

CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY  
FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, December 12, 1949

The Senate met at 12 m. pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated December 7, 1949, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor Goodwin J. Knight, President of the Senate of the 1949 Regular Session, in the chair, called the Senate to order.

Pursuant to the provisions of Section 9150 of the Government Code, Joseph A. Beek, Secretary of the Senate; John F. Lea, Minute Clerk of the Senate; Joseph F. Nolan, Sergeant-at-Arms of the Senate, were present and occupied their respective positions.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

Quorum present.

### PRAYER

By invitation of the President, prayer was offered by Rev. Nelson E. Hinman, Chaplain of the Senate for the 1949 Regular Session.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Judah, on motion of Senator Powers, due to legislative business.

Senator Desmond, on motion of Senator Powers, due to illness.

Senator Collier, on motion of Senator Powers, due to legislative business.

Senator Keating, on motion of Senator Powers, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Weldon A. Ingram, Seaman 1st Cl. of San Francisco.

#### STATE OF CALIFORNIA OFFICE OF THE SECRETARY OF STATE

#### CERTIFICATE OF ELECTION

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that

A. W. WAY

was elected to the office of State Senator, Third Senatorial District, at the Special Election held in said district on the eighth day of November, 1949, as appears by the official returns of said election and statement thereof on file in my office.

(SEAL)

WITNESS my hand and official seal this twenty-first day of November, A. D. 1949.

FRANK M. JORDAN, Secretary of State

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, Third Senatorial District, according to the best of my ability.

A. W. WAY

Subscribed and sworn to before me, this twenty-first day of November, A. D. 1949.

FRANK M. JORDAN, Secretary of State

ENDORSED, FILED in the office of the Secretary of State of the State of California November 21, 1949.

FRANK M. JORDAN, Secretary of State  
By CHAS. J. HAGERTY, Deputy

#### PROCLAMATION OF THE GOVERNOR

The President of the Senate directed the Secretary to read the Proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following Proclamation:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

#### Proclamation

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

I, EARL WARREN, 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 in extraordinary session at Sacramento, California, on Monday the twelfth day of December, 1949, at 12 o'clock noon of said day for the following purposes and to legislate upon the following subjects:

1. To consider and act upon legislation to appropriate money to the counties and cities and counties for expenditure during the 1949-1950 fiscal year to meet the financial emergency in payment of aid to the aged and to the needy blind and the administration of such aid confronting the counties and cities and counties by reason of the adoption of Article XXVII of the State Constitution at the special election of November 8, 1949.

2. To consider and act upon legislation to provide for the transfer to the counties and cities and counties of personnel for the administration of aid to the aged and aid to the needy blind.

3. To consider and act upon legislation to increase the salary of the Director of Social Welfare.

4. To consider and act upon legislation to provide financial assistance during the 1949-1950 Fiscal Year to school districts in which the increase in attendance during the current fiscal year over that of the last preceding fiscal year is such that the school districts are unable to provide for the operation and maintenance of necessary schools during the current fiscal year.

5. To consider and act upon legislation relating to lobbying and other attempts to influence legislation.

6. To consider and act upon legislation to prohibit any state officer or employee, otherwise than in the discharge of his official duties, from representing for compensation the interests of any other person before any administrative agency or officer of this State or from prosecuting or aiding or assisting in the prosecution of any claim of another against the State or any agency thereof before any such agency or officer.

7. To consider and act upon legislation relating to sex offenses.

8. To consider and act upon legislation to provide for the submission of the Veterans' Bond Act of 1949 and of Assembly Constitutional Amendment No. 28 of the 1949 Regular Session to the voters of the State at a special election to be consolidated with the 1950 direct primary election.

9. To approve or reject charters and charter amendments of cities, cities and counties, and counties, ratified by the electors pursuant to the Constitution of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventh day of December, 1949.

(SEAL)

EARL WARREN, Governor of California

ATTEST: FRANK M. JORDAN, Secretary of State

### RESOLUTIONS

The following resolutions were offered:

By Senator Swing:

#### Senate Resolution No. 1

*Resolved*, That the Senate do now organize and proceed to elect officers and employees for this 1949 (First Extraordinary) Session.

Resolution read, and on the motion of Senator Swing, adopted.

By Senator Breed:

#### Senate Resolution No. 2

*Resolved*, That Senator Harold J. Powers be and he is hereby elected President pro Tempore of the Senate; that Joseph A. Beek be and he is hereby elected Secretary of the Senate; that Joseph F. Nolan be and he is hereby elected Sergeant-at-Arms of the Senate; that John F. Lea be and he is hereby elected Minute Clerk of the Senate; that Rev. Nelson E. Hinman be and he is hereby elected Chaplain of the Senate.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

NOES—None.

### OATHS OF OFFICE ADMINISTERED

The newly elected officers of the Senate, Senator Harold J. Powers, President pro Tempore; Joseph A. Beek, Secretary of the Senate; Joseph F. Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Rev. Nelson E. Hinman, Chaplain; took and subscribed to the following oath administered by the Honorable Rolfe L. Thompson, Justice, Third District Court of Appeals:

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

**RESOLUTIONS**

The following resolutions were offered :

By Senator Powers :

**Senate Resolution No. 3**

*Resolved*, That the following be, and the same are, hereby adopted as the Standing Rules of the Senate for the First Extraordinary Session, 1949.

**STANDING RULES OF THE SENATE****Convening and Sessions****Hour of Meeting**

1. The Senate shall meet at 11 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

**Calling to Order**

2. The President, President pro Tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present shall proceed with the order of business.

**Attendance of Members**

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

**Order of Business**

4. The order of business shall be as follows :

1. Roll Call.
2. Prayer by the Chaplain.
3. Leaves of Absence.
4. Privileges of the Floor.
5. Communications and Petitions.
6. Messages from the Governor.
7. Messages from the Assembly.
8. Reports of Committees.
9. Motions, Resolutions and Notices.
10. Introduction and First Reading of Bills.
11. Special Orders.
12. Unfinished Business.
13. Consideration of Daily File.
14. Announcement of Committee Meetings.
15. Adjournment.

**Executive Sessions**

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

**Officers of the Senate****The President**

6. The Lieutenant Governor shall be the President of the Senate. He shall have a casting vote when the vote is equally divided and his vote will decide the issue.

The President shall maintain order in the Senate Chamber and in case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

**The President pro Tempore**

7. The President pro Tempore shall, in the absence of the President, take the chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority of the President pro Tempore.

**Presiding by Senators**

8. The President pro Tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President. The Senator so named shall be vested, during such time, with all the powers of the President.

**Secretary of the Senate**

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing and clerical work to be done for the Senate and shall have supervision over all attaches and employees of the Senate. He shall assign, reassign or transfer all attaches or employees to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

All employees on the pay roll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Secretary of the Senate. Any insubordination or inefficiency on the part of any employee shall be reported by the Secretary to the Committee on Rules or if a Committee on Attaches be appointed, then to that committee.

#### **Expenditures of Secretary**

9.5. All proposed expenditures by the Secretary of the Senate shall be subject to approval by the Senate Committee on Rules or its authorized representative pursuant to Standing Rule No. 13.1, including expenses for telephone service, telegraph service, supplies, rental of typewriters, illuminating resolutions, traveling expenses and any other incidental expenses in connection with concluding the business of the Senate and performing any duties imposed by law or by the rules or the resolutions of the Senate. Claims for any such expenses and claims for incidental expenses of the Senate heretofore incurred but for which payment has not been provided by any other resolution shall be submitted by the Secretary of the Senate to the Senate Committee on Rules or its authorized representative and such claims, if approved, shall be transmitted to the Controller for payment pursuant to this resolution.

#### **Sergeant-at-Arms of the Senate**

10. The Sergeant-at-Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of session.

#### **Additional Duties**

10.5. The Sergeant-at-Arms is authorized to procure such boxes, packing and other materials as are necessary to ship to the Members of the Senate at their various places of residence their bill files, books, stationery and other printed matter at the close of each session. All proposed expenditures by the Sergeant-at-Arms incurred pursuant to this rule or in performing any duties imposed by law or by the Rules or resolutions of the Senate shall be subject to approval by the Senate Committee on

Rules or its authorized representative pursuant to Standing Rule No. 13.1. All claims incurred by the Sergeant-at-Arms shall be submitted to said committee or its authorized representative and, if approved, shall be transmitted to the Controller for payment pursuant to this resolution.

10.6. The Controller is hereby authorized and directed to draw his warrants in favor of the Secretary of the Senate, the Sergeant-at-Arms, and other officers and employees who render services to the Senate as certified weekly by the Senate Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

The Secretary of the Senate and the Sergeant-at-Arms shall approve and transmit to the Committee on Rules the claims for their compensation and for the compensation of their respective employees.

10.7. After final adjournment expenditures by the Secretary of the Senate or the Sergeant-at-Arms of the Senate for postage, express, freight charges, or other purposes for which cash payments are necessary, shall be paid from funds allocated to the Senate Committee on Rules for such purposes, subject to approval by the Senate Committee on Rules or its authorized representative. The Controller shall draw warrants on the Contingent Fund of the Senate in favor of the Secretary of the Senate or the Sergeant-at-Arms for such expenditures only in the amount authorized by the Senate Committee on Rules or its authorized representative.

The Secretary of the Senate and the Sergeant-at-Arms shall file with the Committee on Rules or its authorized representative receipts or vouchers covering all expenditures made for such purposes, which shall be transmitted to the Controller by the committee or its authorized representative.

#### **Committees of the Senate**

##### **Appointment of Committees**

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chairman of the committee, and four other Members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience; provided, however, that in making committee appointments, the Rules Committee shall, so far as practical, give equal representation to all parts of the State.

The Senate Committee on Finance shall consist of four Senate Members of the Legislative Budget Committee and seven additional Members of the Senate appointed by the Committee on Rules.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such

form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

#### **Standing Committees**

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 13 members. All bills amending the Agricultural Code and uncoded legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncoded legislation relating to the same subjects.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncoded legislation relating to either.

4. Elections, 9 members. All bills amending the Elections Code or uncoded legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Finance Committee before being placed on Third Reading.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and bills amending the Bank Act, Building and Loan Act, Corporate Securities Act and acts relating to the loan of money and credit unions, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncoded legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees

9. Institutions, 9 members. All bills relating to the State Department of Institutions, or to institutions under its jurisdiction including:

- a. State Hospitals
- b. Home for the Feeble-minded
- c. Inebriate Colonies
- d. Institutions for Delinquents
- e. Home for the Blind
- f. Industrial Workshops
- g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.



10. Judiciary, 12 members. All bills amending the following codes :
    - a. Civil Code
    - b. Code of Civil Procedure
    - c. Probate Code
    - d. Penal Code, and
    - e. All statutes of a penal nature not related closely to a subject embraced in some other code.
  11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.
  12. Local Government, 9 members. All bills relating to :
    - a. County government
    - b. Municipal corporations
    - c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.
  13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.
  14. Natural Resources, 9 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.
  15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.
  16. Public Utilities, 7 members. All legislation relating to public utilities and their regulation and not embraced within any other code.
  17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes
  18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.
  19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.
  20. Transportation, 13 members. All bills amending the
    - a. Vehicle Code
    - b. Streets and Highways Code
    - c. Harbors and Navigation Code, and
    - d. Uncodified legislation relating to the same subjects or to aviation.
  21. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.
- The standing committees of any general session shall be the standing committees of succeeding budget, special or extraordinary sessions unless otherwise ordered by the Senate.
- 12.5. Each standing committee of the Senate created at a general session is hereby authorized to study and analyze all facts relating to the subjects which would fall within its jurisdiction as indicated by Rule 12 of the Standing Rules of the Senate, including, but not limited to, a needed revision of the laws relating to that subject, and for such purpose

shall constitute an investigating committee with power to act during the sessions of the Legislature, including any recess, and after final adjournment, and until the commencement of the next regular general session, with authority to file its report not later than the thirtieth day of said general session.

Each such committee shall have all of the powers conferred upon investigating committees by the Joint Rules of the Senate and Assembly, the provisions of which are incorporated herein and made a part hereof.

No such committee shall exercise the authority herein conferred except when, and to the extent, it is authorized so to do in writing by the Committee on Rules. The Committee on Rules may allocate any money made available to said committee for expenditure on behalf of the committees herein created, and the members thereof, in such manner as the Committee on Rules shall prescribe.

#### **Committee on Rules**

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall have general charge of the books, documents and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed, or otherwise disposed of in accordance with law and the rules applicable thereto. The committee shall also have the duty of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and of the committees thereof, including investigating committees consisting wholly or in part of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Senate is in session. The committee shall have authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.

In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The committee may make available to any Senate or joint committee or any Member of the Senate such assistance in connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The committee shall make available to and shall furnish to the Senate investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Committee on Rules may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe

the amounts, times and methods of payment of their compensation, and provide for the auditing of any and all records and accounts in respect thereto.

The Committee on Rules shall constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate and legislative printing except insofar as these functions are delegated to the Secretary of the Senate. The Senate Committee on Rules shall have charge of the attaches unless a Committee on Attaches is appointed.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for confirmation shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

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

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

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

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salary, to be paid to employees of Senate interim investigating committees. Copies of all rules and regulations adopted pursuant to this Rule shall be distributed to the chairman of every such investigating committee.

13.2. Pursuant to the powers vested in the Senate Committee on Rules, and during such times as the Senate is not in session, the committee is authorized and directed to incur and pay such expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Senate Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to interim committees or for other purposes. If there should be insufficient money available in any such appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which such allocations shall be paid.

13.3. The Senate Committee on Rules is responsible for the safe-keeping of Senate property after adjournment of each session until the

Senate shall reconvene again. The Chief of the Bureau of Buildings and Grounds is directed to leave the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in such condition that they will be available for use of the Senate at any time; and it is further directed that no persons other than the members, officers and attaches of the Senate be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Senate without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Senate be at the disposal of the Senate Committee on Rules upon adjournment of each session and until the Senate shall reconvene, and that no person except Members of the Senate be permitted to occupy any of the Senate's offices or make use of Senate equipment without permission of the committee or its authorized representative.

