**Third Reading of Senate Bill No. 3.**

Senate Bill No. 3—An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 finally passed by the following vote:

**AYES**—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent.

Mr. Corwin asked for, and was granted, unanimous consent to take up Senate Bill No. 4, at this time, without reference to committee or file.

### Consideration of Senate Bill No. 4.

Senate Bill No. 4—An act to validate the formation, organization and existence of sanitary districts and the bonds, including refunding bonds, of such districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, declaring the urgency of this act and providing that it shall take effect immediately.

#### Case of Urgency.

The following resolution was offered:

By Mr. Corwin.

*Resolved* That Senate Bill No. 4 presents a case of urgency as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Corwin moved the adoption of the resolution

The question being on the adoption of the resolution

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

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hetsinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 4.

#### Second Reading of Senate Bill No. 4.

Senate Bill No. 4—An act to validate the formation, organization and existence of sanitary districts and the bonds, including refunding bonds, of such districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hetsinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosen-

thal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

**Third Reading of Senate Bill No. 4.**

Senate Bill No. 4—An act to validate the formation, organization and existence of sanitary districts and the bonds, including refunding bonds, of such districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeJap, Desmond, Dombue, Donnelly, Evans, Heibert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Mipard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

**Motion.**

Mr. Anderson moved that the Assembly resolve itself in a Committee of the Whole to consider Senate Bill No. 1.

Motion carried.

**In Committee of the Whole.**

Speaker Craig in the chair.

Senate Bill No. 1 considered.

Mr. Lyon moved that the Committee of the Whole do now rise, and report back to the Assembly.

Motion carried.

**IN ASSEMBLY.**

Speaker Craig in the chair.

**Report of Committee of the Whole.**

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1936.

GENTLEMEN. Your Committee of the Whole, to which was referred Senate Bill No. 1—An act to add section 1a to the "California Unemployment Relief Act of 1935," relating to the appropriation to carry into effect the purposes of the act, creating a special fund therefor and providing for expenditures from and transfers to and from and for payments in lieu of transfers from said fund, this act to take effect immediately—has had the same under consideration, and does now report the same back.

CRAIG, Chairman.

**Recess.**

At eleven o'clock and thirty minutes a.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

### Reassembled.

At two o'clock p m., the Assembly reconvened.  
Speaker Craig in the chair.

### Senate Messages.

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

SENATE CHAMBER, SACRAMENTO, May 26, 1936

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, this act to take effect immediately.

Also: Assembly Bill No. 3—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817l and 3817m of the Political Code, and to add sections 3817b4 and 3817c4 thereto, relating to taxation and assessment including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 4—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2—An act to add section 3660c to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivals made subsequent to September 15, 1935, this act to take effect immediately;

Also: Assembly Bill No. 6—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

J. A. BEEK, Secretary of Senate

By FLORENCE I. MASON, Assistant Secretary.

Assembly Bills Nos. 1, 3, 4, 2 and 6 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 25, 1936

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 5—An act to amend sections 1, 3, 5, 6 and 9 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind, this act to take effect immediately.

Also: Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately.

J. A. BEEK, Secretary of Senate

By FLORENCE I. MASON, Assistant Secretary.

Senate Bill No. 5 read first time.

Senate Bill No. 6 read first time.

### Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 5, at this time, without reference to committee or file.

### Consideration of Senate Bill No. 5.

Senate Bill No. 5—An act to amend sections 1, 3, 5, 6 and 9 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind, this act to take effect immediately.

**Case of Urgency.**

The following resolution was offered:

By Mr. Hornblower:

*Resolved*, That Senate Bill No. 5 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

**NOES**—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 5.

**Second Reading of Senate Bill No. 5.**

Senate Bill No. 5—An act to amend sections 1, 3, 5, 6 and 9 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act." approved May 28, 1929, relating to aid to the needy blind, this act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

**NOES**—None.

**Third Reading of Senate Bill No. 5.**

Senate Bill No. 5—An act to amend sections 1, 3, 5, 6 and 9 of an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act." approved

May 28, 1929, relating to aid to the needy blind, this act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 finally passed by the following vote:

**AYES**—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyer, Phillips, Reaves, Redwine, Richie, Riley, Roseuthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Senate.

#### **Request for Unanimous Consent.**

Mr. McBride asked for, and was granted, unanimous consent to take up Senate Bill No. 6, at this time, without reference to committee or file.

#### **Consideration of Senate Bill No. 6.**

Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately.

#### **Case of Urgency.**

The following resolution was offered:

By Mr. McBride:

*Resolved*, That Senate Bill No. 6 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. McBride moved the adoption of the resolution.

The question being on the adoption of the resolution.

#### **Motion.**

Mr. Jones moved that Senate Bill No. 6 be referred to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 6 ordered referred to Committee on Revenue and Taxation.

#### **Request for Unanimous Consent.**

Mr. Cottrell asked for unanimous consent to take up Senate Bill No. 1, at this time, without reference to committee or file.

#### **Objection to Unanimous Consent.**

Mr. Hornblower objected to unanimous consent to the consideration of Senate Bill No. 1.

Senate Bill No. 1 passed on file.

### Communication.

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

By Mr. Speaker :

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,  
SACRAMENTO, CALIFORNIA, May 26, 1936.

*Honorable Edward Craig, Speaker of the Assembly,  
State Capitol, Sacramento, California*

Subject: Assembly Bill No. 8, Special Session of 1936, Amending the Oil Land Leasing Act

#### Question.

MR. SPEAKER: This is in response to the request of the Assembly for an opinion upon the question whether or not Assembly Bill No. 8 of this session is on a subject specified in the Proclamation convening the Legislature, within the meaning of the word "subject" as used in section 9 of Article V of the State Constitution.

#### Opinion.

In our opinion, this bill is not on a subject specified in the Proclamation

#### Analysis.

The bill amends the Act of May 25, 1921, which relates to minerals in State lands, including the issuance of permits and leases for the extraction of oil from such lands.

The amendment transfers certain powers and duties from the State Surveyor General to the Director of Natural Resources; authorizes the leasing of tidelands for oil production and the granting of easements from the uplands to such tidelands, and appropriates the moneys received by the State therefrom for expenditure, as provided in the California Unemployment Relief Act of 1935, for the relief of hardship and destitution due to and caused by unemployment

Clause 1 of the Proclamation is the clause to be considered in relation to this bill

That clause declares that the Legislature is convened:

'To consider and act upon an act to make available during the eighty-seventh fiscal year, as well as the eighty-eighth fiscal year, the moneys heretofore appropriated by section 1 of the 'California Unemployment Relief Act of 1935,' for the same purposes as in said section now provided. \* \* \*

We believe the words underlined are an essential part of the subject specified in this clause and, as such, express a limiting factor in respect to the scope of the Legislature's power to legislate at this session

The bill does not deal with the moneys heretofore appropriated by section 1 of said Act of 1935, does not make any of such moneys available during the eighty-seventh fiscal year, deals with matters quite foreign thereto

We have found but one California decision which touches this question (*People vs. Cunn*, 130 Cal. 82). It held that a certain proposed constitutional amendment dealt with a subject not specified in the Proclamation convening the Legislature in 1900. It does not throw much light on the question now under consideration, save that it emphasizes the importance, in each case, of ascertaining the subject of the bill or constitutional amendment and the subject specified in the Proclamation.

We have examined numerous decisions of other States. That decision which construed a measure most nearly like Assembly Bill No. 8, in relation to the Proclamation, appears to be the Colorado case of *In re Opinion of the Justices* (1934), 29 Pacific Second 705

There the subject specified in the call was

"To declare the relief of the poor to be a State purpose as well as a county purpose, and to enact necessary laws to effectuate such policy "

The bill under consideration in that case provided an elaborate code for the regulation of the manufacture, sale and use of malt, vinous and spirituous liquors. It was tied in with "relief" through the medium of making the revenues thus accruing available for the relief of the destitute and unemployed

The court held that the bill was not within the call. The decision is the more persuasive in view of the fact that Colorado is one of the States that definitely recognizes the principle that the Proclamation may specify the "subject" but within the scope of that subject may not bind the Legislature as to detailed methods of dealing with that subject. (*In re Governor's Proclamation*, 35 Pac. 531, *People vs. Johnson* 46 Pac. 681, *Denver Railroad vs. Moss*, 115 Pac. 696.)

We believe, therefore, that the Colorado decision first cited herein indicates the principle which our courts will declare and apply if and when a case in point comes before them and that they would hold that the subject of Assembly Bill No. 8 is

not within the purposes specified in the Proclamation convening the Legislature at this special session

Respectfully submitted.

FRED B. WOOD, Legislative Counsel.

### Second Reading of Assembly Bill No. 8.

Assembly Bill No. 8—An act relating to the relief of hardship and destitution due to and caused by unemployment by amending sections 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 23, 24 and 25 of and by adding section 18a to that certain act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, providing for leasing of tide, overflowed or submerged lands of the State under which there is situate deposits of oil or gas within a known geologic structure of a producing oil or gas field, by competitive bidding, and for the acquisition and granting of easements by the State for the purpose of prospecting for and taking petroleum, gas and other hydrocarbon substances from such lands and from lands over which the State has or claims or asserts any jurisdiction or right, by means of wells drilled into such lands from uplands situate within two thousand feet thereof, providing for the administration of said act by the Director of Natural Resources and appropriating the moneys received by the State from such leases for the relief of hardship and destitution caused by unemployment.

Bill read second time.

#### Point of Order.

Mr. Lyon arose to the following point of order: That Assembly Bill No. 8 was not on a subject specified in the Governor's Proclamation.

#### Ruling.

The Speaker referred the point of order to the Assembly.

The question being on the point of order submitted by Mr. Lyon.

#### Motion.

Mr. Latham moved, seconded by Mr. Wright, that Assembly Bill No. 8 be referred to Committee on Ways and Means.

#### Point of Order.

Mr. Evans, Ralph W., arose to the following point of order: That the Assembly can not vote on a bill until it is properly introduced.

#### Ruling.

The Speaker ruled that the point of order was not well taken, as the bill was properly introduced.

#### Substitute Motion.

Mr. Wright moved, as a substitute motion, that Assembly Bill No. 8 be laid on the table.

#### Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.



The roll was called, and the motion to lay Assembly Bill No 8 on the table was carried by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Moigan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55.

NOES—Anderson, Boyle, Cassidy, Clark, Desmond, Donihue, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Patterson, Pelletier, Reaves, Rosenthal, Voigt, and Wagner—22

### Communication.

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

By Mr. Speaker:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,  
SACRAMENTO, CALIFORNIA, May 26, 1936.

*Honorable Edward Craig,*  
*Speaker of the Assembly,*  
*State Capitol, Sacramento, California.*

Subject Assembly Bill No. 9, Special Session of 1936, Amending the California Unemployment Relief Act.

#### Question.

MR SPEAKER This is in response to the request of the Assembly for an opinion upon the question whether or not Assembly Bill No 9 of this session is on a subject specified in the Proclamation convening the Legislature, in the meaning of "Subject" as used in section 9 of Article V of the State Constitution.

#### Opinion.

In our opinion, this bill is not on a subject specified in the Proclamation.

#### Analysis.

The bill amends section 8 of the California Unemployment Relief Act of 1935 which relates to the establishment of rules and regulations by the Relief Commission in regard to eligibility for aid, assignment of applicants to work, preparation of estimates, operation of camps and the providing for any and all other matters necessary to carry out the objects of the act.

The amendment provides for the granting of a sum not less than \$15 a week to each head of a family and, in addition, a sum not less than \$3 a week for each person dependent upon him for support. In addition, it provides that the operation of these minimum limits of amount shall be suspended if the limits would render the State of California or any resident of the State ineligible to receive Federal assistance.

Clause 1 of the Proclamation is the clause to be considered in relation to this bill. The clause declares in part that the Legislature is convened.