13.4. The Senate Committee on Rules is authorized and directed, through its authorized representative, to make and maintain a complete inventory of all property of the Senate, including all such property in the possession or control of any Senate interim committee. The Committee on Rules shall have custody and control of all such property of the Senate and shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody and use or disposal thereof.

No furniture, equipment, or other property, other than supplies, shall be purchased by any Senate interim committee unless prior approval is obtained from the Senate Committee on Rules or its authorized representative.

#### **Status of Standing Rules for Preceding General Session**

13.5. The adoption of the Standing Rules for any budget session or special session shall not be construed as modifying or rescinding the Standing Rules of the Senate for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those rules.

#### **Schedule of Committee Meetings**

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

#### **Quorum of Standing Committees—Vote**

15. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it, but at least a majority of all members constituting such committee shall be required to report a bill out of committee.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal.

**Powers of Standing Committees**

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly enact thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Chapter 4 of Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the Legislative Counsel and the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

**Special Investigating Committees**

17. Except as provided by these rules, no committee for the investigation of any special subject shall be appointed except pursuant to a resolution which shall be entered in the Journal and referred to the Committee on Rules, and which shall be approved by a vote of a majority of the members elected to the Senate. The subject and purpose of the investigation shall be expressed in the title of the resolution and the scope of the investigations shall be consistent with the subject and purposes so

expressed. No such committee shall have authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the resolution. Unless otherwise directed by the resolution any committee so authorized shall be appointed within 20 days after the adoption of the resolution.

#### **Funerals**

17.5. The chairman or vice chairman of the Senate Committee on Rules may designate any one or more of the Members of the Senate as the representatives of the Senate to attend funerals in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or in lieu of such expenses the same allowances for accommodations and meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The chairman or vice chairman of said Committee on Rules or any Member of the Senate designated by either of said officers may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this resolution are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Senate to the said Senate Committee on Rules and disbursed, after certification by the chairman or vice chairman of the committee, or by the committee's disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the State Controller upon the State Treasurer.

#### **No Committee Expenditures Permitted**

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

#### **Procedure and Rules**

##### **Joint and Concurrent Resolutions and Constitutional Amendments**

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; except, that they shall have but one official reading, which reading shall occur after they have been reported by committee.

##### **Parliamentary Rules**

20. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of Senate and Assembly the authority shall be Mason's Manual.

##### **Suspension or Amendment of Rules**

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the Members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the Members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

**Introduction and Reference of Bills****Introduction, First Reading, and Reference of Bills**

22. Any Senator desiring to introduce a bill shall send it to the Senate desk.

The Committee on Rules shall check all Senate bills prior to introduction and all Assembly bills before reference to committee and shall designate the committees to which they shall be referred. The provisions of Rule 12, referring to the assignment of bills are intended as a guide to the committee but are not binding upon the committee.

Under the order of Introduction of Bills, the Secretary shall assign a number to each Senate bill, shall read it the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee so designated.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

**Introduction of Bills by a Committee**

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

**Introduction of Bills at Special Sessions**

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

**Senate Resolutions**

25. All Senate resolutions upon being presented shall be given a number by the Secretary. Such resolutions shall be printed in the Journal and indexed in the History and Journal.

**Bills in Committee****Committee Hearings**

26. During the constitutional recess or as soon thereafter as practicable the chairman of each committee shall prepare a schedule of hearings concerning bills referred to the committee. The schedule shall be arranged according to subjects insofar as may be convenient.

The schedules and any changes therein shall be delivered to the Senate as soon as convenient in order that due notice may be given to persons interested in the legislation.

**Substitute Committee Bills**

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

**Recalling a Bill From Committee**

28. The Senate may at any time by 21 votes recall a bill from committee.

**Consideration of Bills****Order of Making Files**

29. When bills are reported from committee they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second reading Senate or Assembly file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly third reading file, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate second reading file, Assembly second reading file and Senate third reading file, Assembly third reading file. The bills upon third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

An inactive file shall be kept to which bills may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on third reading file without action three successive times. Bills may be carried on the inactive file by author and bill number without setting forth the title.

Bills may be transferred from the inactive file to the second reading file on motion, and after being read the second time such bills will take their place regularly on third reading file and be available for consideration and passage.

Notices of committee hearings shall be published in the File whenever presented by chairmen of committees to the Secretary for that purpose. For such purpose bills will be identified by subject or by number.

**Special Order**

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate

**Messages From the Governor or Assembly**

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.



**Engrossing Bills**

32. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted on the File for the original bill.

**Enrolling Bills**

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the President or President pro Tempore of the Senate and the Secretary or an Assistant Secretary of the Senate and by the corresponding officers of the Assembly and transmitted without delay to the Governor.

**Debate****Statement of Motion**

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

**Regulations as to Speaking**

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he may proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

**Order in Debate**

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

**Right to Address the Senate**

37. No person other than a member of the Senate or the President thereof, shall address the Senate while it is in session but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

**Questions and Motions****Amendments to Bills**

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in triplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

**Motion to Lay on the Table**

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

**Division of a Question**

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

**The Previous Question**

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

**Call of the Senate**

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon, no members shall be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or in his absence of the presiding officer. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms, wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote.

No recess can be taken during a call of the Senate. During a call, the Senate may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had during a call of the Senate, except that during a call which was ordered for the purpose of procuring sufficient attendance for the conduct of business of the Senate in general and not for any other purpose, such call may be made to apply also to not more than one item of business by motion made and adopted by a majority vote of the members present after the roll has been called and prior to the announcement of the vote on such item of business. Under such circumstances, when the call of the Senate is dispensed with as to the item of business to which it

is so applied it shall be deemed dispensed with as to the purpose for which it was originally made. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

#### **Reconsideration**

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 27 members.

No vote on a Senate bill may be reconsidered on or after the last day fixed for the consideration of Senate bills prior to adjournment and no vote may be reconsidered on the last day of the session.

When reconsideration of the vote by which any bill was passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. This motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

#### **Voting by Senate**

##### **Voting on Roll Call**

44. Whenever a roll call is required by the Constitution or Rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his vote after the announcement of the vote by the presiding officer.

##### **Excused From Voting**

45. When a Senator declines or fails to vote on call of his name he may, after completion of the roll call, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

##### **Voting by Presiding Senator**

46. When the President pro Tempore or any other Member of the Senate is presiding over the Senate he shall vote on roll call the same as though he were not presiding.

**Vote Required**

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these Rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To introduce bills after the constitutional recess—(Constitution, Art. IV, Sec. 2).

The following actions require 27 votes:

2. To pass urgency measures—(Constitution, Art. IV, Sec. 1).
3. To suspend constitutional provision requiring reading bills on three several days—(Constitution, Art. IV, Sec. 15).
4. To pass bills over the Governor's veto—(Constitution, Art. IV, Sec. 16).
5. To increase or diminish the number of superior court judges or to remove judges—(Constitution, Art. VI, Secs. 9, 10).
6. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
7. To change rate of taxation for state purposes—(Constitution, Art. XIII, Secs. 14, 16).
8. To authorize deposit of public money in banks—(Constitution, Art. XI, Sec. 16½).
9. To remove a member of the Public Utilities Commission—(Constitution, Art. XII, Sec. 22).
10. To change rates or conditions under the State Employees Retirement System—(Constitution, Art. IV, Sec. 22a).
11. To propose change in location of State capital—(Constitution, Art. XX, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To suspend the Rule against lobbying in the Senate Chamber.
14. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.

The following actions require 21 votes:

15. To amend or suspend the Rules.
16. To pass bills, unless under some other Rule a larger vote is required—(Constitution, Art. IV, Sec. 15).
17. To adopt a concurrent resolution approving a county or city charter or amendment thereto—(Constitution, Art. XI, Secs. 7½ and 8).
18. To adopt joint and concurrent resolutions.
19. To reconsider bills, joint and concurrent resolutions.
20. To confirm appointments by the Governor or to reconsider the same.
21. To recall a bill from committee.

22. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.

Actions requiring 14 votes:

23. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

**Vote Required for Amendments**

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

**Contents of Senate Journal**

**Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal. The committee vote on each bill reported back by a committee, and if a bill is signed out that fact also shall be recorded in the Journal.

**Titles of Bills to Be Printed**

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

**Other Matter to Be Printed**

51. Messages from the Governor (other than biennial messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Letters of transmittal presenting reports of interim committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolutions adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate.

**Legislative Printing**

**Duty of Secretary to Order Printing**

52. It shall be the duty of the Secretary of the Senate and he is hereby directed during and between sessions of the Legislature to order for the Senate the necessary printing including stationery for the members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

**Printing Only on Written Orders; Rush Orders**

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing ordered by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

**Form of Printing Amendments**

54. When any bill of either house is amended it shall be immediately reprinted; new matter shall be printed in italics in the printed bill; and matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strikeout" type. When a bill is enrolled, all such italics and "strikeout" type shall be omitted and the bill shall be printed in the usual roman type.

**The Senate Chamber****Admission Within Bar to Senate**

55. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Senators, ex-Senators, Members of the Assembly, state officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them from coming within the bar of the Senate unless upon the invitation of the President or a Senator. No visitor shall be allowed upon the floor while the Senate is in session.

**Regulations for Lobbyists**

56. All persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any Member of the Senate upon any such bill, measure, or resolution, or upon any anticipated or proposed bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by, or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this Rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate as herein provided.

This Rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this Rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and the President pro Tempore are charged with the enforcement of this Rule, and this Rule cannot be suspended except by a two-thirds vote of the entire Senate.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

NOES—None.

By Senator Johnson :

#### Senate Resolution No. 4

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers :

<i>President pro Tempore</i> .....	Harold J. Powers
<i>Secretary of the Senate</i> .....	Joseph A. Beek
<i>Sergeant-at-Arms</i> .....	Joseph F. Nolan
<i>Minute Clerk</i> .....	John F. Lea
<i>Chaplain</i> .....	Rev. Nelson E. Humm

Resolution read, and on the motion of Senator Johnson, adopted.

By Senator Rich :

#### Senate Resolution No. 5

*Resolved*, That the President of the Senate appoint a Special Committee of Three Senators to notify the Governor that the Senate is now duly organized and is ready to receive any communications he may have to make.

Resolution read, and, on motion of Senator Rich, adopted.

#### Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Rich, Parkman, and Brown.

By Senator Dillinger :

#### Senate Resolution No. 6

*Resolved*, That the President of the Senate appoint a Special Committee of Three Senators to notify the Assembly that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and, on motion of Senator Dillinger, adopted.

#### Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Dillinger, McBride, and Crittenden.

By Senator McBride:

**Senate Resolution No. 7**

*Resolved*, That the following members be and the same are hereby elected members of the Senate Committee on Rules:

Senators Brown, Hatfield, Hulse, and Keating.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

**NOES**—None.

By Senator Cunningham:

**Senate Resolution No. 8**

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1949 (First Extraordinary) Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Abshire, F. Presley	Sonoma	228	\$11 40
Breed, Arthur H., Jr.	Alameda	180	9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Busch, Burt W.	Lake	320	16 00
Collier, Randolph	Siskiyou	500	29 50
Coombs, Nathan F.	Napa	122	6 10
Crittenden, Bradford S.	San Joaquin	94	4 70
Cunningham, R. R.	Kings	428	21 40
Desmond, Earl D.	Sacramento	2	10
Dillinger, H. E.	El Dorado	100	5 00
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh F.	Stanislaus	182	9 10
Dorsey, Jess R.	Kern	550	27 50
Drobish, Harry E.	Butte	158	9 90
Gibson, Luther E.	Solano	112	5 60
Hatfield, George J.	Merced	238	11 80
Hulse, Ben	Imperial	1,206	60 30
Jespersen, Chris N.	San Luis Obispo	668	33 30
Johnson, Harold T.	Placer	38	1 90
Judah, H. R.	Santa Cruz	336	16 80
Keating, Thomas F.	Marin	210	10 50
Kraft, Fred H.	San Diego	1,146	57 30
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
Miller, George, Jr.	Contra Costa	168	8 40
O'Gara, Gerald J.	San Francisco	180	9 00
Parkman, Harry J.	San Mateo	222	11 10
Powers, Harold J.	Modoc	832	41 60
Regan, Edwin J.	Trinity	434	21 70
Rich, Wm. P.	Yuba	106	5 30
Sutton, L. G.	Colusa	150	7 50
Swing, Ralph E.	San Bernardino	1,016	50 80
Tenney, Jack B.	Los Angeles	894	44 70
Ward, Clarence C.	Santa Barbara	920	46 00
Watson, Clyde A.	Orange	962	48 10
Way, A. W.	Humboldt	824	31 20
Weybret, Fred	Monterey	484	24 20
Williams, J. Howard	Tulare	468	23 40

Officers	County	Mileage	Total at 10 cents per mile
Knight, Goodwin J., President	Los Angeles	894	\$89 40
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant at Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

Resolution read.



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

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, Miller, O'Gara, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

By Senator Watson :

**Senate Resolution No. 9**

*Resolved*, That the Controller be and he is hereby directed to deliver to Joseph F. Nolan, Sergeant-at-Arms, or such of his assistants as the Sergeant-at-Arms may designate, warrants for salaries and expenses of members and officers of the Senate.

Resolution read, and on the motion of Senator Watson, adopted.

By Senator Brown :

**Senate Resolution No. 10**

*Resolved*, That the schedule of salaries of the statutory officers of the Senate, except the Secretary of the Senate, for the 1949 (First Extraordinary) Session of the Legislature be the same as that adopted for the 1949 Regular Session of the Legislature set forth in Senate Resolution No. 30 of said session.

Resolution read.

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

AYES—Senators Abshire, Breed, Burns, Busch, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, Miller, O'Gara, Parkman, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

NOES—None.

By Senator Dilworth :

**Senate Resolution No. 11**

*Resolved, by the Senate of the State of California*. That all of those persons who heretofore filed their credentials and were recommended by the Capitol Correspondents Association as representatives for the 1949 Regular Session and those that may be designated by this association are hereby recognized as the representatives of those publications for this extraordinary session.

Resolution read, and, on motion of Senator Dilworth, adopted.

By Senator Brown :

**Senate Resolution No. 12**

*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 weekly seven days per week, beginning Monday, December 12, 1949, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the respective amounts, and the Treasurer is hereby directed to pay the same :

	Per day
Buster Peart, <i>Assistant Secretary</i> -----	\$12 00
Pat Rollins, <i>Assistant Secretary and Amending Clerk</i> -----	12 00
Laura Prentice, <i>Engrossing and Enrolling Clerk</i> -----	12 00
N L. Levering, <i>Journal Clerk</i> -----	12 00

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

NOES—None.

**REPORTS OF SPECIAL COMMITTEES**

The following reports of special committees were received:

Senators Rich, Parkman, and Brown, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Dillinger, McBride, and Crittenden, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported they had performed their duty.

**Request for Unanimous Consent**

Senator Swing asked for, and was granted, unanimous consent to have the following opinion by the Legislative Counsel regarding lobbying printed in the Journal:

**OPINION OF THE LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, December 11, 1949

*Hon. Ralph E. Swing*  
*Senate Chamber*

Lobbying No. 4442

DEAR SENATOR SWING: You have asked us to ascertain, from the opinions of the California courts, what types of lobbying activity are, and what types are not, contrary to the public policy of the State.

Most of the cases on this subject involve the question as to whether certain contracts for services to be rendered in influencing legislative or executive action are void as against the public policy of the State.

In *Miles v. Thorne*, 38 Cal. 335, the contract involved provided that Miles would draw a bill which, if enacted by the Legislature, would secure a valuable franchise for Thorne, and place the bill in the hands of some members of the Legislature to be introduced by them. The court said:

"We find nothing in the contract, as alleged in the complaint, which sustains the point made by the defendant, that it is against public policy, and therefore illegal and void. The point is founded upon the idea that by the agreement the plaintiff was to use his influence to obtain from the legislature a grant of the franchise in question. The plaintiff was to draft a bill for the franchise and place it in the hands of some member of the legislature, to be by him introduced to that body; but there was no promise or undertaking on his part to labor, either secretly or openly, with the members of the legislature to secure its passage. Yet, having by virtue of the agreement, an equal interest with the defendant in obtaining the franchise, he had a legal right, equally with him, to urge its passage by all honorable means, provided he did not conceal, but openly acknowledged, his interest in the measure. Even had he agreed to act as the advocate of the defendant, the agreement would not have been illegal, if it was understood that he was to act openly as such, and did so act when the time came."

In *Foltz v. Cogswell*, 86 Cal. 542, a similar contract was involved. The court quoted with approval the language of the Miles case set forth above, and went on to say:

“Now, while the evidence does show that the plaintiff endeavored to persuade some of the members of the legislature individually to act favorably upon the bill she was seeking to have passed, it does not show that she used any dishonest, secret, or unfair means to accomplish her object. Besides, if she did not tell them that she was acting as an agent for pay, they must have known from the character of the bill that she was acting as the agent of Dr. Cogswell, which fact was sufficient, of itself, to disclose her motive.”

In *County of Colusa v. Welch*, 122 Cal. 428, the contract provided that one Sprague was “to secure by means of personal solicitation, and by means of private interview with members of the Legislature of California, and *by means of lobbying*, the defeat of the bill.”

In holding the contract void as against public policy, the court stated:

“ ‘The law also seeks to cast its protection around legislative sessions, and to shield them against corrupt and improper influences, by making void all contracts which have for their object to influence legislation in any other manner than by such open and public presentation of facts, arguments, and appeals to reason as are recognized as proper and legitimate with all public bodies. While counsel may be properly employed to present the reasons in favor of any public measure to the body authorized to pass upon it, or to any of its committees empowered to collect facts and hear arguments, and parties interested may lawfully contract to pay for this service, yet to secretly approach the members of such a body with a view to influence their action at a time and in a manner that do not allow the presentation of opposite views, is improper and unfair to the opposing interest; and a contract to pay for this irregular and improper service would not be enforced by the law.’ (Cooley on Constitutional Limitations, 6th ed. 163. See, also, note and cases cited.)

“Does the complaint sufficiently show a violation of this cardinal doctrine? The language of the complaint is, as before stated, as follows: That if the sum of one thousand dollars ‘was agreed to be paid to said Sprague, it was to secure, by means of personal solicitation, and by means of private interview with members of the legislature of California, and by means of lobbying, the defeat of said senate bill.’ These allegations bring the case within the rule enunciated by Cooley as being void. The term ‘lobbying’ has a well-defined meaning in this country, and signifies to address or solicit members of a legislative body in the lobby or elsewhere with the purpose of influencing their votes. (Webster’s Dictionary; Black’s Law Dictionary.)”

In *Crawford v. Imperial Irrigation District*, 200 Cal. 318, the contract provided that one party should appear before various committees of Congress having a certain bill under consideration and present facts and arguments in support of the bill. The court reviewed the leading California cases and summarized them as follows:

"They hold, and it must be accepted as the law in this state, as summarized in 6 Corpus Juris, page 126: 'The employment of persons to influence legislation, or to influence decisions of the land department, or even the decisions of judicial tribunals, in a proper way, is not against sound public policy. A distinction is drawn between the use of personal, or any secret or sinister, influence upon legislators, by one who seeks the passage of an act, which is contrary to public policy, and the open advocacy of the same. It is generally agreed that the appearance of a representative of an interested party before a public body to urge the adoption of a particular measure or policy is neither illegal nor improper when the means employed are open and have for their purpose the presentation of the merits of the advocated matter.'"

In *Le Tourneux v. Gilliss*, 1 Cal. App. 546, the court refused to allow recovery on a promissory note covering expenses for "lobbying." The testimony showed that by "lobbying" the parties meant "influencing the Legislature to vote for a bill or against it, in any way that the vote of the legislator could be reached." The court said:

"It is not the policy of the law that the members of the legislature should be subjected to the personal solicitation during the session of experienced and paid lobbyists. Men who are paid to influence legislation, and who become acquainted with and cultivate the friendship of members through dinners, wines, cigars, and personal attention are certainly not assisting the state in procuring good legislation. If such men escape public prosecution, it is no reason that the time of the courts should be taken up in aiding and assisting them in relation to their nefarious business. Courts will not permit themselves to be used for the purpose of aiding or enforcing such contracts. If such persons escape punishment through a public prosecution, they may consider themselves fortunate."

Very truly yours,

FRED B. WOOD, Legislative Counsel  
By A. C. MORRISON, Deputy

#### RESOLUTIONS

The following resolution was offered:

By Senator Gibson:

##### Senate Resolution No. 13

WHEREAS, The Members of the Senate of the State of California learned with profound grief and regret that on August 17, 1949, the Honorable Thomas McCormack departed from his place among us and went to his reward; and

WHEREAS, The Honorable Thomas McCormack was a native of New Brunswick, Canada, came to California in 1895, and has been continuously a resident of Rio Vista in Solano County; and

WHEREAS, The Honorable Thomas McCormack was a man of great vision and concentration, and one of noted public spirit and possessed of a constant desire to be of service to his fellow men, having served for 12 years as a member of the Solano County Board of Supervisors and 20 years as a Member of this Senate; and

WHEREAS, While the Honorable Thomas McCormack was noted to be successful as a farmer and as President of the bank of Rio Vista, and President of the Natomas Company which reclaimed vast acreages of waste land, he never lost the common touch nor permitted his business to interfere with his humane attitude toward his fellow men; now, therefore, be it

*Resolved by the Senate of the State of California*, That it deeply mourns the passing of this kind and patriotic statesman and desires by this resolution to convey its sympathy to the bereaved family; and, be it further

*Resolved*, That when the Senate shall adjourn on this 12th day of December, 1949, it shall do so in honor of the Honorable Thomas McCormack; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to have prepared engrossed copies of this resolution and to forward the same to Clara H. McCormack, his widow, Janet Lamberson, daughter, Douglas McCormack, son, and Wanda Durkee, many years secretary to the Honorable Thomas McCormack.

Resolution read, and adopted by rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

#### MESSAGES FROM THE ASSEMBLY

At 12.35 p.m., a committee from the Assembly, consisting of Assemblymen Maloney, Porter, and Cloyed, appeared at the bar of the Senate, and announced that the Assembly was duly organized and ready to proceed with the business of the State.

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

The following resolution was offered:

**Senate Concurrent Resolution No. 1:** By Senator Powers—Relative to Joint Rules of the Senate and Assembly committees.

#### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

**Senate Concurrent Resolution No. 1**—Relative to Joint Rules of the Senate and Assembly committees.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### RECESS

At 12.45 p.m., on motion of Senator Powers, the Senate recessed to the call of the Chair.

**IN JOINT CONVENTION**

ASSEMBLY CHAMBER, SACRAMENTO

Monday, December 12, 1949

At 1 p.m., the Senate and the Assembly met in Joint Convention, Hon. Sam L. Collins, Speaker of the Assembly, presiding. Chief Clerk Arthur A. Ohnimus at the desk.

**ANNOUNCEMENT**

Speaker Sam L. Collins announced the presence in the Assembly Chamber of the Honorable Goodwin J. Knight, Lieutenant Governor of the State of California and President of the Senate; the Honorable Harold J. Powers, President pro Tempore of the Senate, and invited them to the rostrum.

**SENATE ROLL CALL**

Hon. Goodwin J. Knight, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

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

**ASSEMBLY ROLL CALL**

Hon. Sam L. Collins, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMullan, Meyers, Morris, Moss, Niehouse, Porter, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—74.

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

**APPOINTMENT OF JOINT COMMITTEE ON ESCORT**

Hon. Goodwin J. Knight, President of the Senate, announced the appointment of Senators Swing, Way, and Johnson as the Senate Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

Hon. Sam L. Collins, Speaker of the Assembly, announced the appointment of Messrs. Maloney, Crichton, and Lincoln as the Assembly Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

**REPORT OF JOINT COMMITTEE ON ESCORT**

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

**PRESENTATION OF THE PRESIDENT PRO TEMPORE  
OF THE SENATE**

Hon. Sam L. Collins, Speaker of the Assembly, then presented Harold J. Powers, President pro Tempore of the Senate, to the Joint Convention.

**PRESENTATION OF THE LIEUTENANT GOVERNOR**

Hon. Harold J. Powers, President pro Tempore of the Senate, then presented Lieutenant Governor Goodwin J. Knight to the Joint Convention.

**PRESENTATION OF THE GOVERNOR**

Hon. Goodwin J. Knight, Lieutenant Governor of California, then presented His Excellency, Hon. Earl Warren, Governor of the State of California, to the Joint Convention.

**ADDRESS BY THE GOVERNOR**

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

*Mr. Speaker, Lieutenant Governor Knight, President Pro Tempore Powers, Speaker Pro Tempore Maloney, and Members of the Legislature:*

I have called you into special session on this occasion for reasons which I consider to be urgent at this time. Special sessions are not unfamiliar to you, as I have convened the Legislature in this manner on seven different occasions in the past seven years.

This, however, is the first time that it has been necessary for me to summon you in the holiday season. I would normally have delayed the session until after the first of the year, if it were not for some items that I believe should be faced immediately.

**Aid to the Aged and Needy Blind**

The first problem is one of transition from state to county administration of old age assistance as provided by the initiative measure known as Proposition No. 2, adopted by the people on November 8, 1949, and to assist the counties financially in assuming their obligations under that initiative measure until the end of the fiscal year, June 30, 1950.

After consultation with the Controller, the Director of Finance, and other interested state officers, I am of the opinion that it will be necessary to provide immediately for the transfer to the counties and cities and counties the personnel for the administration of aid to the aged and aid to the needy blind, in order to have an orderly transfer of this important function by March 1, 1950, as provided in the amendment. I also believe it would be equitable at this time to assume the financial obligations of the counties and cities and counties for financing and administering the programs until June 30th of next year.

At the time the counties made their budgets for the current year, they had been relieved of all responsibility for old age assistance. It was then entirely a state responsibility. The State therefore was obliged to assume and did assume in its budget the entire financial and administrative responsibility for the program. The counties have no funds set

up to meet the exigencies of Proposition No. 2. Because of this fact, and because the State is prepared to carry on for the remainder of the fiscal year, it is my recommendation that it be done. I am advised that the cost to the State will be approximately eight million dollars, but county taxpayers will be relieved of a like amount.

The adoption of Proposition No. 2 automatically reduced the salary of the Director of Social Welfare to \$10,000. I believe we could better obtain the services of an able administrator for this great program if the salary were restored to \$12,000 as it has been during the past year. This would be in keeping with the salaries of other major department heads.

#### **Financial Assistance to Certain Distressed School Districts**

Since the current budgets of the school districts of the State were made last June, school populations in many districts have grown so rapidly that funds are nearly exhausted, and unless assistance is forthcoming some districts will be compelled to shorten their school year or leave teachers' salaries unpaid. This is not the fault of anyone and of course, it should not be permitted to occur. The particular districts in question have merely grown in population far beyond estimate and beyond ability to finance under current revenues, although the maximum tax rate for the purpose has been levied. I suggest that the emergency fund in the Department of Education which was set up for this purpose in our last budget, and which is now inadequate, be supplemented by the appropriation of one million dollars. This should insure a full school year for every school district affected by excessive growth.

#### **Another Special Session in March**

There are other school matters and pension matters which call for legislative consideration before the end of the fiscal year. Unless a special session is called for their consideration, action would necessarily be delayed until the general session of January 1951. This, as you know, was caused by Proposition No. 3, recently adopted by the people, which limited the session in even numbered years exclusively to budget matters. I shall therefore call a special session to run concurrently with the Budget Session next March, at which time I propose to ask you to consider a permanent program for financing our Public Schools System, and also to reappraise our Old Age Assistance Program including the problem of relative responsibility. I chose to ask you to consider these matters at that time rather than now, first because they are financial matters inescapably connected with our finances and the budget, and secondly because they are matters that will probably require prolonged hearings. I did not desire, therefore, to burden you with them during this holiday season.

#### **Sex Offenders**

In recent weeks a series of unrelated, horrible sex crimes has called into question not only the adequacy of law enforcement, but also the procedures, punishment, and attempts at rehabilitation in such cases.