"To consider and act upon an act to make available during the eighty-seventh fiscal year, as well as the eighty-eighth fiscal year, the moneys heretofore appropriated by section 1 of the 'California Unemployment Relief Act of 1935,' for the same purposes as in said section now provided. \* \* \*"

It is our belief that the words underlined are an essential part of the subject specified in this clause and that they express a limiting factor in respect to the scope of the Legislature's power to legislate.

The bill before us does not deal with the moneys heretofore appropriated for the eighty-eighth fiscal year by making them available during the remainder of the eighty-seventh fiscal year, does not apply to such of the moneys that may be made available during the eighty-seventh fiscal year, but in our opinion deals with other matters.

It has been held in California that section 9 of Article V is mandatory upon the Legislature and that a subject not mentioned in the call can not be dealt with by the Legislature. (*People vs. Curry*, 130 Cal. 82.) This case does not throw much light on the question under consideration for there was an entire absence of mention of the subject upon which legislation was attempted there.

An extensive analysis of this question under similar provisions of the Constitutions of other States, indicates that the Legislature is limited to the scope of the subjects mentioned in the Proclamation. The issue in each case is the question,

"What is the subject specified?" Within the limits of that subject the Legislature has wide discretion, but beyond the scope of that subject it is not possible to legislate effectively. In addition to the cases cited in our opinion of this date in relation to Assembly Bill No. 8, may be cited *In Re Governor's Proclamation 35 Pacific 531*; *People vs. Johnson*, 46 Pacific 681; *State vs. Woollen*, 161 Southwestern 1006; *Commonwealth vs. Liveright*, 161 Atlantic 697.

We believe that if the question were presented to them our courts would hold that Assembly Bill No. 9 of this session does not come within the scope of the Proclamation.

Respectfully submitted.

FRED B WOOD, Legislative Counsel

### Request for Unanimous Consent.

Mr. Wagner asked for unanimous consent to take up Assembly Bill No. 9, at this time, without reference to committee or file, and that the same be considered engrossed.

The question being on the request of Mr. Wagner.

### Motion to Lay on the Table.

Mr. Lyon moved that Assembly Bill No. 9 be laid on the table

The question being on the motion to lay on the table

The roll was called, and Assembly Bill No. 9 was laid on the table by the following vote:

AYES—Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—55.

NOES—Anderson, Cassidy, Clark, Flint, Hawkins, Jones, Lore, Patterson, Pelletier, Reaves, Richie, Voigt, and Wagner—13.

### Communication.

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

By Mr. Speaker:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,  
SACRAMENTO, CALIFORNIA, May 26, 1936.

*Honorable Eduard Craig,*  
*Speaker of the Assembly, State Capitol,*  
*Sacramento, California.*

Subject: Assembly Bill No. 10, Special Session of 1936, Amending the Political Code in Relation to Registered Warrants.

#### Question.

MR. SPEAKER: This is in response to the request of the Assembly for an opinion on the question whether or not Assembly Bill No. 10 of this session is on a subject specified in the Proclamation convening the Legislature, within the meaning of the word "subject" as used in section 9 of Article V of the State Constitution.

#### Opinion.

In our opinion, this bill is not on a subject specified in the Proclamation.

#### Analysis.

The bill amends section 441 of the Political Code which provides for the registration of State warrants, and adds a section on the same subject.

The effect of the bill is to provide for the issuance of registered warrants in denominations of \$1, \$5, \$10, etc.; to prohibit the sale of warrants on bids, requiring their delivery directly to the person entitled to receive them; and to delete all provisions in the present law relative to the payment of interest on registered warrants.

The item in the call under which this bill might come is the third item, which reads as follows:

"3 To consider and act upon an act to make registered warrants of this State legal investments for funds the investment of which is restricted

by law, and to make registered warrants of this State acceptable as security in all cases in which security is required by law."

We believe that the words "legal investments" and "security," in relation to registered warrants of the State, indicate the essentials of the subject specified in this clause, and, as such, express a limiting factor in respect to the power of the Legislature "to legislate" at this session.

The enactment of this bill, in our opinion, would have no effect on the status of registered warrants as legal investments or as security, and we therefore regard it as outside the call.

We have found but one California decision which touches this question (*People vs Cuy*, 130 Cal 82). It held that a certain proposed constitutional amendment dealt with a subject not specified in the Proclamation convening the Legislature in 1900. It does not throw much light on the question now under consideration, save that it emphasizes the importance, in each case, of ascertaining the subject of the bill or constitutional amendment and the subject specified in the Proclamation.

Another California case of some interest in this connection is *Wallace vs Zinman* (1927), 200 Cal. 585, which deals with the question of whether or not the content of a certain statute was within the subject stated in the title. Although the rules governing that situation and the situation with which we are here concerned are not exactly interchangeable, yet there is an analogy which is helpful. In the decision in the case mentioned the court decided that since the title read "An act, to be known as the Usury Law, relating to the rate of interest which may be charged for the loan or forbearance of money \* \* \*," the text could not deal with charges and expenses of loan brokers.

The court said "the subject covered by the title is exclusively 'usury'. The subject covered by the provision under consideration is charges and expenses of loan brokers."

Similarly in the present case the subject of the call is exclusively to make registered warrants of this State "legal investments" and to make them acceptable as "security" where security is required by law, so it seems inappropriate to deal with registered warrants in other respects.

The decisions of other States, construing constitutional provisions similar to those of section 9 of Article V of our Constitution, indicate the importance, in each case, of first ascertaining the true "subject" specified in the call.

That subject, once determined, marks the limits of legislation at a special session even though within those limits the Legislature has discretion as to particular details.

In addition to the decisions cited in our opinion of this date in relation to Assembly Bill No. 8, may be mentioned, in this connection, *State vs. Woolen* (Tenn.), 161 S. W. 1006; *In re Lukins* (Pa.), 72 Atl 862; *Commonwealth vs Livright* (Pa.), 161 Atl 697.

We believe, therefore, that the principles herein mentioned are those which our courts will declare and apply if and when a case in point under this provision of the Constitution (Article V, section 9) comes before them, and that they would hold that the subject of Assembly Bill No. 10 is not within the purposes specified in the Proclamation convening the Legislature at this special session.

Respectfully submitted.

FRED B. WOOD, Legislative Counsel

**Second Reading of Assembly Bill No. 10.**

Assembly Bill No. 10—An act to amend section 441 of the Political Code, and to add section 441.5 thereto, relating to registered warrants.

Assembly Bill No. 10 read second time

Passed on file

**Communication.**

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

By Mr. Speaker:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,  
SACRAMENTO, CALIFORNIA, May 26 1936.

*Honorable Edward Craig,  
Speaker of the Assembly  
State Capitol, Sacramento, California*

Subject: Assembly Joint Resolution No. 1, Special Session of 1936, Relative to Employment Under the Works Progress Administration

**Question.**

MR. SPEAKER: This is in response to the request of the Assembly for an opinion on the question whether or not Assembly Joint Resolution No. 1 of this session deals

with a subject specified in the Proclamation convening the Legislature and, as such, presents a subject upon which the Legislature may legislate at this session.

#### Opinion.

It is our opinion that the subject of this resolution is not one of those specified in the Proclamation, but we believe the Legislature has the power to consider and act upon this resolution at this special session upon the ground that to adopt such a resolution would not be "to legislate" within the meaning of section 9 of Article V of the Constitution of California.

#### Analysis.

It is clear that the enactment of a "bill" into law or the adoption of a resolution proposing a "constitutional amendment" is "to legislate" within the meaning of section 9 of Article V of the Constitution.

On the other hand, it has been held in this State that confirmation by the Senate of an appointment made by the Governor is not an act of legislation within the meaning of said section 9, and may be considered at a special session regardless of the question whether or not the subject thereof is specified in the Proclamation. (*People vs Blanding* (1883), 63 Cal. 333 )

It is also established in this State that a mere resolution (as distinguished from a concurrent resolution approving a city or county charter or an amendment to such a charter) does not have the effect of law (*Mullan vs. State* (1896), 114 Cal. 578.) In addition, there are many legislative precedents for concurrent and joint resolutions at special sessions even though not within the subjects specified in the call. Among such are resolutions which appear in the Statutes of 1900, page 24, and Statutes of 1917, page 45, Chapter 2 of Resolutions.

At the California special session of 1881, a certain resolution on a subject not specified in the Proclamation came before the Senate for consideration. The point of order was made that the resolution dealt with a subject not specified in the call. The presiding officer of the Senate ruled the point not well taken and, on appeal, the Chair was sustained by the Senate. (Extra session 1881, Senate Journal, pages 514 and 516 )

A similar ruling was made by the Speaker in 1907 (Assembly Journal for November 22, 1907, page 52).

We are of the view, therefore, that section 9 of Article V of the State Constitution does not prevent consideration of, and action upon, this joint resolution at this special session.

Respectfully submitted.

FRED B WOOD, Legislative Counsel.

### Request for Unanimous Consent.

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

### Consideration of Assembly Joint Resolution No. 1.

Assembly Joint Resolution No. 1—Relative to memorializing the President of the United States and the Works Progress Administrator to provide employment under the Works Progress Administration for those now unemployed who are employable.

Assembly Joint Resolution No. 1 read

Mr. Wagner moved the adoption of Assembly Joint Resolution No. 1.

The question being on the adoption of Assembly Joint Resolution No. 1.

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

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Flmt, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reeves, Riche, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, and Mr. Speaker—60.

NOES—Breed, Fisher, Lyon, Utt, and Wallace—5.

Title read and approved.

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

**Assembly Joint Resolution No. 1.**

Relative to memorializing the President of the United States and the Works Progress Administrator to provide employment under the Works Progress Administration for those now unemployed who are employable.

WHEREAS, There are now on the State Relief Administration rolls in the State of California a great number of persons who, though unemployed, are employable; and

WHEREAS, The Works Progress Administration is one of the principal Federal agencies which is administering work relief in this State and finding employment for those who are unemployed, but employable; and

WHEREAS, Under the rules and regulations governing the hiring of the unemployed and their assignment to Works Progress Administration projects it is not possible to obtain employment under the Works Progress Administration unless the applicant was on the State Relief Administration rolls or on the relief rolls at some time between May 1 and November 1, 1935; and

WHEREAS, The effect of this requirement is to prevent the employment under the Works Progress Administration of persons not meeting the foregoing requirement, although such persons are now on the State Relief Administration rolls and are employable; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the State of California, through its Legislature, hereby respectfully urges that the President of the United States and the Works Progress Administrator make such changes in the rules and regulations governing the employment of persons under the Works Progress Administration as are necessary to permit the employment of all persons who are now unemployed but employable, regardless of their status between May 1 and November 1, 1935; and be it further

*Resolved,* That the Governor of the State of California forward a copy of this resolution to the President of the United States and to the Works Progress Administrator.

**Introduction and Reference of Bills.**

The following bill was introduced:

Assembly Concurrent Resolution No. 1: By Mr. Williamson—Relative to the prevailing wage scales for pilemen and operating engineers. Introduced.

**Request for Unanimous Consent.**

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

**Consideration of Assembly Concurrent Resolution No. 1.**

Assembly Concurrent Resolution No. 1—Relative to the prevailing wage scales for pilemen and operating engineers.

Assembly Concurrent Resolution No. 1 read.

Mr. Williamson moved the adoption of Assembly Concurrent Resolution No. 1.

The question being on the adoption of Assembly Concurrent Resolution No. 1.