To assist in the solution of these problems, I called into conference a representative group of law enforcement officials, judges, school administrators, youth and adult authority members, doctors, and others, for a review of the entire situation. They met and after many hours of



earnest discussion, determined that improvement could be made in all of the fields under investigation. To this end they pledged their individual and cooperative efforts in a program of strict law enforcement in such cases. They recommended more universal use of our recently strengthened sex psychopath laws, as well as the establishment at the earliest possible date of a medical facility in the Department of Corrections for the custody and treatment of these and other psychopathic prisoners.

They also recommended that certain provisions of the Penal Code be strengthened in order to make more certain the apprehension and adequate punishment of such offenders before the commission of an offense as serious as those which have recently shocked our people.

They recommended that Section 290 of the Penal Code requiring the registration of those convicted of sex offenses be strengthened in several respects to make certain that public authorities have knowledge of the presence in their communities of all persons previously convicted of such offenses. They will have bills presented to the Legislature for that purpose, and I commend them to your earnest consideration.

They also recommended that Section 189 of the Penal Code defining the degrees of murder be amended to provide that murder committed in the perpetration of the crimes of lewd and lascivious conduct on a child under 14 years of age, defined by Section 288 of the Penal Code be murder of the first degree, as it is when committed in the course of arson, rape, robbery, burglary, or mayhem.

They also recommended that Section 209 of the Penal Code which makes kidnapping for the purpose of ransom, extortion, or robbery, *where bodily injury is inflicted*, a capital offense or punishable by imprisonment for life without possibility of parole, in the discretion of the jury, should be amended to include the crime of kidnapping for the purpose of committing a violation of Section 288 (lewd and lascivious conduct) and subdivisions 2 to 5 of Section 261 (which define forcible rape) of the Penal Code in the same category.

I agree that these provisions are desirable and I urge your consideration of them. There are also some procedural matters which the district attorneys believe will strengthen their hands and I believe they, too, warrant your consideration. The law enforcement officers will propose bills on each of these subjects.

#### **Veterans' Home and Farm Purchase Legislation**

At the last session of the Legislature, you provided for submission of the Veterans' Bond Act of 1949 and of Assembly Constitutional Amendment No. 28, defining the taxable interest of the veteran under our Home and Farm Purchase Program, to the voters of the State at a special election to be consolidated with the general election in November, 1950. At that time it was thought that the funds under the present bond issue would be sufficient to finance the program until January 1951. It now develops that in all probability this will not be the case.

There is only approximately \$30,000,000 left in the fund which is being used up at the rate of approximately four million dollars each month. If this activity continues—and it is believed that it will—the fund will be exhausted by August, 1950. Veterans' organizations have therefore suggested, and I believe, with sound reason, that the Legislature should accelerate the program by submitting these matters to the

voters of the State at a special election to be consolidated with the 1950 direct primary election. Having already decided to submit these matters to a vote of the people, the only questions involved would seem to be whether the date for submission should be advanced from November to June. I believe it should be done.

#### **Charter Amendments**

Provision is also made in the call for the approval or rejection of charters, and charter amendments, of cities, cities and counties, and counties which have been ratified since the last session of the Legislature. I am advised that there are some such charter amendments awaiting ratification, and I urge their consideration by you.

#### **Regulation of Lobbying**

There is another matter of urgency that in my opinion merits a special session of the Legislature at this time and I have included it in the call. It involves the honor of our State. And the honor of California always is a matter of urgency. It is not a new problem. It is one that has ebbed and flowed through the entire century of our statehood, principally because the Legislature has never faced the problem squarely as have many of the other states of the Union. Tens of thousands of dollars of state money have been spent through the years by interim committees, by sporadic investigations and by grand juries, but to our discredit, disreputable lobbying practices are still impairing the efficiency of State Government and besmirching the creditable work of the vast majority of our legislators, officers, and employees.

The time has arrived for us to prove to the world that independence from every corrupting and corroding influence is a part of our concept of personal and governmental responsibility. It can be done speedily at this Special Session. I believe the public expects it to be done. You now have all the information necessary for intelligent action. In addition to the investigations made recently by your interim committees, you have the reports of former years. If this were not sufficient, the current stories of corrupt practices, even if unverified, are sufficiently graphic to establish the type of activities that should be prohibited by the law of our State.

I have studied the laws regulating lobbying in the Congress of the United States and in the 25 states of the Union that have attacked the problem. They are all similar in principle but vary considerably in the degree to which they have applied the principle. I have assembled from these laws what appears to me to be the best provisions and by combining them with certain ideas of my own have prepared a bill which in my opinion contains the minimum provisions required in a regulatory law of this character. That bill will be introduced immediately. I have no doubt, however, that your experience as legislators will suggest to you controls that would strengthen the bill. If so I would be happy to accept them.

I desire to say to you that the bill is not designed to prohibit or restrict anyone from appearing before the Legislature in support of or in opposition to legislation. No honest man need fear it. It specifically exempts from its provisions anyone who testifies under subpoena, by invitation, or as a voluntary witness without compensation. It specifically

exempts persons or organizations engaged in disseminating public information through news reports or opinion when acting in that capacity. It applies only to those who endeavor to influence legislation for compensation. And it does not prohibit them from so doing. It merely regulates their conduct so their activities will be subjected to the light of day—the greatest safeguard of our democratic processes. In brief, it requires any legislative representative commonly referred to as a lobbyist to be certificated by the Secretary of State after filing a statement listing the subjects on which he proposes to influence legislation, together with the names of his employers and the amount of his compensation. Thereafter he is required to account for his expenditures and any financial transactions he has with, or any campaign contributions made to any legislator, the Governor, or the Lieutenant Governor, all of whom are a part of the legislative process. His employers must also file a statement authorizing the employment and confirming the amount paid pursuant to it.

Up to this point the restrictions are against the lobbyist. Now we propose to apply the principle to ourselves. Whenever a citizen accepts public employment he must, of necessity, limit his financial transactions in a manner that will avoid a conflict between his personal interest and that of the public. No man can serve two masters. And when one in public service tries to do so, it is invariably the public interest that suffers. It is therefore provided in the bill that except in performance of official business no elected officer or employee of the State shall represent anyone for compensation before the Legislature or before any officer, board, commission or administrative agency, or prosecute any claim against the State before such agency. There have been flagrant examples of such employment and they have not been to the best interests of the State. A clear line of distinction drawn between public and private interest in this regard would greatly increase the integrity as well as the efficiency of State Government.

I want to state with emphasis that my proposal to regulate lobbying and this bill in particular are not designed to hamper or in any manner discredit those legislative representatives who represent their clients in accordance with principles of decency. It is honest employment. The honest ones are greatly in the majority. They render a service to the State by bringing to the Legislature practical information that is not always within the experience of legislators or the Governor. I would not discourage their presence at the capitol. On the contrary they are welcome at my own office to explain the viewpoint of their employers. Their information is often helpful but I want to know who they represent. But everyone around this capitol knows the kind of lobbyist influence that is not helpful; that is not honest. As with other businesses and professions, therefore, the rules must be made to regulate and control the few who flout decency rather than for the convenience of the many who conform to decency and law.

I have dwelt on this subject at some length because I am sure it is one of the important problems of the day. Every citizen knows in his heart that corrupt lobbying deprives our government of the equality which he cherishes for it. He cannot understand why it is not scourged from the halls of our capitols. He believes it can be done. And so do I. If it is done, it will make our jobs—yours and mine—easier, more wholesome, more satisfying. I trust we can do it.

The items in this call are not complicated. In the main, they lend themselves to simple legislation. I trust you will be able to complete your work in time to return to your homes for the Merry Christmas and Happy New Year which I wish for each and every one of you.

#### ADJOURNMENT OF JOINT CONVENTION

At 1.30 p.m. there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

#### IN SENATE

At 1.35 p.m. the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 12, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has selected the following officers for the 1949 (First Extraordinary) Session:

<i>Speaker</i> -----	Sam I. Collins
<i>Speaker pro Tempore</i> -----	Thomas A. Maloney
<i>Chief Clerk</i> -----	Arthur A. Ohnimus
<i>Minute Clerk</i> -----	Geraldine B. Hadsell
<i>Sergeant-at-Arms</i> -----	Wilkie Ogg
<i>Chief Assistant Sergeant-at-Arms</i> -----	Andrew J. Cecchetti
<i>Chaplain</i> -----	Dr. Torrance Phelps

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bill was introduced, and read the first time:

**Senate Bill No. 1:** By Senators Dilworth, Sutton, Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—An act to call a special election to be consolidated with the direct primary election of 1950 and to provide for the submission to the electors of the State at such consolidated election of Assembly Constitutional Amendment No. 28 of the 1949 Regular Session and of the Veterans Bond Act of 1949 and to amend Sections 2, 3, 4, 5, and 6 of Chapter 1267 of the Statutes of 1949, relating to the time of taking effect of said chapter and the submission of the Veterans Bond Act of 1949, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Rules.

#### ADJOURNMENT

At 1.40 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Tuesday, December 13, 1949, out of respect to the memory of the late Honorable Thomas McCormack.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

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SECOND LEGISLATIVE DAY  
SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, December 13, 1949

The Senate met at 10 a.m.  
Hon. Goodwin J. Knight, President of the Senate, presiding.  
Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dillinger, *on motion of Senator Powers*, due to legislative business.

Senator Judah, *on motion of Senator Powers*, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Jerome Weber of Los Angeles.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dwight Hanawalt, coach, and the following students of

La Verne College of La Verne: Bill O'Neill, Dick Peterson, Don Baughman, Larry Teter, Daryl Brandt, Don Colburn, Wandal Root, Bill Landis, Wayne Carter, and Ralph Miller.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

THE WHITE HOUSE  
WASHINGTON, November 25, 1949

MY DEAR MR. BEEK: The President has read with deep appreciation the resolution which you so kindly enclosed with your letter of November 15th. He wants the membership of the Legislature of the State of California to know how touched he is by the thoughtful spirit which prompted the adoption of this resolution in tribute to the late Secretary Forrestal.

Very sincerely yours,

WILLIAM D. HASSETT  
Secretary to the President

HON. JOSEPH A. BEEK, Secretary of the Senate of California  
State Capitol, Sacramento, California

ALBANY, CALIFORNIA, December 3, 1949

*Mr. Joseph A. Beek*  
*Secretary of the Senate*  
*Sacramento, California*

DEAR MR. BEEK: I was very happy and proud to receive the Senate Concurrent Resolution No. 1 in honor of my father, William R. Sharkey.

I appreciate your kindness and I want to take this opportunity to thank the Senate for its consideration.

Sincerely,

MURIEL HEXNER  
Mrs. Murial Sharkey Hexner

BANK OF AMERICA  
LOS ANGELES HEADQUARTERS  
LOS ANGELES, November 21, 1949

*Mr. Joseph A. Beek*  
*Secretary of the Senate*  
*P. O. Box 537, Balboa, California*

DEAR MR. BEEK: The beautifully prepared resolution in honor of our beloved Founder-Chairman, Mr. A. P. Giannini, referred in your letter of November 15th, came to me this morning, and I hasten to thank you and every Member of the Senate for your thoughtfulness.

It will be presented by me at our next Board Meeting on December 13th, after which an official acknowledgment will go forward to you.

Thank you again.

Sincerely,

A. J. GOCK  
Chairman of the Board

BANK OF AMERICA  
SAN FRANCISCO, November 22, 1949

DEAR MR. BEEK: This will acknowledge your letter of November 15th, 1949, and the very beautifully bound copy of the resolution passed by the State Senate on the occasion of the passing of my father.

This testimonial and expression of the affection and esteem in which A. P. was held by the Members of the Senate of his native State is of much consolation to my sister and to me and will always be greatly cherished by us.

The State Printing Department is to be congratulated for the handsome work that has gone into the printing and binding of the resolution.

Please express to the membership of the Senate the very deep appreciation felt by my sister and by me for their expressions of sympathy and condolence and their tribute to my father's work.

Yours very sincerely,

L. M. GIANNINI

MR. J. A. BEEK  
Secretary of the Senate  
P. O. Box 537, Balboa, California

STATE OF CALIFORNIA, DEPARTMENT OF EDUCATION  
SACRAMENTO, December 12, 1949

*The Honorable Goodwin J. Knight*  
*President of the Senate*  
*Senate Chamber, State Capitol*  
*Sacramento, California*

DEAR MR. PRESIDENT: I wish to thank the Members of the Senate for the action they took during the 1949 Regular Session of the Legislature with regard to the schoolhousing emergency that exists in the Public School System.

As you know, the people of the State of California, at the special election on November 8, 1949, approved the constitutional amendment submitted to them as Proposition No. 1, authorizing the issuance of \$250,000,000 in state bonds for the purpose of making loans to impoverished school districts for school sites and school buildings. The popular vote showed that a very large majority of the people were in favor of the proposed measure.

It may be reported to you today that the agencies designated by law to carry out the provisions of the constitutional amendment are preparing to act in accordance with the statutes as rapidly as possible. The organization of the newly created State School Building Finance Committee, now under way, has been expedited by the prompt appointment, by the Senate Rules Committee, of the two Members of the Senate required to meet and advise with the committee. The State Allocation Board will at an early date request funds from the proceeds of the sale of bonds as authorized by law. The Department of Education is conferring with administrators of school districts potentially eligible for the state loans, and is assisting many of them in preparation of the information that is required under the law to be submitted with applications to the State Allocation Board, in justification of their need.

All who are concerned for the welfare of the children of California in those school districts in which local capacity to provide adequate schoolhousing has been exhausted, have reason to appreciate the constructive action of the Legislature with respect to this very serious problem.

Sincerely,

ROY E. SIMPSON  
Superintendent of Public Instruction

**APPOINTMENTS BY THE DEPARTMENT OF SOCIAL WELFARE**

STATE OF CALIFORNIA  
DEPARTMENT OF SOCIAL WELFARE  
SACRAMENTO, December 12, 1949

*The Honorable Goodwin Knight*  
*President of California State Senate*  
*State Capitol, Sacramento, California*

DEAR SIR: I have the honor to present the name of Sheridan Downey, Jr., for appointment as Chairman of the State Social Welfare Board under the provisions of Article XXV of the State Constitution. Mr. Downey took his oath of office on July 20, 1949. I would request that confirmation of his appointment be made retroactive to that date.

Sheridan Downey, Jr., is an attorney, was born on March 22, 1913, in Laramie, Wyoming, came to California in 1913, was graduated from the University of Arizona in 1936, is a graduate of the University of Arizona School of Law, was admitted to the Bar in 1936, has practiced law in California since 1936, is married and has one child, is a member of the Elks Club, and is active in Boy Scouts. Mr. Downey is a resident of Oakland, where he practices law. His home is at 9511 Golf Links Road, Oakland.

Respectfully submitted,

MYRTLE WILLIAMS, Director  
Department of Social Welfare

Appointment read, and referred to the Committee on Rules.

STATE OF CALIFORNIA  
DEPARTMENT OF SOCIAL WELFARE  
SACRAMENTO, December 12, 1949

*The Honorable Goodwin Knight*  
*President of California State Senate*  
*State Capitol, Sacramento, California*

DEAR SIR: I have the honor to present the name of Frank E. Gardner for appointment to the State Social Welfare Board under the provisions of Article XXV of the State Constitution. Mr. Gardner took his oath of office on September 22, 1949. I would request that confirmation of his appointment be made retroactive to that date.

Mr. Gardner was born on September 12, 1901, in Marion, Indiana, and came to California in 1921. He received his education in Indiana and has taken some night school courses in accounting at the University of Southern California. Mr. Gardner

was employed by the Blue Diamond Materials Company, Los Angeles, for six years in the Accounting, Purchasing, and Sales Department, by the American Can Company in Los Angeles in cost accounting, and by the Consolidated Hotels as auditor.

Mr. Gardner lost his sight in 1931. Since that time he has learned braille, and to operate and maintain himself as a blind person. He has worked for 11 years in the Industrial Workshop for the Blind, is active in the Blind Workers' Guild of California as a member and as an officer, is chairman of the Legislative Committee of California Blind, is a member and president of the Los Angeles County Adult Club for the Blind, and has been a delegate to the California Council for the Blind for two years.

Respectfully submitted,

MYRTLE WILLIAMS, Director  
Department of Social Welfare

Appointment read, and referred to the Committee on Rules.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinions of the Legislative Counsel printed in the Journal:

#### OPINIONS OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, CALIFORNIA, December 12, 1949

*Hon. George J. Hatfield*  
*Senate Chamber*

#### County Share of Aid to the Aged—No. 362

DEAR SENATOR HATFIELD: You have asked us whether, in recent years, the county contribution to the amount of aid to the aged paid out as a monthly grant or "pension" to the recipient has ever been fixed by statute at a flat rate of \$5, or whether the application of some formula or fraction has resulted in county payment of \$5 per recipient per month.

The county share of the cost of aged aid has never been fixed by statute in this State specifically at a maximum rate of \$5 per month or any other specific figure, but has always been a residual amount comprising so much of the money expended by the county for such aid as was not repaid to the county from state or federal funds. The provisions under which federal and state payments have been made to the county have never specified the county share in dollars and cents as such. However, from July 1, 1943, until January 1, 1949, the formulae under which federal and state funds were transmitted to the counties for aid to the aged have been such as to make the county residual share of the cost \$5 per month per case receiving the maximum amount of aid, and a lesser amount for each case receiving less than the maximum amount of aid.

For the sake of accuracy and clarity, it must be understood that the county has always been held responsible for participation only in the cost of aid to individuals having county residence. Since 1935 it has always been provided that the State should reimburse the county the full amount of aid granted any person otherwise qualified who has the requisite state residence but has no county residence and whose application is filed in the county in which he lives. Throughout this opinion the references to the county share, therefore, apply only to instances in which the recipient has residence in the county granting the aid.

When the act which subsequently became known as the Old Age Security Law was enacted in 1929 (1929:530:914), the amount of aid to be paid to each eligible individual was to be fixed with regard to the conditions existing in each case (that is, on a basis of need) but not to exceed



\$1 per day (Sec. 3). It was provided (Sec. 15) that the State should pay the county a sum equal to one-half of the total amount of payments made by the county under the act, and a sum not to exceed \$180 per annum for each aged person supported or maintained by the county was appropriated to each county (Sec. 21). At that time there was no federal participation in the cost of such aid so that for a case receiving approximately the maximum amount of aid the residual one-half to be borne by the county amounted to approximately \$15 per month.

Under 1935 legislation (1935:633:1767) the amount of aged aid to which an applicant was entitled was likewise to be fixed according to need, but was to be an amount which, when added to the income of the applicant from all other sources, should not be less than \$20 nor more than \$35 per month. At this time federal participation equivalent to one-half of the sum expended, not counting with respect to any individual any amount over \$30 per month (that is, a maximum of \$15 per month) was made available to the State, so that the residual county share for a case receiving the maximum amount of aid became \$10 per month.

When the Welfare and Institutions Code, enacted in 1937, codified the 1929 Act, the federal share was still not more than \$15 per month for an individual receiving the maximum amount, the state share \$10, and the residual county share \$10.

As of January 1, 1940, the amount of federal participation was increased to one-half of the expenditures, not counting so much with respect to any individual as exceeded \$40 per month (that is, a maximum of \$20 per individual). The amount payable to the individual was increased to \$40 by state legislation (1941:764:2299) so that, under the provisions making the appropriation to the counties (W. & I. Code 2021) and providing for the manner of payment (W. & I. Code 2187) the State continued to pay one-half of the remainder or \$10 per month, and the residual share of the county continued to be \$10 per month for each individual receiving the maximum amount of aid.

In 1943 by legislation operative on July 1, 1943 (1943:358:1582), the amount of the maximum grant to the individual was increased to \$50 per month and it was provided that the State should pay to the county five-sixths of the remainder of the sum expended by the county as aid to the aged, after deducting from those expenditures the amount of federal assistance received by the State and paid over to the county. Thus, for an individual receiving the maximum amount of \$50 per month, the federal participation was \$20, the State participation \$25, and the residual county share \$5. In Chapter 359 of the Statutes of 1943 express reference was first made to the county share in Section 3, in which it was stated that it was the intention of the Legislature that the cost of maintaining and supporting aged persons in this State pursuant to the Old Age Security Law, after deducting the moneys received therefor from the United States Government, should be borne by the State and the counties in the proportion of five-sixths by the State and one-sixth by the county, in each case in which the county participated in the cost of such aid.

By federal amendment to the Federal Social Security Act effective October 1, 1946, the formula for federal payments to the State was changed so that the maximum amount of federal assistance made available for an individual receiving the maximum amount of aid was \$25.

By state legislation operative August 1, 1947 (1947:1255:2765), the maximum amount of the grant to the individual was increased to \$60 per month and the fraction of the sum not met from federal funds payable by the State to the county was changed from five-sixths to six-sevenths. Thus, on and after August 1, 1947, the federal participation in a maximum grant was \$25, the state share \$30, and the residual county share \$5.

By further federal legislation operative October 1, 1948, the formula for federal participation was changed so as to provide a maximum of \$30 per month per individual. Under Welfare and Institutions Code Section 2025, this increase in the federal participation was passed on to the recipient so that of a maximum grant of \$65 per month \$30 was borne by the Federal Government, \$30 by the State, and \$5 by the county.

When Article XXV of the State Constitution, added thereto by Proposition No. 4 at the November 2, 1948, General Election became operative on January 1, 1949, the State assumed the obligation of payment of the full amount of aid to the aged not met from federal funds, and the amount of the maximum grant for aid to the aged was increased to \$75 per month. Thus, the federal participation in each grant continued to be \$30 and the state share the remainder, or \$45.

Under Article XXVII of the Constitution, added thereto by the Special Election held on November 8, 1949, Article XXV was repealed and various Welfare and Institutions Code sections relating to aid to the aged revived and reenacted as they were immediately prior to the adoption of Article XXV. Under those sections, as further amended by Article XXVII, the maximum amount of aid to the aged will continue to be \$75 per month and the six-sevenths and one-seventh ratio of state and county participation in the cost of the remainder will be continued. It would appear that, assuming that the State continues to qualify for federal assistance, the federal participation in this maximum \$75 per month grant will be \$30, the state share of the remainder will be \$38.57 and the residual county share \$6.43.

Very truly yours,

FRED B. WOOD, Legislative Counsel  
By (Mrs.) HARRIETT R. BUHLER, Deputy

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO 2, CALIFORNIA, December 6, 1949

*Hon. George J. Hatfield*  
*Box C, Newman, California*

Committee Expenses—No. 366

DEAR SENATOR HATFIELD: You have asked our opinion on two questions relating to expenses of legislative committees. These questions are separately considered below.

*Question*

May the Legislature, or either house thereof, supplement the funds of existing interim investigating committees at a budget session?

*Opinion*

In our opinion the answer is in the affirmative.

*Analysis*

Section 37 of Article IV of the Constitution authorizes the Legislature or either house thereof to provide for such committees by resolution, and further provides that each house "may provide for the payment of the expenses necessarily incurred by any such committee or the members thereof either from its Contingent Fund or from any money provided by law for that purpose."

Historically, the "contingent funds" of either house consist of money appropriated by law for the support of that house and its committees as part of the expense of the legislative branch of the State Government. Sections 9126 and 9127 of the Government Code (added by Chapter 1238, Statutes 1949), which create special funds designated the Senate Contingent Fund and the Assembly Contingent Fund in the State Treasury confirm that concept.

An appropriation is, of course, a statute and as such is subject to the provisions of Section 2 of Article IV which now provides in part that at a Budget Session "the Legislature shall consider only the Budget Bill for the succeeding fiscal year, revenue acts necessary therefor, the approval or rejection of charters and charter amendments of cities, counties and cities and counties, and acts necessary to provide for the expenses of the session."

An "allocation" of funds, on the other hand, is merely an authorization by the agency for whom money has been appropriated, to its interdepartmental units or officers, to expend some of the money appropriated by law for the agency. Such "allocations," which the Legislature customarily makes by resolution, represent merely an exercise of the Legislature's inherent power to control its own affairs and procedures, and not an exercise of the law making power.

The restrictions on measures which may be considered at a Budget Session, quoted above, were not, in our opinion, intended to do more than restrict the types of measures which the Legislature might consider. Neither the language used, nor the ballot arguments employed, imply an intent to restrict the Legislature from exercising any of its inherent powers other than its law making power.

It follows that the Legislature or either house thereof may, at a Budget Session, supplement the funds of its existing committees by allocating to those committees a portion of its contingent fund money.

We note that the funds of several interim committees were supplemented by resolutions adopted at the 1948 Budget Session.

*Question*

At a Budget Session may funds be made available to statutory legislative committees?

*Opinion*

In our opinion funds may be provided for such committees either by resolution, or by specific appropriation in the Budget Bill.

*Analysis*

Prior to the adoption of Section 37 of Article IV of the Constitution, legislative committees authorized to act after final adjournment could be created only by statute. (*Assembly Interim Committee v. Southard*, 13 Cal. 2d 497; *Swing v. Riley*, 13 Cal. 2d 513). Section 37 of Article IV

was adopted to provide an alternative method of creating such committees, i.e., by resolution. The method selected by the Legislature would not logically appear to affect the power of the Legislature over its committees. Therefore, under the reasoning set forth under the first question considered in this opinion, the Legislature or either house thereof may, at a Budget Session, allocate a portion of its contingent funds to such a committee by appropriate resolution.

As we have previously mentioned, appropriations for contingent expenses of the Legislature or either house thereof are in effect appropriations for the support of the legislative branch of the State Government. For the past 25 years the Budget Bill appropriations for contingent expenses of both houses have specifically included expenses of legislative committees. Since funds for expenses of legislative committees may be and have been included in the Budget Bill, we can see no legal or logical objection to itemizing such budget appropriations to show the amount appropriated for each committee. Obviously that may be done at a Budget Session.

Assuming that a committee is lawfully created to exercise a function within the power of the Legislature, we see nothing in the Constitution to prevent the Legislature or either house thereof, from providing funds to the committee, merely because its functions are not entirely investigatory.

To illustrate, the State Capitol Committee was created by Chapter 288, Statutes of 1949, which added a new article to the Government Code relating to the State Capitol. This committee consists of the Senate and Assembly Capitol Committees, which are created by the same provision. (Section 9107, Government Code.)

The statute provides that the State Capitol Building is intended primarily for the use of the Legislature (Section 9106) and the function of the committees is to determine the space needs of the Legislature (Section 9109), to allocate the available space among the houses of the Legislature and among its aids (Section 9108), to determine whether any space may be spared for use by the executive branch, and if so, to release that space (Section 9109).

It is obvious that, under the statute, the committees' function is to make a continuing study of the space needs of the legislative branch of the government and to keep the Legislature informed thereon—an investigatory function. This is made apparent by the fact that the committees are given the powers of investigating committees (Section 9107). The committees are also charged with the quasi-administrative function of apportioning the space available among the two houses and the legislative aides, but that function, although not investigatory, is certainly a function within the Legislature's inherent power to provide quarters for itself, its committees and its aides, and may be delegated to properly created committees.

Under the reasoning set forth above, we do not believe any provision of the Constitution will prevent the Legislature, or either house, from making funds available to such committees, either by an appropriation item in the Budget Bill or by resolution authorizing the committee to expend a portion of the contingent funds of the Legislature or the house concerned.

It should be borne in mind that if a Budget Bill appropriation is made to a specified committee in a specified amount, and exempt from the provisions of Section 9126 of the Government Code, that appropriation could not, by resolution, be allocated to another committee or used for another purpose.

Very truly yours,

FRED B. WOOD, Legislative Counsel  
By A. C. MORRISON, Deputy

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 12, 1949

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

Assembly Bill No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

**Assembly Bill No. 1**—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

#### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY BILL NO. 1

##### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Powers:

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

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

#### CONSIDERATION OF ASSEMBLY BILL NO. 1

**Assembly Bill No. 1**—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Bill read second time.

**Assembly Bill No. 1**—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Bill read third time.

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

**AYES**—Senators Abshire, Breed, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 12, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 3

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **HAROLD F. LEWRIGHT**, Assistant Clerk

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

The following resolution was read:

**Assembly Concurrent Resolution No. 1**—Relative to Assemblyman Samuel L. Heisinger.

Resolution ordered held at the desk.