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

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

**Assembly Concurrent Resolution No. 1.**

Relative to the prevailing wage scales for pilemen and operating engineers-

WHEREAS, The prevailing wage scales for pilemen and operating engineers, within the under mentioned areas, are as follows: Pile driver foreman, \$1.60 per hour; pilemen, 1.33 $\frac{1}{4}$  per hour; operating engineers, \$1.50 per hour; and

WHEREAS, The above mentioned wage scales have been accepted and applied by the State Division of Highways within the counties of Santa Clara, San Mateo, San Francisco, Marin, Alameda and Contra Costa; and accepted by the board of supervisors of the counties of San Mateo and San Francisco; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That this Legislature, in special session assembled, direct the State Personnel Board to accept and authorize the payment of the above mentioned wage scales to pilemen and operating engineers in the employ of the State Harbor Board of San Francisco

**Request to Print in Journal.**

Mr. Cottrell submitted the following report, and requested that the same be printed in the Journal:

Request granted.

**Preliminary Report of Chairman of Special Interim Committee to Investigate the Dismissal of John Pacheco, Former Captain of the Highway Patrol of Santa Clara County.**

(NOTE: This report is written as a committee report but is submitted at this time as the individual report of C. C. Cottrell.)

*To the Honorable Edward Craig, Speaker of the Assembly,  
and the Members of the Assembly.*

This committee, consisting of William B. Hornblower, James J. McBride and C. C. Cottrell, Chairman, in compliance with a resolution adopted by your body, has carefully reviewed the evidence in the case of *Thomas O'Brien, Complainant, vs. John Pacheco, Captain of the California State Highway Patrol, Defendant, tried before the Department of Motor Vehicles on January 29, 1932, resulting in a decision of dismissal on February 20, 1932.* Your committee has interviewed various witnesses and the Chief of the Highway Patrol and has reviewed the transcript of testimony and judges' decision in the case. In addition to that, the various members of the committee have talked to heads of departments and officers in an informal way with respect to this particular trial and also talked generally concerning the trial system then in use by the California Highway Patrol. We have reviewed the evidence in this case and examined the circumstances surrounding the trial and the prompting forces motivating the trial for the purpose of determining whether or not this particular Captain of the Highway Patrol was fairly dismissed from service and further whether the trial system in use at the time was one that permitted a fair and impartial hearing before an unbiased tribunal, consistent with the sound American sense of justice.

We have also examined the evidence and circumstances surrounding this trial to determine whether the set-up in the Motor Vehicle Department permits too much interference in the administration and discipline of the Highway Patrol by the Director and whether this outside interference breaks down the morale of the officers with resulting inefficiency.

The committee desires to make it clear from the outset that it is not interested in John Pacheco, the defendant, as an individual but is interested only in the defendant as a member of the California State Highway Patrol and an officer thereof, who claims to have been dismissed from service on charges of which he was not guilty.

This particular officer had been Captain of the Santa Clara County Highway Patrol for a number of years, and was well known in Santa Clara County and surrounding counties as one of the oldest motorcycle officers. He was charged with being absent from his county without permission, and drunk and disorderly in full uniform in the city of Salinas on July 25, 1931. The date marked the celebration on July 25, 1931, of the Salinas Rodeo and the Chief of the Highway Patrol, E. Raymond Cato, had assigned several officers from each county to special duty in Salinas at that time. There were four highway patrolmen from Santa Clara County, subordinate to Captain Pacheco, assigned to duty in Salinas on the evening of July 25th and who testified before the committee that they were in Salinas that day and evening on duty. According to statements of E. Raymond Cato, Chief of the Highway Patrol, there were at least 25 officers from counties surrounding Santa Clara in Salinas on that particular occasion.

On the evening of July 25, 1931, on the main street in Salinas, a disorderly scene took place in which an officer of the Highway Patrol, in uniform, was disorderly, was drinking intoxicating liquor on the street, and was permitting a lady companion to wear his badge and also his cap. The testimony of all witnesses at the trial of

Captain Pacheco established the occurrence of this unfortunate incident in Salinas beyond any question of doubt. Your committee is satisfied that an incident of disorderly conduct on the streets of Salinas during the Rodeo did occur.

It was the duty of the prosecution in the case to establish beyond any question of doubt the act of disorderly conduct, which they did and likewise to establish beyond any reasonable doubt that John Pacheco, Captain of the Highway Patrol, was the particular officer involved. Thus they failed to do, and the record in the case fails to establish his presence there. The record is so weak that the preponderance of testimony is in favor of an acquittal and not a conviction, and yet the officers sitting in judgment upon him, found him guilty and recommended dismissal.

For the benefit of the Assembly members, we will review here in the order of their appearance, the various witnesses for both prosecution and defense who appeared before the trial board.

(1) Thomas O'Brien the complaining witness. Mr. O'Brien resided in San Francisco and was a truck contractor by occupation. He was the complaining witness against Pacheco and identified Pacheco as the officer involved in the Salinas incident. He testified that everyone else on the truck in the street, where the scene took place, talked with the officer, who was drinking and somewhat intoxicated, but that he, O'Brien, did not talk with him. (O'Brien is the only one, however, who positively identified Pacheco as the officer involved.)

(2) Martin Smith. This witness was called by the prosecution. His testimony was that he believed that Pacheco resembled the officer involved in the incident in Salinas but refused to positively identify Pacheco as the man. This same witness was shown a photograph of Pacheco in San Francisco prior to the trial and failed to identify Pacheco from the photograph.

(3) Leland Bergen testified that the officer involved in the Salinas incident was either a traffic officer or a police officer. He was not sure. He failed to identify Pacheco as the man involved in the incident but testified that Pacheco resembled the man involved in the incident.

At the conclusion of the testimony of these three witnesses the prosecution rested its case. O'Brien, the complaining witness, makes the only positive identification of Pacheco. Since the trial, O'Brien is charged with having made several inconsistent statements but he has made truthful statements that tend to show that considerable pressure was used upon him to sign the complaint and that it was not done entirely freely and voluntarily on his part.

However, confining our remarks at this time strictly to the record, we must concede that O'Brien was one of about 20 people about the scene of the incident in Salinas who saw the officer involved, and is the only one who makes a positive identification and yet, by his own testimony, he is the only one of the group who did not talk with the officer. His testimony is partly corroborated by Martin Smith and Leland Bergen, who refuse to positively identify and merely state that there is a resemblance. When we consider that this incident involved an officer in uniform and that uniforms in the California Highway Patrol are all alike, one can realize the weakness of testimony of this kind.

The prosecution was in charge of E. Raymond Cato, Chief of the Highway Patrol, who was in attendance at the trial. He had in Salinas that night at least 25 officers of the Patrol, all of whom knew Pacheco. The prosecution, knowing that a man's job and reputation was at stake, failed to produce a single officer to testify that Pacheco had even been in Salinas that night. Those in charge of the prosecution knew in advance that Pacheco's defense was that he was not in Salinas on the night in question, to wit: July 25, 1931. They should have been doubly aware, therefore, that their responsibility was to clearly establish his presence in that city.

The defense then proceeds to call the other witnesses who also witnessed the scene on the street but who failed to identify Pacheco. Here we may take time to comment on the prosecution's attitude in this case. Out of some 10 to 15 witnesses who witnessed the scene in Salinas and who must have been available to them, they selected three, one of whom identified Pacheco and the other two who say he resembled the man involved in the scene. They refused to put on any of the other witnesses who were at the scene of the incident and forced the defense to call them as witnesses. These witnesses testified approximately as follows:

(4) Mannel Hibbs testified that Pacheco was not the officer involved in the incident in Salinas.

(5) John B. McDonald, owner of a broadcasting bus, testified that Pacheco was not the man involved in the incident at Salinas.

(6) Arthur R. Tetrak, a resident of the city of San Jose, who had known Pacheco for about five years and who happened to be passing at the time of the incident in question, testified that the officer involved in the incident was not John Pacheco.

(7) Everett Williams, a musician, testified that John Pacheco was not the man involved in the Salinas incident and then went into details describing an entirely different type of officer which could not fit the description of Mr. Pacheco.

(8) Dale Chivers testified that he could not say that Pacheco was the man and that he could not recall the description of the man involved in the incident.

Then the defense put on four witnesses who testified approximately as follows:

Robert Rothaltz, a San Jose merchant, that he maintained a cigar store in the St. James Hotel in San Jose and that on the evening of July 25th at about ten thirty p.m. Pacheco was in front of his stand;

Josiah Lauce, Highway Patrol Officer in charge of the Santa Clara County Night Patrol Office, who testified that Pacheco appeared at the department headquarters at eleven o'clock p.m. that night;

Captain Livingston, Highway Patrol Officer of Salinas, who testified that Pacheco was to be in Salinas that night but that he had not seen him there;

George Mallard, a newspaper man, gave irrelevant testimony not involved in the issues in the case.

The prosecution then put on one rebuttal witness, Charles Kruse, a Coyote garage man. He testified that on the morning following the twenty-fifth he saw John Pacheco driving north on the Monterey Highway in a white State car with a woman in it. The testimony of Charles Kruse is the only bit of testimony in the entire case that has given the chairman of the committee any particular trouble as Mr. Kruse is a very high-class citizen. However, this is rebuttal by testifying to an incident on the day following and not direct testimony on the incident involved. It is possible that Mr. Kruse, who was first asked to be a witness the night before the trial in January, may have been confused on the date, going back to the month of July of the year before.

This constituted the evidence at the trial. There were eight people called as witnesses who witnessed the incident in Salinas. The complaining witness, Thomas O'Brien, of San Francisco, identified Pacheco, two believe he resembled the officer involved in the incident, and five testified that he is not the man and even describe a different looking officer. Ignoring completely any evidence of the defense to establish an alibi, the witnesses at the scene acquit Pacheco of the charge, if we are still operating under American form of jurisprudence in which a man is entitled to be presumed to be innocent until the contrary is proved and is supposed to be convicted by evidence that establishes his guilt beyond a reasonable doubt.

How then can we account for the judges' decision in this case? When we examine a question of this kind, we get away from factual matters and must look at the circumstances surrounding this trial. Dan O'Brien was director of the department at the time. He had repeatedly demanded of Chief Cato that an investigation be made of the Highway Patrol and its captain in Santa Clara County and that action be taken toward the dismissal of certain officers. Charge after charge of misconduct against various officers in Santa Clara County were reported to the Chief of the Highway Patrol and following out his duty, he had had each charge investigated and a report rendered to the director of the department with respect to same. The various reports did not clear the officers of some misconduct but failed to find substantiating evidence of any serious charge. Finally the order was issued by Director O'Brien with respect to Santa Clara County that he wanted "no more reports but action." By this he meant no more investigations but he wanted a charge of some kind filed and a trial and dismissal. That was the demand made upon the Chief of the Highway Patrol by his superior, the director, when that chief had failed to find substantiating testimony on a number of complaints.

After this demand by the director, the charge with respect to the Salinas incident immediately followed.

We now find the trial board chosen and irrespective of how fair the Chief of the Highway Patrol intended to be in choosing his trial board, it seems difficult to believe that some way, some how, the director of the department did not get word down through the department that he wanted a dismissal of the captain of the Santa Clara County Highway Patrol.

Three officers were chosen to try Pacheco. M. F. Brown was made president of the trial board and was picked from headquarters at Sacramento. He was an assistant in that department and had the title of an inspector and must have known Director O'Brien's attitude toward the Santa Clara County traffic squad. Whether this had any influence upon the deliberation of that trial board we can only surmise but their decision is such a travesty of justice that we must conclude that they were influenced consciously or unconsciously by the knowledge that the director was out to make a clean-up in that particular county.

The newspaper reporters were in attendance at this trial in Salinas and reported the hearing and all carried stories that the case against Pacheco at Salinas had collapsed. Apparently the trial board did not get the same reaction from the testimony that trained newspaper men received.

We can make one more vicious and obvious attack upon the trial system in existence at that time. E. Raymond Cato was in the position of prosecuting officer and was the man who gathered the testimony to be used against Pacheco. He is also the man who selected the trial board. This is not the chief's fault but it is a fault of a system that gives one man the power of prosecution and the power to select the trial board to pass on evidence which he has gathered or has had gathered by his subordinates. A system of that kind condemns itself.



The trial board officers are subordinate to Chief Cato and are subordinate to Director O'Brien. A condition permitting a trial under these circumstances can not be healthy for the goddess of justice.

This system would permit a ruthless dictator in the department to break any man he chose providing he had the courage and the nerve to go through with a long program of dismissals. A ruthless dictator in the department could hold a trial system of that kind over his men as a club and force them to be completely subservient under threat of their jobs, permitting them no independence of thought, no independence of action, and breaking down the morale of what otherwise could be a strong and efficient department.

In searching further for an explanation of the judges' decision, we find that two of the judges wrote an explanation of their decision. The decision of M. F. Brown, as president of the trial board, is particularly interesting. It is not a justification of the verdict but an apology for it, and a reading of the decision of M. F. Brown shows the type of mind that was sitting, supposedly in fair judgment, at this trial.

He makes the general conclusion that the three prosecution witnesses all told the truth and that the three prosecution witnesses were all high-class men, that all the defense witnesses were untruthful, that all the defense witnesses were characters of bad repute or associated with people of bad repute or were close friends of the defendant. In making these general conclusions, M. F. Brown, the president of the trial board, failed to properly analyze the witnesses and the testimony. He compliments Mr. Smith and Mr. Bergen, called by the prosecution, as being very high-class men and honorable citizens. He classifies Manuel Hibbs, called by the defense, as a man very unreliable. He forgot that Mr. O'Brien, the complaining witness, had testified that Hibbs, Smith and O'Brien were all in Salinas together in the same group and in the same party. O'Brien and Smith for the prosecution are honorable and Hibbs for the defense is dishonorable. How M. F. Brown justifies a decision of that kind from the record is beyond anyone's comprehension. It just can not be done.

Brown, the president of the trial board, fails to grasp the picture of the situation. Pacheco is charged with being drunk and disorderly on the streets of Salinas at a certain place on that street. It was the duty of the prosecution to call every witness available who had been near that scene. Pacheco had to call the individuals who were there. They were not of his choosing. He called those who were available. The prosecution is to be condemned in this case for not having called those witnesses itself, irrespective of whether their testimony was favorable to the prosecution's theory or not. It is the duty of the prosecution to produce all the evidence and not merely the evidence that favors their particular version of the case.

It was the duty of the prosecution in this case to produce reliable officers it had at Salinas who could testify positively and clearly that Officer Pacheco was there that night. Since this investigation has been pending and at this time, Officer Pacheco agrees to drop all further attempts at reinstatement if the prosecution, even at this time, will produce a single reliable officer from the Highway Patrol who will place him in Salinas on that night. He has denied on his sacred oath that he has ever been in the city of Salinas in uniform on that occasion or on any occasion.

Mr. Brown continues with his decision and characterizes another witness at the scene of this incident, who should have been called by the prosecution, and states that he would not believe Mr. McDonald under any circumstances, whether under oath or not, because "he seems to be a man that furnishes entertainers for cheap cabarets and bootleg joints." How is Pacheco responsible for the type of witnesses who were available at this time? Does Brown mean that Pacheco should have produced a group of Methodist ministers as witnesses to this alleged scene in Salinas? Is he not forced to take those who are available? Furthermore, there is not a single word anywhere in the record and not one word of testimony regarding the type of man that McDonald may be. He was operating a broadcasting car in Salinas and so far as we know, that is a reputable business. Where Brown got his information to condemn McDonald is a mystery. It is not in the record. It is a fine illustration of the type of prejudiced mind that sat on this trial board.

In referring to Dale Chivers, an entertainer who happened to witness the scene on the Salinas street, Brown imagines as follows: "I imagine that they were employed during that time by McDonald and depended largely on donations from the occupants from those places after they had played a piece." What have the "imaginings" of Mr. Brown to do with the evidence in this case? Has he any right to condemn witnesses on his own imaginings? If there was anything at all in the record to justify such conclusions, we would find some justification for Brown's attitude in the case but the record is wholly silent. Officer Brown is either so prejudiced against the witnesses for the defense or so lacks the ability to analyze evidence and draw proper conclusions therefrom that he should have disqualified himself as a trial judge.

The prejudice of Brown's attitude toward the defense witnesses is clearly illustrated in his attack upon Inspector Henry Livingston of Salinas, who testified for the defense. His testimony was relatively unimportant. About all it amounted to was that he had not seen Pacheco in Salinas that night, although Pacheco had promised to come to his home. Rather than risk our own wording, we quote one paragraph from Brown's decision: "Livingston also testified that he was at home and left to come down town on an errand to get some ice. Why was Livingston at his home all evening with such a celebration going on in the city of Salinas which outclasses all others in that valley for the number of people in attendance, or any other celebrations that are held there during the year. To me it looked like this was not the first party the captain and inspector had been on and his remarks were like he was trying to protect a pal. The fact that Captain Pacheco did not appear at Inspector Livingston's house party to me looked like it was another case of alibi on the part of Pacheco."

From the short testimony of Inspector Livingston, Brown is able to draw the conclusion that possibly Livingston and Pacheco had been on parties together. If they had, would this have been a crime?

We have only touched upon the viciousness of Brown's decision. The alibi witnesses for the defense he ridicules and condemns although they are known to the chairman of this committee as reputable men. We will not take time, however, to comment upon the alibi witnesses for the defense. This is unnecessary because the prosecution has failed to make out any case whatsoever against Pacheco. The testimony is ridiculously weak. The transcript has been submitted to impartial authorities for reading and review and all have concluded that the testimony in the record acquits Pacheco and does not convict him. The Chief of the Highway Patrol honestly admits that the case against Pacheco is very weak. We could quote others high in authority who know that evidence is wholly lacking against this officer on this particular charge. We have a case where an officer of the Highway Patrol, who depended upon that for his livelihood, is charged with drunk and disorderly conduct on the public streets of Salinas. He has repeatedly denied that and his presence there and yet he is convicted and condemned.

Unfortunately, the trial procedure on appeal merely permits a review of the questions of law on procedure and does not permit a review of the case on its merits. That is why this officer has no legal redress other than to appeal to an investigation of this kind to save his name and his honor. We feel that the Highway Patrol made a serious error when they failed to produce a case of positive identification against this officer. They failed to do this and he should be reinstated. The Highway Patrol should have produced officers who were in Salinas that night, who must have seen Pacheco if he was there. The condemned officer in this case does not ask or request a whitewash reinstatement without a trial. He offers, through his attorneys, to review this entire case in the superior court of our State, providing the State will consent to a review on the evidence as well as upon the question of legal procedure. He offers to submit himself to a trial before any fair tribunal. He offers to waive the statute of limitations on any and all charges which the department has against him, providing they will agree to open up this charge and retry him before a fair tribunal. The defendant Pacheco further offers to drop all attempts at reinstatement and justification if the Highway Patrol will now produce officers who were in Salinas on that night and will testify that he was there.

We are satisfied that Pacheco was not in Salinas on that night and that officers to give testimony of that kind could not then and can not now be produced.

Your committee feels that the great State of California can not permit a gross injustice of this kind to be committed in its name, irrespective of legal technicalities. Where a wrong has been done by the State, it is the duty of the State to right that wrong. The Chief of the Highway Patrol and the Director of the Department of Motor Vehicles can, if they wish, get out from behind technicalities and order a complete reopening and reinvestigation of this case on their part and then they can order the right thing done. In this we are satisfied that the executive department will bear them out. No one and no court will condemn anyone for attempting to right a wrong. It is their duty to immediately correct this situation and there are plenty of avenues, either through the courts or a reopening of the case for retrial, where they can make this correction. If they fail to do so, then we recommend that this Legislature, by legislative enactment, reimburse this man for his losses and legislate him back into his job. Specifically.

(1) We recommend the reinstatement of this officer and an adjustment with respect to his back pay, but not full pay because he has been employed in the interim.

(2) We condemn the trial system that was in force at the time, principles of which are carried over into the present trial system, and we recommend legislation that will permit the man being tried at least to challenge the trial board and to examine them as to their fairness and the fitness.

(3) We recommend the passage of protective legislation that will permit the Chief of the Highway Patrol greater independence in the operation of his depart-

ment without interference from the director in matters of discipline and control of personnel immediately responsible to him.

Respectfully submitted.

C. C. COTTRELL, Chairman

The above report was written in the plural as a committee report. It is submitted here as an individual report of the chairman of the committee and where reference is made to "we" or the "committee" it should read as the personal report of the chairman. The complete committee report will be made later after the other members have had an opportunity to digest and study this report.

C. C. COTTRELL

### Resolution.

The following resolution was offered:

By Messrs. Anderson and Clark:

#### Assembly Resolution No. 1.

WHEREAS, The permanent character of unemployment and the consequent need for social care of those California citizens made destitute through loss of employment is amply proved by the facts that approximately 800,000, or nearly 15 per cent of the State's population, are recipients of unemployment relief in this, the sixth year of the present depression; that the number of relief clients shows little more than seasonal variations; that while there is observed a returning prosperity in many major industries there is not evidenced a corresponding reduction in the number of unemployed, indicating that the increases in production and distribution of goods and services is being accomplished with the aid of a smaller proportionate labor force, and,

WHEREAS, There has been enacted into constitutional provision and legislative statute an administrative organization known originally as the State Emergency Relief Administration, now legally considered as a more permanent organ named the State Relief Administration, to supervise the expenditure of substantial funds provided by the State for relief of destitution caused by unemployment, and,

WHEREAS, This organ of government has developed an extensive experience and practice in dealing with this intricate problem of unemployment relief during the three years of its existence which has resulted in a relatively high measure of administrative efficiency and recognized ability to cope with the harassing problems of relief of the unemployed destitute within the limits of its budgetary allowances, and

WHEREAS, This invaluable experience should not be lost to the State through any hasty or poorly conceived plan of immediately discharging the present organization and vesting in the counties the obligation for the administration of unemployment relief, and,

WHEREAS, There exists in California provision through a State Welfare Board and county welfare boards for a program of care of the unfortunate indigents whom the poor laws of the State declare to be public charges, and,

WHEREAS, There is the possibility of integrating the programs personnel and administrative provisions of the unemployment relief administration and the welfare boards after due and proper study and enactment of well-considered legislation during the next regular session of the Legislature, to the end that duplication of administration will be eliminated, efficiency improved, and permanent provision for the aid of bona fide unemployed provided, and,

WHEREAS, There exists a substantial body of documentary evidence concerning the scope and character of the problems raised by this proposal to integrate the welfare and unemployment relief programs, both in State Relief Administration and State Welfare Boards' files and records of experiences, which should be collected, summarized, and made the basis of such statutory provisions as may be necessary to effect a proper integration, and,

WHEREAS, The assembly of such materials is a matter for technically trained, professionally experienced persons, therefore be it

*Resolved*, That a committee of five members of this Assembly be appointed by the Speaker thereof to act upon and fulfill all obligations designated in this resolution to the end that a proper proposal for legislation may be offered the January, 1937, legislative Assembly; and be it further

*Resolved*, That the committee shall proceed to organize by the election of one of its members as chairman and by the selection of a secretary and shall thereon proceed with the study and investigation herein authorized in such manner as it shall determine; and be it further

*Resolved*, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpoenas to compel the attendance of witnesses and secure testimony, and as far as practicable to have material testimony reported so the same may be available for use by the Assembly; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII, Chapter 2 of Title I

of Part III of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all public officials to furnish such reports, information and evidence upon request of the committee as may be pertinent to the purposes herein stated; and be it further

*Resolved*, That the sum of \$2,000 or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same, and be it further

*Resolved*, that the State Relief Administration, under the provisions of the California Unemployment Relief Act of 1935 empowering them so to do, authorize the University of California, through a proper department or person of its faculty to sponsor and supervise an investigation of the unemployment problem and its component parts, to the end that suggestions may be made to this body through this committee of such changes in welfare methods and legislation which will enable the State of California to administer public welfare in the most satisfactory manner. Such investigation is to be made under the sole control of the University of California through its designated department and individual. Salaries and such reasonable expenses as shall be required for the accomplishment of these purposes shall be authorized by the State Relief Commission out of the funds appropriated for unemployment relief and the study thereof in the State of California, as specifically provided in the Legislative Act of 1935 on Unemployment, and be it further

*Resolved* That a digest of the findings and recommendations of this investigation be submitted through this committee to the members of the Legislature in January 1937 or as soon thereafter as practicable, for their pleasure in resolving the important question of an adequately integrated program of welfare for the unemployed and destitute citizens of California.