**Assembly Concurrent Resolution No. 3**—Relative to Richard J. Welch.

#### Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

**Assembly Concurrent Resolution No. 3**—Relative to Richard J. Welch.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

Resolution ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 13, 1949

**MR. PRESIDENT:** The Committee on Rules has examined:

Senate Concurrent Resolution No. 1

And reports the same correctly engrossed.

**POWERS**, Chairman

SENATE CHAMBER, SACRAMENTO, December 13, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 1

Has had the same under consideration, and finds that it is within the purview of the call and reports the same back with the recommendation that it be re-referred to the Committee on Military and Veterans Affairs.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill re-referred to Committee on Military and Veterans Affairs.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

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

**Senate Bill No. 2:** By Senator Brown—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

**Senate Concurrent Resolution No. 2:** By Senator Breed—Relative to approving the charter of the City of San Leandro, County of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of September 1949.

Referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 13, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 2

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Breed asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2**

**Senate Concurrent Resolution No. 2**—Relative to approving the charter of the City of San Leandro, County of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of September, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

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

**Senate Bill No. 3:** By Senators Hulse, Hatfield, and Kraft—An act to provide for the retirement rights of state welfare personnel entering county employment as a result of the operation of Article XXVII of the Constitution, providing for the disposition of retirement contributions by and in respect to such persons, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Bill No. 4:** By Senators Hulse, Hatfield, and Kraft—An act relating to personnel for the administration of aid to the aged and aid to the needy blind, providing for the separation from state service of certain employees engaged in such administration in the State Department of Social Welfare, requiring the reemployment by the counties of certain personnel now employed by the State for such administration, prescribing the procedure for lay-off of employees of county social welfare departments, specifying the rights of personnel affected by this act, and repealing Section 18599 of the Government Code, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Bill No. 5:** By Senators Dilworth, Breed, Donnelly, Weybret, and Williams—An act to add Chapter 15 5, comprising Sections 7170 to 7177, inclusive, to Division 3 of the Education Code, relating to additional apportionments to school districts to meet the cost of increased attendance during the 1949-1950 Fiscal Year, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 3:** By Senators Collier and Desmond—Relative to hours which the State Library remains open.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 4:** By Senator Desmond—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at a special election held therein on the eighth day of November, 1949.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4**

**Senate Concurrent Resolution No. 4**—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at a special election held therein on the eighth day of November, 1949.

Resolution read.



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

AYES—Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulsc, Jespersen, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Watson, Way, Weybret, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

## RESOLUTIONS

The following resolutions were offered:

By Senator Powers:

### Senate Resolution No. 14

Creating the Senate Legislative Process Committee and defining its powers and duties

WHEREAS, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Senate, and the adequate consideration of such measures requires the cooperation of such several committees in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures; and

WHEREAS, There is need of a committee equipped to ascertain facts and secure facts and secure information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Senate; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. A special committee designated the "Senate Legislative Process Committee" is hereby created and authorized and directed to take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and to make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the members and committees of the Senate as may be of aid to them in considering and acting upon legislative proposals at this session.

2. The committee shall consist of the same members of the Senate as the Senate Committee on Rules, and shall have the same chairman.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

The Joint Rules of the 1949 Regular Session are incorporated herem and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Senate from time to time and at any time.

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

6. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—35.  
**NOES**—None.

By Senator Brown :

**Senate Resolution No. 15**

*Resolved*, That during this 1949 First Extraordinary Session, the compensation of the Secretary of the Senate shall be fifteen dollars (\$15) per day, 7 days per week, payable weekly, and the Controller is directed to draw his warrants in the said amount and the Treasurer is directed to pay the same.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—35.  
**NOES**—None.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

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

**Senate Bill No. 6:** By Senator Collier—An act to add Chapter 4 to Part 2 of Division 2 of Title 2 of the Government Code, relating to influencing and attempts to influence legislation.

Referred to Committee on Rules.

**Senate Bill No. 7:** By Senators Powers, Mayo, Johnson, Hatfield, Regan, Sutton, Donnelly, Williams, Jespersen, Kraft, Brown, McBride, Cunningham, Coombs, Tenney, Breed, Dilworth, Miller, Drobish, Hulse, Crittenden, O'Gara, Burns, Busch, Dorsey, Keating, and Ward—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of, and to add Section 1098 to, the Government Code, relating to the legislative and executive department of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

Referred to Committee on Rules.

**Senate Bill No. 8:** By Senators Rich, Swing, Breed, Drobish, Jespersen, Mayo, Dilworth, Regan, Johnson, McBride, Parkman, Crittenden, Donnelly, Kraft, Coombs, Abshire, Way, Weybret, Brown, Watson, Williams, Cunningham, Ward, Hulse, and Hatfield—An act making an appropriation to the counties and cities and counties of the State for expenditure during the 1949-1950 Fiscal Year for aid to the aged and aid to the needy blind, providing for the method of computation, payment, and disbursement thereof, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Bill No. 9:** By Senators Rich, Swing, Breed, Drobish, Jespersen, Mayo, Dilworth, Regan, Johnson, McBride, Donnelly, Parkman, Crittenden, Kraft, Coombs, Abshire, Way, Watson, Williams, Cunningham, Weybret, Brown, Ward, Hulse, and Hatfield—An act making an appropriation to the counties and cities and counties of the State for the cost of administration of aid to the aged and aid to the needy blind during the 1949-1950 Fiscal Year, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Bill No. 10:** By Senators Rich, Swing, Breed, McBride, Parkman, Drobish, Jespersen, Mayo, Watson, Dilworth, Regan, Johnson, Donnelly, Crittenden, Coombs, Abshire, Way, Cunningham, Miller, Brown, Williams, Weybret, Collier, Ward, and Hatfield—An act making an appropriation to provide financial assistance to school districts during the 1949-1950 Fiscal Year, to take effect immediately.

Referred to Committee on Rules.

**Senate Bill No. 11:** By Senators Rich, Swing, Watson, Drobish, Jespersen, Mayo, Regan, Johnson, McBride, Parkman, Crittenden, Kraft, Coombs, Williams, Cunningham, Weybret, Brown, Collier, Ward, and Hatfield—An act to amend Section 130 of the Welfare and Institutions Code, relating to the salary of the Director of Social Welfare.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 13, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 2**—Relative to respect to the memory of Helen Regina Gaffney.

#### REQUEST FOR UNANIMOUS CONSENT

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, for consideration.

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

**Assembly Concurrent Resolution No. 2**—Relative to respect to the memory of Helen Regina Gaffney.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

Resolution ordered transmitted to the Assembly.

### REQUEST FOR UNANIMOUS CONSENT

Senator Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, for consideration.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

**Assembly Concurrent Resolution No. 1**—Relative to Assemblyman Samuel L. Heisinger.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

Resolution ordered transmitted to the Assembly.

### COMMUNICATIONS

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

CALIFORNIA FARM BUREAU FEDERATION  
BERKELEY 4, CALIFORNIA, December 9, 1949

*Hon. Goodwin J. Knight, Lieutenant Governor  
Senate Chamber, State Capitol  
Sacramento, California*

DEAR SIR: It is my privilege to convey to you and your honorable body a recommendation of the California Farm Bureau Federation regarding some of the basic problems now before the Legislature relating to aged and needy blind aid. This recommendation, quoted below, was unanimously adopted in resolution form at our annual meeting on November 16, 1949, by our House of Delegates consisting of 53 members elected one from each of our 53 county farm bureaus having a total membership of more than 60,000 farm families.

"We recommend that no substantial changes be made in the administration or financial provisions for the aged and needy blind aid, except that the State finance the counties' share thereof until the beginning of the next fiscal year, July 1, 1950, and that, if necessary, a special session of the Legislature be called to provide therefor."

The policy expressed in the foregoing resolution is based upon the following facts and premises:

1. *Re administration*: That the administration of the aged aid and needy blind programs should be conducted in conjunction with administration of aid for needy children and aid for indigent persons now handled by the counties. Furthermore, that governmental activities such as welfare can be most economically and satisfactorily administered by the counties under a minimum of state supervision.

2. *Re finances*. That the governmental units administering a program should be expected to provide part of the revenue required to finance it. Under normal circumstances, the present law is reasonable in this respect in requiring the counties to bear one-half of the administrative costs and \$6.43 of the \$75 monthly allowance for aged aid cases and \$13.75 of the \$85 monthly allowance for needy blind cases. Our resolution requests, however, that the State bear the counties' share for the remainder of the current fiscal year so that the counties will have opportunity to raise the required revenue for this purpose.

Favorable consideration of our recommendation will be greatly appreciated.

Respectfully,

CALIFORNIA FARM BUREAU FEDERATION  
By VOX T. ELLSWORTH, Director, Research Department and  
Legislative Representative

VE:G  
CC Governor Warren

### ADJOURNMENT

At 10.45 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Wednesday, December 14, 1949, out of respect to the memory of the Honorable Richard J. Welch and Honorable Samuel L. Heisinger.

JOHN F. LEA, Minute Clerk

**CALIFORNIA LEGISLATURE**  
**1949 FIRST EXTRAORDINARY SESSION**

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# SENATE DAILY JOURNAL

THIRD LEGISLATIVE DAY  
THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, December 14, 1949

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:  
Senator Dorsey, on motion of Senator Keating, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Abruzzi, Manager of Beringer Bros., Inc. winery of St. Helena.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Beulah Hiler of San Francisco.

On request of Senators Jespersen and Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Herman M. Knudson of Clear Lake, Iowa.

On request of Senators Collier, Busch, Abshire, and Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Art Cohen of Santa Rosa.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to L. E. Dixon of Sacramento and W. P. Durkee of Bieber.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Wiley, instructor, and the following students of El Cerrito High School of El Cerrito: Violet Alvarez, Loretta Banducci, Bill Barnett, Bob Bilbrey, Cleo Stafford, Myra Clark, Bill Cotter, Bill Davis, Barbara Decker, Alfred DeSimoni, Don Doolittle, Phyllis Douglas, Dennis Firchow, Mildred Flury, Blair Grinols, George Grisct, Gene Houghton, Bob Johnson, Gertrude Little, Leanne McGillard, Bernice Lauters, Dan Miller, Harry Ming, Teresa Guterrez, Lawrence Muth, John Naumann, Delores Parsons, Tony Salvi, Gladys Tolhurst, Douglas Van Dorn, Bob Volpi, Charles Wheeler, Dale Windrem, Jim Winne, and Pat Wood.

#### COMMUNICATIONS

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

SAN MATLO, CALIFORNIA  
December 8, 1949

*Mr. J. A. Beck, Secretary of the Senate  
California Legislature  
Sacramento, California*

DEAR MR. BECK: It was with a great deal of pleasure and pride that I opened and read the very fine resolution of the California Senate with which it honored my father, the late Amadeo P. Giannini. The wording, the content and the manner in which it is put together are all extremely pleasing to me.

I shall treasure this beautiful manuscript and shall take great pride in showing it to others. Though my father is deserving of this tribute, it is, none the less, very gratifying to have his achievements recognized and recorded by such a distinguished body of men as the Senate of the State of California. I thank you.

Very sincerely,

CLAIRE GIANNINI HOFFMAN  
(Mrs. C. P.)

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 13, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

President Pro Tempore of the Senate Presiding

At 10.10 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 13, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 1

Assembly Concurrent Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Joint Resolution No. 1**—Relative to memorializing the President of the United States, the Vice President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Congress of the United States, to maintain in operation the San Francisco Naval Shipyard.

## Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

**Assembly Joint Resolution No. 1**—Relative to memorializing the President of the United States, the Vice President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Congress of the United States, to maintain in operation the San Francisco Naval Shipyard.

Resolution read.

Passed on file at the request of Senator O'Gara.

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

The following resolution was read:

**Assembly Concurrent Resolution No. 7**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election held therein on the eighth day of November, 1949.

## Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

**Assembly Concurrent Resolution No. 7**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding Legislator Retirement printed in the Journal:

#### OPINION OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, December 13, 1949

*Hon. George J. Hatfield*  
*Senate Chamber*

#### Legislator Retirement—No. 627

DEAR SENATOR HATFIELD: We have your request of December 13, 1949, asking whether the enactment of Chapter 1570 of the Statutes of 1949 resulting in authorizing Members of the Legislature who had not previously elected to become members of the Legislators' Retirement System to make such election.

In our opinion Chapter 1570 did authorize Members of the Legislature who were in office on October 1, 1949, the effective date of Chapter 1570, to elect to become members of the Legislators' Retirement System at any time prior to December 29, 1949.

Chapter 1570 amended several sections of, and added several sections to, the Government Code relating to the Legislators' Retirement System. The general effect of these amendments was to permit the inclusion of all elective officers of the State provided for by the Constitution, except judges, and to change the requirement for retirement from age 63 to permit retirement after 20 years of service regardless of age.

Section 9355.4, added by Chapter 1570, reads:

"Every elective officer of the State whose office is provided for by the Constitution, except judges, may become a member of this system. Every such officer in office at the time this section becomes effective may, within ninety days after the effective date, file with the board a written election to become a member of this system. Every such officer elected after the effective date of this section may file an election within ninety days after the commencement of the first term of office for which he is elected. Upon the filing of the election he becomes a member of this system on the first day of the month following the filing of the election."

• By its terms this section applies to "every elective officer of the State whose office is provided for by the Constitution, except judges" and permits "every such officer in office at the time this section becomes effective" to file a declaration of his intention to join the system within



90 days of the effective date of the section. Members of the Legislature are clearly elective state officers whose office is provided for by the Constitution.

Chapter 3 of the Statutes of 1949 had previously added Government Code Section 9355.05 to permit every legislator in office on September 12, 1948 and who had been re-elected as a Member of the Legislature to join the system at any time prior to April 1, 1949.

While Chapter 1570 provides for the inclusion of elected state officers, it is not confined to that purpose, but by amending Section 9359 extends retirement privileges of all members of the system to permit retirement after 20 years of service regardless of age.