Resolution read.

#### Floor Amendment.

During reading of the resolution, the following amendment was submitted by Mr. Lyon:

#### Amendment No. 1.

On page 3, line 9, of the typewritten resolution, strike out "and be it further", and all of lines 10 to 17, inclusive, and insert in lieu thereof a period

Amendment adopted.

Assembly Resolution No. 1, as amended, read and adopted

#### Consideration of Senate Bill No. 1.

Senate Bill No. 1—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

#### Case of Urgency.

The following resolution was offered:

By Mr. Cottrell.

*Resolved*, That Senate Bill No. 1 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Cottrell moved the adoption of the resolution

The question being on the adoption of the resolution

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo,

McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Seudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1.

**Second Reading of Senate Bill No. 1.**

Senate Bill No. 1—An act to add section 1a to the "California Unemployment Relief Act of 1935," relating to the appropriation to carry into effect the purposes of the act, creating a special fund therefor and providing for expenditures from and transfers to and from and for payments in lieu of transfers from said fund, this act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Seudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

**Third Reading of Senate Bill No. 1.**

Senate Bill No. 1—An act to add section 1a to the "California Unemployment Relief Act of 1935," relating to the appropriation to carry into effect the purposes of the act, creating a special fund therefor and providing for expenditures from and transfers to and from and for payments in lieu of transfers from said fund, this act to take effect immediately.

Senate Bill No. 1 read third time

**Floor Amendment.**

During third reading of the bill, the following amendment was submitted by Mr. Reaves:

**Amendment No. 1.**

On page 2 of the printed bill, as amended in the Senate May 25, 1936, between lines 18 and 19, insert the following:

"(d) Out of all moneys appropriated to the State Relief Administration the sum of five hundred thousand dollars shall be used for self-help cooperatives and shall be spent under the direction of the Division of Self-Help Cooperatives of the State Relief Administration. The Chief of the Division of Self-Help Cooperatives shall make such rules and regulations as shall be necessary to carry out the purpose of this act and may establish central warehouses for the clearing of produce and goods grown or manufactured by the self-help cooperatives of the State Relief Administration.

Each self-help cooperative project shall employ expert managers and supervisors who shall direct the activities of the project and who shall make weekly and monthly reports as to the progress of the project to the Chief of the Division of Self-Help Cooperatives who shall make a report to the Governor the end of each biennium.

No restrictions shall be placed upon the sale, barter or exchange of goods or services produced by self-help cooperatives under the State Relief Administration."

Mr. Reaves moved the adoption of the amendment to Senate Bill No. 1.

The question being on the adoption of the amendment.

**Request for Roll Call.**

On request of Messrs. Turner, Morgan and Clark the Speaker ordered a roll call taken on the amendment submitted by Mr. Reaves to Senate Bill No. 1.

The roll was called, and the amendment submitted by Mr. Reaves was refused adoption by the following vote:

**AYES**—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Wagner, Weber, and Welsh—29

**NOES**—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Peysler, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—43

Senate Bill No. 1 read third time.

**Floor Amendments.**

During third reading of the bill, the following amendments were submitted by Messrs. Clark, Jones, Anderson, Glover and Flint:

**Amendment No. 1.**

On page 1, line 3 of the printed bill, as amended, strike out "five," and insert in lieu thereof the following: "nine"

**Amendment No. 2.**

On page 1 line 4, of the printed bill, as amended, strike out "\$2,500,000 00" and insert in lieu thereof the following "2,900,000".

The question being on the adoption of the amendments by Messrs. Clark, Jones, Anderson, Glover and Flint, to Senate Bill No. 1.

**Request for Roll Call.**

On request of Messrs. Utt, Fields and Clark, the Speaker ordered a roll call taken on the amendments submitted by Messrs. Clark, Jones, Anderson, Glover and Flint, to Senate Bill No. 1.

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

**AYES**—Anderson, Boyle, Burns, Cassidy, Clark, Cunningham, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, and Welsh—30

**NOES**—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, O'Donnell, Peysler, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—46

Senate Bill No. 1 read third time

**Motion.**

Mr. Richie moved that the Assembly resolve itself in a Committee of the Whole to consider Senate Bill No. 1.

Motion lost.

**Third Reading of Senate Bill No. 1.**

Senate Bill No. 1—An act to add section 1a to the "California Unemployment Relief Act of 1935," relating to the appropriation to carry into effect the purposes of the act, creating a special fund therefor and providing for expenditures from and transfers to and from and for payments in lieu of transfers from said fund, this act to take effect immediately.

Bill read third time

The question being on the passage of the bill

The roll was called, and Senate Bill No. 1 finally passed by the following vote:

**A Y S**—Anderson, Andreas, Boyle, Breed, Biennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyster, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Seudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright and Mr. Speaker—78

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Senate

**Reports of Standing Committees—(Resumed).**

The following report of standing committee was received and read:

**On Revenue and Taxation.**

ASSEMBLY CHAMBER, SACRAMENTO, MAY 26, 1936

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, *Chairman*

Senate Bill No. 6 ordered on file for second reading

**Senate Message.**

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

SENATE CHAMBER, SACRAMENTO, May 26, 1936

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 7—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, *Secretary of Senate.*

By FLORENCE I. MASON, *Assistant Secretary.*

**Consideration of Senate Amendments to Assembly Bill No. 7.**

Assembly Bill No. 7—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 7?

**Amendment No. 1.**

On page 4 of the printed bill, between lines 5 and 6, insert the following:  
"SEC. 5. The provisions of this act effecting amendments to the Old Age Security Act of the State of California become operative July 1, 1936."

**Amendment No. 2.**

On page 4, line 6, of the printed bill, strike out "5", and insert in lieu thereof the following: "6".

**Amendment No. 3.**

On page 3, line 5, of the printed bill, strike out "and payment", and insert in lieu thereof a period and the following: "payment".

**Amendment No. 4.**

On page 3 of the printed bill, strike out line 7, and in line 8, strike out "be such inmate", and insert in lieu thereof the following "approval and the applicant may remain an inmate until he receives his first monthly payment, whereupon he shall cease to be such inmate."

**Amendment No. 5.**

On page 3, line 33, of the printed bill, after "funds", insert the following: "under the provisions of this act."

**Amendment No. 6.**

On page 3, lines 34 and 35, of the printed bill, strike out "and with all orders of the department made pursuant to this act".

The roll was called, and Senate amendments to Assembly Bill No. 7 were concurred in by the following vote:

**AYES**—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

**NOES**—None.

Assembly Bill No. 7 ordered to enrollment.

**Request for Unanimous Consent.**

Mr. Riley asked for unanimous consent to take up Senate Bill No. 6, at this time, without reference to file.

**Objection to Unanimous Consent.**

Mr. Peyser objected to unanimous consent to the consideration of Senate Bill No. 6.

**Consideration of Senate Bill No. 6.****Case of Urgency.**

The following resolution was offered:

By Mr. Lyon:

*Resolved*, That Senate Bill No. 6 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

**AYES**—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp,



Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—Dawson, Hunt, Johnson, and Peyser—4.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 6.

#### Second Reading of Senate Bill No. 6.

Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

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

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None

#### Motion to Expunge Record.

Mr. Peyser moved that the record whereby the urgency clause to Senate Bill No. 6 was adopted be expunged from the record.

The question being on the motion to expunge the record.

#### Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Peyser to expunge the record.

The roll was called, and the motion to expunge the record was lost by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthv, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—53.

NOES—Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Evans, Herbert J., Field, Frazier, Hornblower, Lyon, Martin, McBride, Morgan, Peterson, Phillips, Riley, Scudder, Stream, Utt, Walker, and Wright—22.

#### Third Reading of Senate Bill No. 6.

Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately.

Bill read third time.

#### Motion.

Mr. Lyon moved that the Assembly resolve itself in a Committee of the Whole to consider Senate Bill No. 6.

Motion carried.

#### In Committee of the Whole.

Speaker Craig in the chair.

Senate Bill No. 6 considered.

Mr. Lyon moved that the Committee of the Whole do now rise, and report back to the Assembly.

Motion carried

### IN ASSEMBLY.

Speaker Craig in the chair.

#### Report of Committee of the Whole.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1936

MR. SPEAKER: Your Committee of the Whole, to which was referred Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately—has had the same under consideration, and respectfully reports the same back.

CRAIG, Chairman

#### Third Reading of Senate Bill No. 6.

Senate Bill No. 6—An act relating to registered warrants of the State of California as security and as legal investments, this act to take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 6 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Riche, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Wright—56

NOES—Boyle, Cunningham, Dawson, Desmond, Donihue, Donnelly, Flint, Gilmore, Hunt, Johnson, Maloney, McCarthy, McMurray, Peyser, Robertson, Turner, Wallace, Williamson, and Mr. Speaker—19

Title read and approved

Bill ordered transmitted to the Senate.

#### Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read

#### On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, May 26 1936

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

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

| <i>Commencing May 27, 1936—</i>                | <i>Per diem</i> |
|------------------------------------------------|-----------------|
| A. V. Sparks, Assistant Sergeant-at-Arms-----  | \$5 00          |
| Gene Sullivan, Assistant Sergeant-at-Arms----- | 5 00            |

JAMES B. UTT, Chairman.

Mr. Utt moved the adoption of the report and resolution

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

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Her-

bert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71

NOES—None

### Resolution.

The following resolution was offered

By Mr. Utt.

#### Resolution.

*Resolved by the Assembly.* That a committee of one member be appointed by the Speaker to study legislative procedure at extraordinary sessions, and, be it further

*Resolved.* That the sum of one hundred dollars (\$100) is hereby appropriated out of the contingent expense fund of the Assembly for the purpose of paying the necessary expenses of this committee, and such assistance as it may deem necessary to carry out the provisions of this resolution

Resolution read

Mr. Utt moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

### Appointment of Special Committee.

The Speaker announced the appointment of Mr. James B. Utt to serve as such special committee.

#### Resolution.

The following resolution was offered

By Mr. Walker:

#### Resolution.

*Resolved.* That the Chief Clerk of the Assembly be, and he is hereby authorized to accept to the Controller for any and all warrants for payment to members, officers, and attaches of the Assembly after the close of the fifty-first session (extraordinary), and to mail the same to their respective owners

Resolution read and adopted.

#### Resolution.

The following resolution was offered

By Mr. Utt:

#### Resolution.

*Resolved.* That the names of all attaches of the Assembly be stricken from the <sup>PAY</sup> roll of the Assembly to take effect on the completion of the work on May 26, 1936

Mr. Utt moved the adoption of the resolution

The question being on the adoption of the resolution.

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham,

Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71

NOES—None.

### Resolution.

The following resolution was offered:

By Mr. Field:

#### Resolution.

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the Director of Finance in the sum of fourteen dollars and fifty cents (\$14.50), same being in payment of janitorial and elevator operators' services during this special session of the Legislature:

|                                                   |        |
|---------------------------------------------------|--------|
| 3 Janitors—2 days @ \$2 90 per day-----           | \$8 70 |
| 2 Elevator Operators—2 days @ \$2 90 per day----- | 5 80   |

and the State Treasurer is hereby directed to pay the same.

Mr. Field moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulker, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meenan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None

### Resolution.

The following resolution was offered:

By Messrs. Jones, Meehan, Geyer, Gilbert, Pelletier, Glover, Reaves, Flint, Hawkins and Hunt:

#### Assembly Resolution No. 2.

Relating to endorsement of the Old Age Revolving Pension Plan of Dr. F. E. Townsend.