Government Code Section 9355.4 is general in its terms, making no distinction between the Members of the Legislature and other elective officers. This is not true of Government Code Section 9359, amended by Chapter 1570, which contains this provision:

*"except that no elective officer other than a member of the Legislature shall be eligible for retirement hereunder prior to July 1, 1950."*

In view of the general language of Section 9355.4, the restriction in Section 9359 would appear to indicate that "elective officers of the State whose office is provided for by the Constitution" is intended to include Members of the Legislature, except when the language of the section otherwise expressly indicates.

Consequently, it appears to us that Government Code Section 9355.4, as added by Chapter 1570 of the Statutes of 1949, had the result of reopening membership in the Legislators' Retirement until December 29, 1949, the ninetieth day after the effective date of Chapter 1570.

Very truly yours,

FRED B. WOOD, Legislative Counsel  
By JOSEPH L. KNOWLES, Deputy

#### REPORTS OF STANDING COMMITTEES

##### Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, December 13, 1949

MR. PRESIDENT: The committee on Military and Veterans Affairs to which was referred:

Senate Bill No. 1

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

Committee membership 9; committee vote: Ayes 8; absent 1.

SUTTON, Chairman

#### REQUEST FOR UNANIMOUS CONSENT

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 1, at this time, for consideration.

#### CONSIDERATION OF SENATE BILL NO. 1

**Senate Bill No. 1**—An act to call a special election to be consolidated with the direct primary election of 1950 and to provide for the submission to the electors of the State at such consolidated election of Assembly Constitutional Amendment No. 28 of the 1949 Regular Session

and of the Veterans Bond Act of 1949, and to amend Sections 2, 3, 4, 5, and 6 of Chapter 1267 of the Statutes of 1949 relating to the time of taking effect of said chapter and the submission of the Veterans Bond Act of 1949, declaring the urgency of this act, to take effect immediately.

Bill read second time,

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Dilworth:

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

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—35.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF SENATE BILL NO. 1**

**Senate Bill No. 1**—An act to call a special election to be consolidated with the direct primary election of 1950 and to provide for the submission to the electors of the State at such consolidated election of Assembly Constitutional Amendment No. 28 of the 1949 Regular Session and of the Veterans Bond Act of 1949, and to amend Sections 2, 3, 4, 5, and 6 of Chapter 1267 of the Statutes of 1949 relating to the time of taking effect of said chapter and the submission of the Veterans Bond Act of 1949, declaring the urgency of this act, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

NOES—None.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

NOES—None.

Bill ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Bill No. 3

Senate Bill No. 4

Senate Bill No. 11

Has had the same under consideration, and finds that they are within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bills re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Bill No. 8

Senate Bill No. 9

Senate Bill No. 10

Has had the same under consideration, and finds that they are within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 3

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

## Request for Unanimous Consent

Senator Collier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

**Senate Concurrent Resolution No. 3**—Relative to hours which the State Library remains open.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jaspersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered :

By Senator Miller :

**Senate Resolution No. 16**

Relating to investigating the circumstances surrounding the passage of Senate Bill 1362 of 1949

WHEREAS, Senate Bill 1362 of 1949, which related to the hours of the State Library, was enacted as Chapter 1115 of the Statutes of 1949; and

WHEREAS, The author and the Legislature did not have all of the facts before they passed this bill; and

WHEREAS, Certain alleged facts upon which they relied may have been inaccurate; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate Rules Committee is requested to make an investigation of the circumstances surrounding the passage of Senate Bill 1362 of 1949; and be it further

*Resolved*, That the Rules Committee report its findings to the Senate upon the completion of its investigation.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered :

**Senate Concurrent Resolution No. 5:** By Senator Crittenden—Approving amendments to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 11, 1949.

**Request for Unanimous Consent**

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5**

**Senate Concurrent Resolution No. 5**—Approving amendments to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 11, 1949.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

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

**Senate Bill No. 12:** By Senator Williams—An act making an appropriation for payment of the expenses of Members of the Senate

necessarily incurred by them while attending the 1949 First Extraordinary Session of the Legislature, to take effect immediately.

Referred to Committee on Rules.

**Senate Bill No. 13:** By Senators Regan, Ward, Miller, Coombs, Busch, Johnson, and O'Gara—An act to amend Section 189 of the Penal Code, relating to degrees of murder.

Referred to Committee on Rules.

**Senate Bill No. 14:** By Senators Regan, Ward, Miller, Coombs, Busch, Johnson, and O'Gara—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor.

Referred to Committee on Rules.

**Senate Bill No. 15:** By Senators Regan, Ward, Miller, Coombs, Busch, Keating, Johnson, and O'Gara—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the submission of information to the bureau.

Referred to Committee on Rules.

**Senate Bill No. 16:** By Senators Regan, Ward, Miller, Coombs, Busch, Keating, Johnson, and O'Gara—An act to amend Section 290 of the Penal Code, relating to the registration of persons heretofore or hereafter convicted of certain offenses.

Referred to Committee on Rules.

**Senate Bill No. 17:** By Senators Ward and Busch—An act to add Section 1127a to the Penal Code, relating to instructions to the jury.

Referred to Committee on Rules.

**Senate Bill No. 18:** By Senators Ward and Busch—An act to amend Section 286 of the Penal Code, relating to the crime against nature.

Referred to Committee on Rules.

**Senate Bill No. 19:** By Senators Ward, Regan, Keating, Tenney, Parkman, and O'Gara—An act to amend Sections 5512 and 5513 of the Welfare and Institutions Code, relating to sexual psychopaths.

Referred to Committee on Rules.

**Senate Bill No. 20:** By Senators Ward, Regan, Keating, Tenney, Parkman, and O'Gara—An act to amend Sections 5501, 5502, and 5503 of the Welfare and Institutions Code, relating to sexual psychopaths.

Referred to Committee on Rules.

**Senate Bill No. 21:** By Senators Judah and Jespersen—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of certain offenses.

Referred to Committee on Rules.

**Senate Bill No. 22:** By Senators Keating, Ward, and Regan—An act to add Section 288.2 to the Penal Code, relating to the admission of evidence.

Referred to Committee on Rules.

**Senate Bill No. 23:** By Senators Keating, Ward, and Regan—An act to add Section 5060 to the Penal Code, relating to the powers of the Director of Corrections, providing for a scientific study and research of the problems of sex offenders, and making an appropriation therefor.

Referred to Committee on Rules.

**Senate Bill No. 24:** By Senators Keating, Ward, and Regan—An act to add Section 209.1 to the Penal Code, relating to punishment for sex crimes.

Referred to Committee on Rules.

**Senate Bill No. 25:** By Senator Judah—An act to add Section 2181.001 to the Welfare and Institutions Code, relating to aid to the aged in respect to the maximum monthly contributions to the support of recipients required of the responsible relatives, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Joint Resolution No. 1:** By Senators O'Gara, Breed, Miller, Keating, Tenney, Crittenden, Parkman, Kraft, and Desmond—Relative to memorializing the President of the United States, the Congress of the United States, the Secretary of Defense, the Secretary of the Navy, and the Maritime Commission of the United States, to reduce the tolls of the Panama Canal.

Referred to Committee on Rules.

**Senate Joint Resolution No. 2:** By Senators Donnelly, Tenney, Abshire, Sutton, Crittenden, Desmond, Hulse, Rich, Gibson, and Williams—Relative to withdrawing the application to Congress made by Assembly Joint Resolution No. 26 of the 1949 Regular Session, to propose a constitutional amendment for American participation in a World Federal Government.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 8**—Approving the charter of the City of Modesto, County of Stanislaus, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

Referred to Committee on Local Government.

**REPORTS OF STANDING COMMITTEES**

Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 2

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 2, at this time, for consideration of committee amendments.

**CONSIDERATION OF SENATE BILL NO. 2**

**Senate Bill No. 2**—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Rules:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out the comma, and in line 5 strike out "without regard to fiscal years", and insert "for the 1949 First Extraordinary Session of the Legislature".

**Amendment No. 2**

Strike out line 6, and insert a period.

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

**ADJOURNMENT**

At 11.15 a.m., on motion of Senator Keating, the President declared the Senate adjourned until 2 p.m., Thursday, December 15, 1949.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

FOURTH LEGISLATIVE DAY  
FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, December 15, 1949

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Weybret, on motion of Senator Brown, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Marvin and Elizabeth True, teachers, and the following students of El Cerrito High School of El Cerrito: Sigrid Alba, Lowell Banks, M. C. Batten, Beverly Black, Betty Boreen, Don Campbell, Juana Colston, Otis Felder, Phil Gianfortone, Norris Harris, Allan Hjellum, Elwood Jordan, Bruce Keim, Harold King, Henry Lewis, Fred Lucero, Ed Lucas, Ambrose Mainim, Jerry Mitchell, Richard Nichols, Charles O'Neal, Valeria Parker, Evalina Powell, Bob Siemmons, June Satmary, Clarence Van Hook, Eloise Woolery, Jane Watkins, Lyle Rowley, and Dick Andrews.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. W. Crawford of Sugar Pine, Walter Quigley of Vallejo, Dr. Ulysses Grant Bixby Meyer, Harvey Mydland and Robert V. New of Los Angeles.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor Floyd E. Gilmore, chairman of Board of Supervisors of Riverside County.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Earl E. Cavanah, member of Board of Supervisors of Imperial County.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Young, supervisor, of Visalia.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. Erhart of Pismo Beach.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. J. Buchanan, Ray S. Taylor, and Mr. Fredrickson, members of the Board of Supervisors of Contra Costa County.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 14, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 5**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

#### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5**

**Assembly Concurrent Resolution No. 5**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Watson, Way, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

**Assembly Concurrent Resolution No. 6**—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6**

**Assembly Concurrent Resolution No. 6**—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Miller, O'Gara, Parkman, Powers, Regan, Swing, Tenney, Ward, Watson, Way, and Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 14, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day respectfully requests that the Senate record be expunged and the action rescinded whereby Assembly Bill No. 1 was on December 13, 1949, passed, and requests that the bill be returned to the Assembly for further action.

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **HAROLD F. LEWRIGHT**, Assistant Clerk

**Motion to Rescind Action**

Senator Powers moved that the Senate rescind its action whereby it passed Assembly Bill No. 1 on December 13, 1949.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—33.

**NOES**—None.

**MOTION TO RETURN ASSEMBLY BILL NO. 1 TO ASSEMBLY**

Senator Powers moved that the Secretary of the Senate be instructed to return to the Assembly, Assembly Bill No. 1 for further consideration pursuant to their request.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 15, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted :

Assembly Concurrent Resolution No. 9

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 3

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **HAROLD F. LEWRIGHT**, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered :

**Assembly Concurrent Resolution No. 9**—Approving the charter of the City of Chula Vista, County of San Diego, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9**

**Assembly Concurrent Resolution No. 9**—Approving the charter of the City of Chula Vista, County of San Diego, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were offered :

**Assembly Joint Resolution No. 2**—Relative to the designation of the year 1950 as the year for the observance of an American Free Enterprise Centennial.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 3**—Relative to memorializing the President of the United States, the Vice President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Congress of the United States, to maintain in operation the Long Beach Naval Shipyard.

Referred to Committee on Rules.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 11**

Senator Swing moved that Senate Bill No. 11 be withdrawn from Committee on Governmental Efficiency and referred to Committee on Finance.

Motion carried.

**NOTICE OF MOTION TO AMEND STANDING RULES OF THE SENATE**

Senators Abshire and Way gave notice that on the next legislative day they will move to amend Rule No. 35 of the Standing Rules of the Senate as follows :

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

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**Amendment No. 1**

Rule 35 as printed on page 17 of the Senate Daily Journal for Dec. 12, 1949, is hereby amended to read :

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he [may] *shall proceed to the nearest microphone and proceed to speak through the public address system.*

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered :

**Senate Concurrent Resolution No. 6:** By Senator Kraft—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal election held therein on the eighth day of November, 1949.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6**

**Senate Concurrent Resolution No. 6**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Williams—36.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Concurrent Resolution No. 7:** By Senator Desmond—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eighth day of November, 1949.

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7**

**Senate Concurrent Resolution No. 7**—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Keating, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Swing, Tenney, Ward, Way, and Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

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

**Senate Bill No. 26:** By Senator Rich—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relative to reimbursement to counties for institutional care of the aged and blind, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

**Senate Joint Resolution No. 3:** By Senators Drobish and Dorsey—Relative to the erection of a dam on the Feather River near Oroville, California.

Referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Rules has examined :

Senate Bill No. 2

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred :

Senate Bill No. 5

Has had the same under consideration, and finds that it is within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred :

Senate Joint Resolution No. 1

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred :

Senate Bill No. 25

Has had the same under consideration, and finds that it is within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Social Welfare.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill re-referred to Committee on Social Welfare.

## SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Bill No. 13  
Senate Bill No. 14  
Senate Bill No. 15  
Senate Bill No. 16  
Senate Bill No. 17  
Senate Bill No. 18

Senate Bill No. 19  
Senate Bill No. 20  
Senate Bill No. 21  
Senate Bill No. 22  
Senate Bill No. 23  
Senate Bill No. 24

Has had the same under consideration, and finds that they are within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bills re-referred to Committee on Judiciary.

## SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 12

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

## Request for Unanimous Consent

Senator Williams asked for, and was granted, unanimous consent to take up Senate Bill No. 12, at this time, for consideration.

## CONSIDERATION OF SENATE BILL NO. 12

**Senate Bill No. 12**—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1949 First Extraordinary Session of the Legislature, to take effect immediately.

Bill read second time.

## Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Williams:

*Resolved*, That Senate Bill No. 12 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—36.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

## CONSIDERATION OF SENATE BILL NO. 12

**Senate Bill No. 12**—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1949 First Extraordinary Session of the Legislature, to take effect immediately.

Bill read third time.



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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—38.

NOES—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Bill No. 2**—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read third time.

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

AYES—Senators Abshire, Brown, Burns, Collier, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Swing, Tenney, Ward, Watson, Way, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 12

Senate Joint Resolution No. 1

And reports the same correctly engrossed.