WHEREAS, This Legislature did heretofore adopt a resolution memorializing the Congress of the United States to enact the Old Age Revolving Pension Plan of Dr. F. E. Townsend, said resolution being Chapter 57 of the Laws of 1935, and that

WHEREAS, Since the adoption of the said resolution there has been instituted a campaign for the purpose of influencing public opinion against the merits of the said plan; and

WHEREAS, In the opinion of this Assembly no facts have appeared which would justify any change in the opinion expressed by the Legislature in the aforementioned resolution, and,

WHEREAS, This Assembly still feels that the said pension plan provides a means whereby widespread and urgently needed adjustments in our economic system may be made to the end that unemployment, destitution and want may be abolished, and,

WHEREAS, This Assembly still believes the said plan to be socially just and economically sound; now, therefore, be it

*Resolved by the Assembly of the State of California*, That it does hereby affirm its faith and confidence in the merits of the said plan and in the integrity of the leaders thereof and does hereby memorialize the Congress of the United States to enact the said Townsend Old Age Revolving Pension Plan, and be it further

*Resolved*, That a copy hereof be forwarded to the President and Vice President of the United States, the Speaker of the House of Representatives and to each Senator and Member of the House of Representatives of the Congress of the United States.

Resolution read.

Mr. Jones moved the adoption of the resolution.

The question being on the adoption of the resolution.

**Motion to Lay on the Table.**

Mr. McCarthy moved that the resolution be laid on the table.

The question being on the motion to lay the resolution on the table.

**Request for Roll Call.**

On request of Messrs. Jones, Flint and Wagner, the Speaker ordered a roll call taken on the motion to lay the resolution on the table.

The roll was called, and the motion to lay the resolution on the table was lost by the following vote:

**AYES**—Anderson, Boyle, Breed, Brennan, Clark, Corwin, Cottrell, Dawson, Desmond, Evans, Ralph W., Fisher, Johnson, Mayo, McCarthy, Morgan, Richie, Utt, Voigt, Walker, Wallace, and Welsh—21.

**NOES**—Andreas, Burns, Cassidy, Chatters, Cronin, Crowley, Cunningham, Field, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Wagner, Waters, Weber, and Mr. Speaker—41

Resolution read.

The question being on the adoption of the resolution.

**Request for Roll Call.**

On request of Messrs. Reaves, Wallace and Wagner, the Speaker ordered a roll call taken on the resolution.

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

**AYES**—Andreas, Burns, Cassidy, Cottrell, Crowley, Cunningham, Field, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Reaves, Riley, Rosenthal, Stream, Thorp, Wagner, Waters, and Mr. Speaker—37.

**NOES**—Anderson, Boyle, Breed, Chatters, Clark, Corwin, Dawson, Desmond, Evans, Ralph W., Fisher, Johnson, Kallam, Mayo, McCarthy, Morgan, Richie, Utt, Voigt, Wallace, Weber, and Welsh—21.

**Resolution.**

The following resolution was offered:

By Messrs. Nielsen, Chatters, Desmond, Donnelly, Frazier, Garibaldi, Heisinger, Mayo, O'Donnell, Thorp, Turner, Weber, DeLap and Meehan:

**Assembly Resolution No. 3.**

Relative to memorializing and petitioning the President and the Congress of the United States to authorize the construction of the Central Valley Project and to make an appropriation therefor.

**WHEREAS**, California is in urgent need of the development, conservation and stabilization of its water resources to prevent the abandonment of thousands of farms and homes, and to avert tremendous financial losses; and

**WHEREAS**, The State of California has prepared a comprehensive coordinated plan for the progressive economic development of the water resources of the State, carefully formulated over a period of 14 years, which provides for the control of floods and salinity encroachment, the improvement of navigation, the conservation and stabilization of water supplies for municipal, irrigation, industrial and mining uses, and for the generation of electric power; and

**WHEREAS**, The Legislature of the State of California in 1933 passed the Central Valley Project Act which was signed by the Governor and was thereafter approved by vote of the people of the State at a special election held on December 19, 1933; and

**WHEREAS**, The said Central Valley Project Act created the Water Project Authority of the State of California, to execute and administer the Central Valley Project, which project is a coordinated plan for the immediate needs of the Great Central Valley of California; and

**WHEREAS**, Said Central Valley Project has been investigated and approved by 13 agencies of the Federal government and has been recommended for Federal financing; and

WHEREAS, Said project has further been recommended by the President's Committee on Water Flow and by the National Resources Board as one of the country's foremost projects for a National program of public works; and

WHEREAS, The House of Representatives has passed H R 6732, authorizing the improvement of the Sacramento River in accordance with the plan as set forth in House of Representatives' Document numbered 35, Seventy-third Congress, which recommends a Federal contribution of \$12,000,000 to the cost of the Kennett Dam of the Central Valley Project; and

WHEREAS, The said project will be self-liquidating and the cost thereof will be returned to the Federal government from revenues obtained by the sale of water and power; and

WHEREAS, The consummation of the said project will enable 50,000 American people to sustain themselves by their present means of livelihood, and will prevent their being thrown into the ranks of the unemployed, and further will stop the reversion to desert of one-half million acres of highly developed and settled lands valued at \$100,000,000; and

WHEREAS, A greater degree of flood protection in the Sacramento Valley is highly desirable; and

WHEREAS, The construction of said project will give employment to thousands of workers, now unemployed, not only in California but throughout the Nation, thereby relieving unemployment in many branches of industry, particularly in the heavy manufacturing industries in the east and middle west; and

WHEREAS, The Secretary of the Interior did heretofore report to the President that said project was feasible from engineering, agricultural and financial standpoints and was adaptable for settlement and farm homes; that the estimated construction cost was adequate and that the anticipated revenues would be sufficient to return the cost to the United States, and did approve and recommend the construction of said project, which recommendation was thereafter approved by the President; and

WHEREAS, The President did by virtue of the authority of the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, allocate the sum of \$15,000,000 from the appropriation made under said act to the Department of the Interior, Reclamation Service, to be reimbursable in accordance with the Reclamation Law, for the construction of the Central Valley Project

WHEREAS, Said project is now in the course of construction in accordance with said allocation and it is imperative that continuing appropriations be made under congressional authorization to assure the successful completion of the project; and

WHEREAS, The cost of said project has been carefully estimated by competent Federal and State authorities to be \$170,000,000, and will be repaid to the United States in accordance with the Reclamation Law out of the revenues of said project; and

WHEREAS, There is now pending before the Congress Department of the Interior Appropriation Bill H R 10630 which among other things, authorizes construction of said Central Valley Project by the United States and appropriates for the construction thereof the sum of \$16,000,000 for the fiscal year 1937; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State of California through its Assembly recommends the Central Valley Project to the President and to the Congress of the United States as of first and prime importance to the State of California, and respectfully requests that the construction of said Central Valley Project be authorized; and that adequate funds be appropriated so that the construction of said project may be continued, to the end that the same may be completed, thereby conferring lasting benefits, not only upon the people of the State of California, but upon the entire Nation, and thus affording substantial unemployment relief now vitally necessary, and rehabilitating a vast area of valuable and highly developed lands thereby enabling thousands of American families to sustain themselves on their present farms; and be it further

*Resolved*, That certified copies of this resolution be transmitted by the Chief Clerk of the Assembly of the State of California to the President and to the Vice President of the United States, the Speaker of the House of Representatives and to the Senators and Representatives of the State of California in the Congress.

Assembly Resolution No 3 read and adopted.

#### Resolution.

The following resolution was offered:

By Messrs. Hornblower, Laughlin and Breed:

#### Assembly Resolution No. 4.

WHEREAS, The Assembly on May 25, 1935, adopted a resolution providing for the appointment of an interim committee of three members of the Assembly to cooperate with the Advisory Committee on Motor Vehicle Legislation to the end

that any necessary modifications in the Motor Vehicle Laws might be ascertained and suggested to the Legislature at the next regular session thereof; and

WHEREAS, On June 16, 1935, the Assembly adopted a resolution allocating the sum of \$1,000 from the Assembly contingent fund to pay the expenses of said interim committee; and

WHEREAS, In order to fully accomplish the purpose of its creation, namely, the recommendation of necessary modifications in the laws pertaining to motor vehicles, the committee should also take into consideration the administration of such laws; now, therefore, be it

*Resolved*, That the Assembly Interim Committee on Motor Vehicle Laws, created in said resolution of May 25, 1935, is hereby directed to include with its present duties an inquiry into the manner in which the existing laws relating to motor vehicles lend themselves to actual administration by the Department of Motor Vehicles; and be it further

*Resolved*, That the committee may require the attendance of persons in the Department of Motor Vehicles and the production of evidence of the amount of money required to be expended by the department in the performance of its duties, to the end that unnecessary expense and delay caused by any of the present laws relating to the functions of the department may be eliminated; and, be it further

*Resolved*, That said committee report its findings and recommendations to the Legislature at the next regular session thereof, together with such other recommended changes as may result from its cooperation with the Advisory Committee on Motor Vehicle Legislation pursuant to the resolution of May 25, 1935; and be it further

*Resolved*, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpoenas and to compel the attendance of witnesses and the production of testimony. Each and every one of the members of said committee is hereby authorized to administer oaths and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the interim committee and to any subcommittee of one or more of its members

Resolution read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.

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

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None

### Resolution.

The following resolution was offered.

By Mr. Donihue:

#### Assembly Resolution No. 5.

WHEREAS, The expenditures of the State of California are in excess of \$110 per capita which is greater by \$40 than the general average in the United States, and,

WHEREAS, The Legislature at its last session appropriated the sum of \$35 per capita for the biennium 1935-1937, and

WHEREAS, The tax receipts are greater than anticipated and are exceeding \$35 per capita for the biennium and

WHEREAS, Our State officers are expending all tax receipts and creating a further deficit, and,

WHEREAS, The economies recommended by the Senate Fact Finding Committee Report are not being put into effect by our State officers, and,

WHEREAS, Overlapping functions, unnecessary bureaus and commissions are not being consolidated or eliminated, now, be it

*Resolved by the Assembly of the State of California*, That the Assembly vigorously condemn the useless expenditure of public funds, all of which tend to increase the load of taxation on an already overburdened people, and, be it further

*Resolved*, That the Assembly demands that our constituency be protected by economies in State government by our elected State officials.

Resolution read.

Mr. Donihue moved the adoption of the resolution

The question being on the adoption of the resolution

**Motion to Lay on the Table.**

Mr. Cottrell moved that the resolution be laid on the table.

The question being on the motion to lay the resolution on the table.

The roll was called, and the motion to lay the resolution on the table was lost by the following vote:

**AYES**—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Crowley, Cunningham, Desmond, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Lyon, Maloney, Martin, McBride, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Utt, Wallace, and Weber—34.

**NOES**—Anderson, Boyle, Cassidy, Clark, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hunt, Johnson, Lore, McCarthy, Miller, Morgan, Patterson, Pelletier, Reaves, Voigt, Wagner, Waters, and Mr. Speaker—25.

Resolution read.

**Floor Amendment.**

During the reading of the resolution, the following amendment was submitted:

**Amendment No. 1.**

Strike out the entire resolution with the exception of the last "*Resolve*"

Amendment adopted.

Assembly Resolution No. 5, as amended, read and adopted.

**Resolution.**

The following resolution was offered:

By Mr. Donihue:

**Assembly Resolution No. 6.**

**WHEREAS**, It would appear that there are over 5000 aliens on the relief rolls, costing the State some \$175,000 each month; and

**WHEREAS**, The relief of aliens sojourning in this country, particularly those who have not taken out their first papers, is appropriately the sole burden of the government of the United States and not at all that of the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That we deprecate the practice of the carrying of the burden on the part of the State for the relief of aliens who have not taken out their first papers, and hereby request and urge the Governor, the Relief Administrator and the Relief Commission of the State of California, to do all things necessary and appropriate to bring about a termination of such practice on or before July 1, 1936; and be it further

*Resolved* That the Chief Clerk transmit a copy of this resolution to the Governor, the Relief Administrator and to each member of the Relief Commission

Assembly Resolution No. 6 read and adopted.

**Resolution.**

The following resolution was offered:

By Mr. Boyle:

**Assembly Resolution No. 7.**

**WHEREAS**, The powers and duties of the State Board of Equalization have through legislative enactment during recent years been greatly extended and enlarged until it is now one of the most important agencies of the State government, and

**WHEREAS**, The work and activities of the Board of Equalization have grown in such proportion that the Legislature and the public are without adequate information and knowledge of such work and activities and it is necessary and desirable that accurate, detailed and complete information be made available for the use of the Legislature and the public to the end that they may act advisedly in the



consideration of needed changes in the law and the enforcement and administration thereof, and

WHEREAS, Considerable adverse publicity has been given to the work and activities of the Board of Equalization and the members and employees thereof both in connection with the administration of the various laws under the supervision of the board and in connection with certain activities outside the scope of the official work of the board and the members and employees thereof, particularly activities in connection with a certain proposed initiative constitutional amendment relating to a Tax Commission and a Liquor Control Board, now, therefore, be it

*Resolved by the Assembly of the State of California,* That a Special Assembly Committee on the Investigation of the State Board of Equalization, consisting of five members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations concerning the subject of this resolution, including the work and activities of the Board of Equalization and the members and employees thereof in the administration of the laws under the board's supervision and all matters incidental thereto and also certain other outside activities not connected with such administration and to report thereon together with its recommendations to the Assembly at the fifty-second session thereof, and be it further

*Resolved,* That the committee upon the appointment of its members, shall organize by electing a chairman from its membership and may appoint and employ a secretary and such other clerical, legal and technical assistants as it may deem necessary; and be it further

*Resolved,* That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request, and be it further

*Resolved,* That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and to require the production of books, agreements, documents, reports, accounts and papers of every kind to issue subpoenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and said committee is hereby given leave to sit at any place or places in the State as the committee shall from time to time determine; and be it further

*Resolved,* That for the purpose of paying the expenses of the committee and the members thereof, the sum of \$1,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time and which warrants the State Treasurer is hereby directed to pay.

Resolution read.

Mr. Boyle moved the adoption of the resolution.

The question being on the adoption of the resolution.

**Motion to Lay on the Table.**

Mr. Lyon moved that the resolution be laid on the table.

The question being on the motion to lay the resolution on the table.

The roll was called, and the motion to lay Assembly Resolution No. 7 on the table was carried by the following vote:

AYES—Andreas, Brennan, Cassidy, Chatters, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W. Field, Fisher, Frazier, Fulcher, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Utr, Walker, Waters and Weber—42

NOES—Anderson, Boyle, Breed, Burns, Clark, Corwin, Cottrell, Flint, Geyer, Gilbert, Gilmore, Glover, Johnson, Lore, Patterson, Pelletier, Phillips, Rosenthal, Wagner, Wallace, and Mr. Speaker—21.

### Resolution.

The following resolution was offered:

By Mr. Hunt.

#### Assembly Resolution No. 8.

WHEREAS, The State Medical Practice Act has been in effect since 1913; and

WHEREAS, Under said act certain standards of professional conduct have been set forth; and

WHEREAS, The number of violations of the State Medical Practice Act and of the laws relating to illegal operations have been steadily increasing; and

WHEREAS, It appears necessary that drastic action be taken to obtain more strict enforcement of the State Medical Practice Act and the other laws relating to the practice of medicine and that a complete study of these laws and the enforcement thereof be made; now, therefore, be it

*Resolved by the Assembly of the State of California.* That a committee of three members of the Assembly be appointed by the Speaker to investigate the enforcement of all laws relating to the practice of medicine and illegal operations to the end that said committee shall recommend to the Assembly such amendments as said committee may deem necessary for a more strict enforcement of said laws; and be it further

*Resolved.* That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts, and papers of every kind, to issue subpoenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions thereof, at any place or places in the State as the committee shall from time to time determine; and be it further

*Resolved.* That said committee is hereby directed to report the result of its findings, together with its recommendations, to the Assembly at the next regular or special session, or both, of the Legislature; and be it further

*Resolved.* That for the purpose of paying the expenses of committee and the members thereof, and the cost of its investigation, the sum of \$300 or so much thereof as may be necessary is hereby appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time, and which warrants the State Treasurer is hereby directed to pay.

Resolution read.

Mr. Hunt moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and Assembly Resolution No. 8 adopted by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donhue, Donnelly, Field, Flint, Frazier, Geyer, Gilbert, Glover, Hunt, Jones, Lore, Lyon, Maloney, Martin, McMurray, Meelhan, Miller, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Thorp, Wagner, Weber, and Mr. Speaker—41.

NOES—Boyle, Breed, Fisher, Johnson, Utt, and Wallace—6

### Resolution.

The following resolution was offered:

By Messrs. Maloney, Hornblower, Williamson, McMurray, Gilmore, Peyser, Cronin, Brennan, and Dawson:

#### Assembly Resolution No. 9.

WHEREAS, Since the last session of the California State Legislature there has passed from this earthly sphere of activity one of California's outstanding citizens and public officials, Mr. Leo Lennon of the city attorney's office of San Francisco, and

WHEREAS, During previous sessions of the Legislature, while representing the City and County of San Francisco, he endeared himself into the hearts of all of the members of the Legislature, and

WHEREAS, His passing will be a loss to San Francisco and the State of California, to those associated with him in his daily work, and to his loving wife and child, now, therefore, be it

*Resolved*, That when the Assembly adjourns this day it do so out of respect to the memory of the late Leo Lennon; and be it further

*Resolved*, That a copy of this resolution be sent to the family of the late Leo Lennon.

Assembly Resolution No. 9 read, and adopted unanimously.

#### Resolution.

The following resolution was offered:

By Messrs. McBride and Burns:

#### Assembly Resolution No. 10.

WHEREAS, Since the adjournment of the fifty-first session of the Legislature one of our esteemed and honored members has seen the error of his ways and has entered the blessed state of matrimony, and

WHEREAS, Doris Louise Miller and Gardiner Johnson were joined in said blessed state of matrimony on the twenty-eighth day of September last; and,

WHEREAS, It is a happy sight to the members of the Assembly to see Gardiner Johnson's lovely bride among us, sharing her husband's burdens, and,

WHEREAS, The Assembly heartily approves of Gardiner Johnson's choice; now, therefore, be it

*Resolved by the Assembly of the State of California*, that we extend to Doris Johnson our best wishes for her happiness; and be it further

*Resolved*, That we extend to Gardiner Johnson our heartiest congratulations; and be it further

*Resolved*, That it is the wish of the Assembly that this happy couple will enjoy many years of domestic tranquility and matrimonial bliss; and, be it further

*Resolved*, That a copy of this resolution be suitably prepared and presented to Mr. and Mrs. Gardiner Johnson.

Assembly Resolution No. 10 read, and adopted unanimously.

#### Resolution.

The following resolution was offered:

By Messrs. Richie, Evans, Ralph W., Pelletier, Clark, McCarthy Reaves, Glover, and Patterson:

#### Assembly Resolution No. 11.

WHEREAS, The State Relief Commission has the responsibility of carrying out the administration of unemployment relief; and

WHEREAS, The carrying out of this relief program requires of the commission intimate knowledge of the immediate needs and conditions of relief clients; and

WHEREAS, There is in the State of California a State-wide organization of unemployed relief clients known as the "California State Federation of Unemployed and Allied Organizations"; and

WHEREAS, The organized unemployed are not represented on the present State Relief Commission; and

WHEREAS, Such representation on the State Relief Commission, owing to the closer relationships of this organization with the relief clients, enabling them to better understand the immediate unemployment relief situation from time to time is desirable; and

WHEREAS, The assistance of this organization to the State Relief Commission would enhance and facilitate its work; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Governor is hereby urged to make the necessary changes in personnel on the present State Relief Commission in order to include thereon two representatives from the California State Federation of Unemployed and Allied Organizations; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Governor.

Assembly Resolution No. 11 read and adopted.

**Resolution.**

The following resolution was offered

By Mr. Wagner:

**Assembly Resolution No. 12.**

WHEREAS, This Assembly has heretofore at its fifty-first regular session appointed a Special Assembly Committee to Investigate Unemployment Relief, pursuant to a resolution dated May 29, 1935, and

WHEREAS, In Alameda County the county social welfare commission is administering the Old Age Security Act in a manner which does not take into consideration the needs of the aged people, and

WHEREAS, Said county social welfare commission bases its opinions and decisions on ridiculous theories or rules, and

WHEREAS, The Department of Social Welfare of the State does not appear to be interested in a fair and just enforcement of the Old Age Security Act; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly instruct the interim committee investigating unemployment relief to make a complete survey and investigation of all phases of unemployment relief in Alameda County and the administration of the Old Age Security Act.

Assembly Resolution No. 12 read, and refused adoption.

**Resolution.**

The following resolution was offered.

By Mr. Wagner:

**Assembly Resolution No. 13.**

WHEREAS, The duty of administering unemployment relief is by law imposed upon the State Relief Commission; and

WHEREAS, The commission has adopted "maximum family budgets" to determine the maximum amount of aid which persons and families on unemployment relief will receive; and

WHEREAS, The existing family budgets so adopted are not adequate to provide the necessities of life; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Relief Commission is urged to provide by appropriate rules and regulations that the amount of aid granted under the California Unemployment Relief Act of 1935, whether such aid is granted as direct relief, work relief, or other form of relief, shall not be less than \$15 a week to each head of a family and that each head of a family shall receive in addition not less than \$3 a week for each person dependent upon him for support; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the State Relief Commission.

Assembly Resolution No 13 read and adopted.

**Resolution.**

The following resolution was offered:

By Messrs. Clark, Gilbert, Glover, Laughlin, Rosenthal, Patterson, Donihue, Reaves, Richie, Geyer, Hawkins, McCarthy, Pelletier, Lore, Evans, Ralph W., Jones, Anderson and Voigt:

**Assembly Resolution No. 14.**

WHEREAS, The State Relief Commission of the State of California on March 4, 1935, authorized a maximum family budget for persons on relief, which budget is designated as "Maximum Family Budget Number 4" and appears on page 307 of the publication entitled "Review of Activities of the State Relief Administration of California, 1933-1935" dated April, 1936; and

WHEREAS, It is reported that the State Relief Commission has, since March 4, 1935, reduced the amounts specified in this maximum family budget; and

WHEREAS, It is reported that certain of these amounts have been reduced as much as 25 per cent, and

WHEREAS, It is generally considered that the amounts specified in said Maximum Family Budget Number 4 are as low as the maximum budget can be and still assure the necessities of life; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Relief Commission is hereby respectfully urged to restore the Maximum Family Budget Number 4, mentioned above, by eliminating reductions which have been made in that budget since its authorization on March 4, 1935; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the State Relief Commission.

Assembly Resolution No. 14 read and adopted.

#### Resolution.

The following resolution was offered:

By Mr. Phillips:

#### Assembly Resolution No. 15.

WHEREAS, There will be opportunities for work, both in industry and in agriculture, particularly in agriculture, during the next few months, just as there have been in past seasons, and

WHEREAS, There are workers on the dole, while agriculture is unable to pick and market its crops, and

WHEREAS, Many of these men are experienced agricultural workers who are now in the metropolitan areas, and

WHEREAS, The failure to control this situation lies not with the workers who want to work, nor with the farmers who offer them work, nor with wages, nor with conditions of labor, but apparently with a lack of coordination between relief agencies; therefore be it

*Resolved by the Legislature assembled in special session, May 26, 1936*, That as a means of lessening the unnecessary relief load, immediate steps be taken:

(1) To establish definite coordination between relief agencies;

(2) To provide transportation to take agricultural workers to the areas where work is available;

(3) To provide them with the necessary relief for any interval between arrival in the work area and the start of the work;

(4) To assure them a proper renewal of relief, and, if necessary, return to their counties of residence, when this work is completed.

Assembly Resolution No. 15 read and adopted.

#### Resolution.

The following resolution was offered:

By Messrs. Richie and Voigt:

#### Assembly Resolution No. 16.

WHEREAS, The Townsend Plan has created a great popular movement of protest against enforced poverty in an age of potential abundance; and

WHEREAS, If the said Townsend Plan were enacted into law in such form as to benefit society as a whole, it would be necessary to finance the contemplated payments by an assessment against wealth and not against poverty; and

WHEREAS, It is clearly evident that the transaction tax as a means of financing payments would be burdensome upon the great mass of the people, in particular the poor, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Federal Congress is hereby respectfully urged to provide in the Townsend Plan, if the same is enacted into law, that the chief means by which to finance it would consist in a surtax against large incomes, no sales or transaction tax being resorted to as a part of said plan; and be it further

*Resolved*, That copies of this resolution be respectfully transmitted to the President of the United States, the Vice President, the President of the Senate, the Speaker of the House of Representatives and each of the members from California of the Senate and House of Representatives of the United States

Resolution read.

Mr. Richie moved the adoption of the resolution.

The question being on the adoption of the resolution.

#### Request for Roll Call.

On request of Messrs. Evans, Ralph W., Clark and Voigt, the Speaker ordered a roll call taken on the resolution by Messrs. Richie and Voigt.

The roll was called, and Assembly Resolution No. 16 was refused adoption by the following vote:

AYES—Anderson, Burns, Clark, Evans, Ralph W., Glover, Meehan, Patterson, Richie, Rosenthal, Voigt, and Wagner—11

NOES—Breed, Cassidy, Corwin, Donnelly, Field, Frazier, Gever, Gilbert, Hornblower, Hunt, Johnson, Jones, Kallam, Martin, McBride, Miller, Nielsen, Pelletier,

Phillips, Reaves, Redwine, Riley, Stream, Utt, Wallace, Waters, Weber, and Mr. Speaker—28

### Resolution.

The following resolution was offered:

By Mr. Geyer:

#### Assembly Resolution No. 17.

WHEREAS, Agriculture is one of the greatest sources of wealth in the State of California; and

WHEREAS, The wages of agricultural labor are the lowest paid to any group of wage earners in the State and the hours are the longest; and

WHEREAS, The "Review of Activities of the State Relief Administration of California, 1933-1935," at page 101, states that "On April 12, 1935, the Relief Commission announced a policy requiring that relief be discontinued to clients when offered jobs that permitted them to earn the amount of their relief budgets"; and

WHEREAS, The present budget for a family of two is approximately \$26 per month; and

WHEREAS, Forcing unemployed clients to work in agriculture at such a wage is not in keeping with even the lowest minimum American standards of living; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the State Relief Commission continue on the relief rolls all persons who refuse work in agriculture when the wages offered are less than the "security" wage established by the United States Government in the Works Progress Administration; and be it further

*Resolved,* That the Chief Clerk of the Assembly be, and he is hereby, directed to transmit a copy of this resolution to the Chairman of the State Relief Commission.

Assembly Resolution No. 17 read, and refused adoption.

### Resolution.

The following resolution was offered:

By Mr. Field:

#### Assembly Resolution No. 18.

WHEREAS, Since the adjournment of the fifty-first session of the Legislature one of our esteemed and honored members has seen the error of his ways and has entered the blessed state of matrimony; and

WHEREAS, Ruth Dickey and Harry B. Riley were joined in said blessed state of matrimony on the sixteenth day of May, 1936; and

WHEREAS, It is a happy sight to the members of the Assembly to see Harry B. Riley's lovely bride among us, sharing her husband's burdens; and,

WHEREAS, The Assembly heartily approves of Harry B. Riley's choice; now, therefore be it

*Resolved by the Assembly of the State of California,* That we extend to Ruth Riley our best wishes for her happiness; and be it further

*Resolved,* That we extend to Harry B. Riley our heartiest congratulations, and be it further

*Resolved,* That it is the wish of the Assembly that this happy couple will enjoy many years of domestic tranquility and matrimonial bliss; and, be it further

*Resolved,* That a copy of this resolution be suitably prepared and presented to Mr. and Mrs. Harry B. Riley.

Assembly Resolution No. 18 read, and adopted unanimously.

### Resolution.

The following resolution was offered:

By Mr. Pelletier:

#### Assembly Resolution No. 19.

WHEREAS, The necessity for relief of destitution caused by unemployment in the State of California still exists upon a widespread scale; and

WHEREAS, The burden of providing such relief and the economic causes necessitating relief are such as to make it both necessary and proper that the Federal government share in bearing the burden thereof; and

WHEREAS, It is desirable to raise the standards of relief granted to those who are unemployed by reason of present day economic conditions; and

WHEREAS, There is now pending before the Congress of the United States the Marcantonio Works Standards Bill, H. R. 11,186 which provides in part for an appropriation of \$6,000,000,000 to be allocated \$2,000,000,000 for direct relief by the States, \$2,000,000,000 for public works projects and \$2,000,000,000 for projects to

give skilled unemployed tradesmen work at their particular trades and occupations, all of said moneys to be paid at the prevailing trade union wage rates; and

WHEREAS, The enactment of said bill will be of great benefit to the State of California and will expedite the economic rehabilitation of the unemployed in this State, now, therefore, be it

*Resolved by the Assembly of the State of California,* That the President and the Congress of the United States are hereby respectfully urged to enact the legislation proposed by H. R. 11,186 as speedily as possible; and be it further

*Resolved,* That the Speaker of the Assembly is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

Assembly Resolution No. 19 read and adopted

**Reports of Standing Committees—(Resumed).**

The following reports of standing committee were received and read:

**On Engrossment and Enrollment.**

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1936.

**MR. SPEAKER:** Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, this act to take effect immediately;

Also: Assembly Bill No. 2—An act to add section 3669cc to the Political Code, relating to the revival and restoration of corporate powers, rights and privileges heretofore suspended or forfeited for nonpayment of taxes and penalties due the State under the provisions of sections 3664a, 3664c and 3664d of said code as said sections existed at any time prior to September 15, 1935, and to validate such revivors made subsequent to September 15, 1935, this act to take effect immediately.

Also: Assembly Bill No. 3—An act to amend sections 3817d, 3817f, 3817g, 3817h, 3817j, 3817k, 3817l and 3817m of the Political Code, and to add sections 3817b4 and 3817c4 thereto, relating to taxation and assessment including tax delinquencies, tax penalties and costs, tax redemption from tax sales and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 4—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples, declaring the urgency thereof, and providing that this act shall take effect immediately.

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of May, 1936, at five o'clock and forty-five minutes p.m.

WATERS, Chairman.

Also:

**MR. SPEAKER:** Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 6—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same and declaring the urgency of said act.

Also: Assembly Bill No. 7—An act to amend sections 2, 3, 13 and 14 of the Old Age Security Act of the State of California, relating to aid to the aged, this act to take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of May, 1936, at five o'clock and forty-five minutes p.m.

WATERS, Chairman.

**Senate Messages.**

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

SENATE CHAMBER, SACRAMENTO, May 26, 1936.

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 2—Relative to the adjournment of the fifty-first (extraordinary) session.

J. A. BEEK, Secretary of Senate.

By FLORENCE I. MASON, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, May 26, 1936.

**MR. SPEAKER:** I am returning herewith the following Assembly measures: Assembly Concurrent Resolution No. 1—Relative to the prevailing wage scales for pilemen and operating engineers;

Also: Assembly Joint Resolution No. 1—Relative to memorializing the President of the United States and the Works Progress Administrator to provide employment under the Works Progress Administration for those now unemployed who are employable;

Which were referred to Senate committee, which committee returned the same to the Senate without recommendation.

J. A. BEEK, Secretary of Senate.

### Request for Unanimous Consent.

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

### Consideration of Senate Concurrent Resolution No. 2.

Senate Concurrent Resolution No. 2—Relative to the adjournment of the fifty-first (extraordinary) session.

Mr. Utt moved the adoption of Senate Concurrent Resolution No. 2.

The question being on the adoption of Senate Concurrent Resolution No. 2

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

AYES—Anderson, Burns, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donhue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Utt, Wagner, Wallace, Weber, and Mr. Speaker—49.

NOES—None.

### Senate Concurrent Resolution No. 2.

Relative to the adjournment of the fifty-first (extraordinary) session.

*Resolved by the Senate of the State of California, the Assembly thereof concurring, That this fifty-first (extraordinary) session of the Legislature adjourn sine die at six p.m. May 26, A.D. 1936*

Title read and approved.

Senate Concurrent Resolution No. 2 transmitted to the Senate.

### Appointment of Special Committees.

The Speaker announced the appointment of Messrs. Anderson, Clark, Utt, Field and Robertson to serve as members of the Special Assembly Committee to Study the Necessity of Continuing the State Emergency Relief Commission pursuant to the terms of Assembly Resolution No. 1 to be found at page 51 of this Assembly Journal

The Speaker announced the appointment of Messrs. Hunt, Boyle and Redwine to serve as members of the Special Assembly Committee to Investigate the Enforcement of All Laws Relating to Medicine and Illegal Operations pursuant to the terms of Assembly Resolution No. 8 to be found at page 66 of this Assembly Journal

### Resolution.

The following resolution was offered:

By Miss Miller:

#### Assembly Resolution No. 20.

*Resolved, That a Select Committee of Five be appointed by the Speaker, to act with a like committee from the Senate, to wait upon His Excellency the Governor, and inform him that the two houses of the Legislature are now ready to adjourn and in readiness to receive any further communication which he may have to make*

Resolution read and adopted.



### Appointment of Select Committee.

In accordance with the above resolution, the Speaker appointed Miss Miller and Messrs. Martin, Frazier, Waters and Cronin as such Select Committee.

### Resolution.

The following resolution was offered.

By Mr. Corwin:

#### Assembly Resolution No. 21.

*Resolved*, That a Committee of Three be appointed by the Speaker to wait upon the Senate, and inform that body that the Assembly is now ready to adjourn, and ask if the Senate has any further communication to make to the Assembly.

Assembly Resolution No. 21 read and adopted

### Appointment of Select Committee.

In accordance with the above resolution, the Speaker appointed Messrs. Corwin, Reaves and Meehan as such Select Committee

### Approval of Journals.

Mr. Lyon moved that the Journals of Monday, May 25, 1936, and Tuesday, May 26, 1936, be approved as corrected by the Minute Clerk. Motion carried.

### Report of Select Committee.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

### Report of Select Committee.

The Select Committee appointed to wait upon the Governor reported that such had been done, and that the Governor wished this committee to convey to the Assembly his appreciation of their splendid cooperation, his compliments and best wishes

### Committee from the Senate.

Senator Scollan appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker informed the committee from the Senate that the Assembly had concluded its labors and was about ready to adjourn, and had no further communications to make to the Senate.

### Adjournment Sine Die.

At six o'clock p. m., on Tuesday, May 26, 1936, in accordance with the provisions of Senate Concurrent Resolution No. 2, the Honorable Edward Craig, Speaker of the Assembly, announced that the time for the final adjournment of the fifty-first (extraordinary) session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die* out of respect to the memory of the late Leo Lennon

ARTHUR A. OHNIMUS,  
Chief Clerk of the Assembly

EDWARD CRAIG,  
Speaker of the Assembly

CHARLES H. ERB,  
Minute Clerk of the Assembly

JOHN H. O'DONNELL,  
Speaker pro tempore of the Assembly