POWERS, Chairman

**ADJOURNMENT**

At 2.43 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, December 16, 1949.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

FIFTH LEGISLATIVE DAY  
FIFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, December 16, 1949

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Weybret—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Swing, on motion of Senator Burns, due to illness.

Senator Williams, on motion of Senator Cunningham, due to legislative business.

Senator Busch, on motion of Senator Keating, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Glenn M. Fountain of Merced.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. George Kennedy of Sebastopol.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Gregory P. Maushart of Merced.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. M. S. Meeker of Fresno.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 13	Senate Bill No. 18
Senate Bill No. 14	Senate Bill No. 19
Senate Bill No. 15	Senate Bill No. 20
Senate Bill No. 16	Senate Bill No. 21

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

Committee membership 12; committee vote: Ayes 10; absent 2.

WARD, Chairman

Above reported bills ordered to second reading.

##### Committee on Finance

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 8  
Senate Bill No. 11

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

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, December 15, 1949

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 9

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

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bill ordered to second reading.

##### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, December 16, 1949

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 3

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

Committee membership 11; committee vote: Ayes 7; absent 4.

POWERS, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, December 16, 1949

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 4

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

Committee membership 11; committee vote: Ayes 7; absent 4.

POWERS, Vice Chairman

Above reported bill ordered to second reading.

The President directed the Secretary to give second reading to the bills reported from committee.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 13**—An act to amend Section 189 of the Penal Code, relating to degrees of murder.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 14**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 15**—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the submission of information to the bureau.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 16**—An act to amend Section 290 of the Penal Code, relating to the registration of persons heretofore or hereafter convicted of certain offenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 18**—An act to amend Section 286 of the Penal Code, relating to the crime against nature.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 19**—An act to amend Sections 5512 and 5513 of the Welfare and Institutions Code, relating to sexual psychopaths.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 20**—An act to amend Sections 5501, 5502, and 5503 of the Welfare and Institutions Code, relating to sexual psychopaths.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 21**—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of certain offenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 8**—An act making an appropriation to the counties and cities and counties of the State for expenditure during the 1949-1950 Fiscal Year for aid to the aged and aid to the needy blind, providing for the method of computation, payment, and disbursement thereof, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 11**—An act to amend Section 130 of the Welfare and Institutions Code, relating to the salary of the Director of Social Welfare.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 9**—An act making an appropriation to the counties and cities and counties of the State for the cost of administration of aid to the aged and aid to the needy blind during the 1949-1950 Fiscal Year, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 2 of the printed bill, strike out line 17, and insert "of this act, not to exceed the sum of two million dollars (\$2,000,000),".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 3**—An act to provide for the retirement rights of state welfare personnel entering county employment as a result of the operation of Article XXVII of the Constitution, providing for the disposition of retirement contributions by and in respect to such persons, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Read second time, to engrossment, and third reading.

**Senate Bill No. 4**—An act relating to personnel for the administration of aid to the aged and aid to the needy blind, providing for the separation from state service of certain employees engaged in such administration in the State Department of Social Welfare, requiring the reemployment by the counties of certain personnel now employed by the State for such administration, prescribing the procedure for layoff of employees of county social welfare departments, specifying the rights of personnel affected by this act, and repealing Section 18599 of the Government Code, declaring the urgency hereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

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

**Amendment No. 1**

On page 2, line 35, of the printed bill, strike out "except", and insert "and in addition thereto".

Amendment read and adopted.

Bill ordered printed, engrossed, and to third reading.

## RESOLUTIONS

The following resolution was offered:

By Senators Powers and Brown:

## Senate Resolution No. 17

Relative to allocating funds to the Senate Committee on Rules

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available, the sum of three hundred forty dollars (\$340) is hereby made available to the Senate Committee on Rules from any money appropriated for the contingent expenses of the Senate for the 1949 First Extraordinary Session of the Legislature, for any charges, expenses or claims incurred or to be incurred by said Senate Committee on Rules in connection with said session, to be paid from said appropriation and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Drobish, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, and Weybret—28.

NOES—None.

## MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, December 16, 1949

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

C. A. HERBAGE, a resident of Sacramento; former Deputy Director of the Department of Social Welfare; was appointed effective August 15, 1949, as Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission, vice T. H. Mugford, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission, vice self, for the term ending at the pleasure of the Governor.

MICHAEL B. KUNZ, a resident of Sacramento; former Sacramento City Councilman; former representative of the Sacramento-Yolo Building Trades Council; a Member of the California Unemployment Insurance Appeals Board and Member of the California Stabilization Commission since August 27, 1943; was appointed, effective September 14, 1949, as Member of the California Unemployment Insurance Appeals Board and Member of the California Employment Stabilization Commission, vice self, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission, vice self, for the term prescribed by law, ending September 1, 1953.

CHARLES MAYNARD COOKE, JR., a resident of Sonoma; a retired four-star Admiral with distinguished career of naval service as Chief of Staff to the Commander in Chief of the United States Fleet and as Deputy Chief of Naval Operations; interested in public instruction; was appointed, effective September 13, 1949, as member of the State Board of Education, vice Fred W. Smith, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Board of Education, vice self, for the term prescribed by law, ending January 15, 1952.

ROY MARKS, a resident of Placerville; Director of the El Dorado County Irrigation District; President of the Farm Bureau of El Dorado County and President of the Central El Dorado Soil Conservation District; was appointed, effective October 1, 1949, as member of the State Soil Conservation Commission (newly created position), as interim appointee pursuant to Section 1774 of the Government Code;

to the State Soil Conservation Commission, vice self, for the term prescribed by law, ending October 1, 1953.

Respectfully,

EARL WARREN, Governor

Message read and referred to Committee on Rules.

## STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, December 16, 1949

*To the Honorable Members of the Senate  
State of California  
Sacramento, California*

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature, the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made since the last session of Legislature.

Respectfully,

EARL WARREN, Governor

C. A. HERBAGE, a resident of Sacramento, former Deputy Director of the Department of Social Welfare, was appointed August 15, 1949, as Chief of the Division of Accounts and Tax Collections, Department of Employment, and Member, California Employment Stabilization Commission, vice T. H. Mugford, resigned.

MICHAEL B. KUNZ, a resident of Sacramento, former Sacramento City Councilman, former representative of the Sacramento-Yolo Building Trades Council, a member of the California Unemployment Insurance Appeals Board, and Member of the California Employment Stabilization Commission since August 27, 1943, was reappointed September 14, 1949, vice self, term expired.

CHARLES MAYNARD COOKE, JR., a resident of Sonoma, retired Admiral with distinguished career of naval service as Chief of Staff to the Commander in Chief of the United States Fleet and as Deputy Chief of Naval Operations, was appointed September 13, 1949, as Member of the State Board of Education, vice Fred W. Smith, resigned.

ROY MARKS, a resident of Placerville, Director of the El Dorado County Irrigation District, President of the Farm Bureau of El Dorado County and also President of the Central El Dorado Soil Conservation District, was appointed October 1, 1949, as Member of the State Soil Conservation Commission.

Message read, and ordered printed in the Journal.

#### MOTION TO AMEND STANDING RULES OF THE SENATE

Senator Abshire moved to amend Rule No. 35 of the Standing Rules of the Senate pursuant to the notice of motion given on December 15, 1949, as follows:

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

#### Amendment No. 1

Rule 35 as printed on page 17 of the Senate Daily Journal for Dec. 12, 1949, is hereby amended to read:

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he [may] *shall proceed to the nearest microphone and proceed to speak through the public address system*

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate

Amendment read.

#### MOTION TO REFER AMENDMENT TO RULE NO. 35 OF THE STANDING RULES OF THE SENATE

Senator Collier moved that the amendment to Rule No. 35 of the Standing Rules of the Senate offered by Senators Abshire and Way be referred to the Committee on Rules for study and recommendation.



**Roll Call Demanded**

Senators Donnelly, Dillinger, and Sutton demanded a roll call.

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

**AYES**—Senators Brown, Burns, Collier, Cunningham, Desmond, Dorsey, Gibson, McBride, Parkman, Sutton, and Ward—11.

**NOES**—Senators Abshire, Breed, Coombs, Crittenden, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, O'Gara, Powers, Tenney, Watson, Way, and Weybret—21.

The President directed the Secretary to call the roll on the adoption of amendment to Rule No. 35 of the Standing Rules of the Senate.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, O'Gara, Parkman, Powers, Tenney, Ward, Watson, Way, and Weybret—26.

**NOES**—Senators Cunningham, Desmond, Dorsey, Keating, McBride, and Sutton—6.

**CONSIDERATION OF DAILY FILE****THIRD READING OF SENATE BILLS**

**Senate Joint Resolution No. 1**—Relative to memorializing the President of the United States, the Congress of the United States, the Secretary of Defense, the Secretary of the Navy, and the Maritime Commission of the United States, to reduce the tolls of the Panama Canal.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Ward, Watson, Way, and Weybret—31.

**NOES**—Senator Sutton—1.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered :

**Senate Concurrent Resolution No. 8**: By Senators Rich, Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Swing, Tenney, Ward, Watson, Way, Weybret, and Williams—Relative to Rolland A Vandegrift, Legislative Auditor.

**Request for Unanimous Consent**

Senator Rich asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8**

**Senate Concurrent Resolution No. 8**—Relative to Rolland A Vandegrift, Legislative Auditor.

Resolution read, and adopted by a rising vote of the following Senators :

Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield,

Hulse, Jespersen, Johnson, Judah, Keating Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Weybret—36.

Resolution ordered transmitted to the Assembly.

### RESOLUTIONS

The following resolutions were offered:

By Senator Drobish:

#### Senate Resolution No. 18

Relating to adjournment in memory of Bert W. Loomis

WHEREAS, It is with profound regret and shock that the Members of the Senate have learned of the passing of Bert W. Loomis, former Member of the Assembly; and

WHEREAS, Bert W. Loomis was elected to the Assembly and served during the 1947 and 1948 General Sessions, representing the Fourth Assembly District; comprising the Counties of Butte, Sutter, and Yuba; and

WHEREAS, As a Member of the Legislature he served his district honestly and faithfully according to his conscience. During the 1947 General Session he sponsored a series of bills which resulted in the improvement of the government of irrigation districts, which are of particular importance to the district he represented; and

WHEREAS, Bert W. Loomis had for many years been widely known in the City of Chico and the Central Sacramento Valley as a successful realty and insurance broker, as a beloved member in Rotary Club and Shrine circles, and as a loyal adopted son of the State of California, having been born in Texas in 1889 and educated in Oklahoma prior to his removal here 35 years ago; now, therefore, be it

*Resolved by the Senate of the State of California.* That the Members of the Senate hereby express their deep sorrow at the passing of Bert W. Loomis and their most sincere sympathy for his bereaved widow and daughter; and be it further

*Resolved,* When the Senate shall this day adjourn, it do so in respect to the memory of Bert W. Loomis; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit copies of this resolution to Mrs. Lillian B. Loomis of Chico, California, the widow of Bert W. Loomis and to his daughter, Mrs. Lloyd Copelin.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Weybret—36.

By Senator Weybret:

#### Senate Resolution No. 19

Relative to augmenting the funds of the Senate Interim Committee on Social Welfare

*Resolved by the Senate of the State of California.* That in addition to any money heretofore made available, the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Social Welfare (created by Senate Resolution No. 162, 1949 General Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and referred to Committee on Rules.

### ADJOURNMENT

At 10.55 a.m., on motion of Senator Keating, the President declared the Senate adjourned until 10 a.m., Saturday, December 17, 1949, out of respect to the memory of the late Honorable Bert W. Loomis.

JOHN F. LEA, Minute Clerk

**CALIFORNIA LEGISLATURE**  
**1949 FIRST EXTRAORDINARY SESSION**

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# SENATE DAILY JOURNAL

SIXTH LEGISLATIVE DAY  
SIXTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Saturday, December 17, 1949

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

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

Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Ward, Watson, Way, and Weybret—32.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day :

Senator Swing, on motion of Senator Powers, due to illness.

Senator Tenney, on motion of Senator Powers, due to illness.

Senator Abshire, on motion of Senator Powers, due to legislative business.

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Boris Kitchin and Deputy City Attorney Lawrance Mana of San Francisco.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dale Jordan, Gale Jordan, and Dennis Nixon of Roseville.

On request of Senators Breed and Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas H. Kuchel, State Controller.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clint Fulcher, member of Board of Supervisors of Modoc County.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 16, 1949

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

Assembly Bill No. 13

Assembly Bill No. 37

Assembly Bill No. 38

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 16, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 13**—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of sex offenses and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Assembly Bill No. 37**—An act to amend Section 186 of the Penal Code, relating to the crime against nature.

Referred to Committee on Judiciary.

**Assembly Bill No. 38**—An act to amend Section 189 of the Penal Code, relating to degrees of murder and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Assembly Joint Resolution No. 6**—Relative to the continuance of payment of nonresident fees by the Veterans Administration to the Hastings College of Law, San Francisco, California.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 16, 1949

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

Senate Bill No. 2  
Senate Bill No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 16, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 17, 1949

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 4  
Senate Bill No. 9

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 16, 1949

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 3	Senate Bill No. 16
Senate Bill No. 8	Senate Bill No. 18
Senate Bill No. 11	Senate Bill No. 19
Senate Bill No. 13	Senate Bill No. 20
Senate Bill No. 14	Senate Bill No. 21
Senate Bill No. 15	

And reports the same correctly engrossed

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, Dec. 16, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 2**—Approving the charter of the City of San Leandro, County of Alameda, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twentieth day of September, 1949;

**Senate Concurrent Resolution No. 4**—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at a special election held therein on the eighth day of November, 1949;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the sixteenth day of December, 1949, at 11.30 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 17, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 26

Has had the same under consideration, and finds that it is within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, December 16, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 7

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

#### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Senate Bill No. 7, at this time, for consideration of committee amendments.

#### CONSIDERATION OF SENATE BILL NO. 7

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of, and to add Section 1098 to, the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

##### Amendment No. 1

On page 2, line 5, of the printed bill, after "purpose of", insert "or whose duties or employment include".

##### Amendment No. 2

On page 2, line 24, of said bill, after "payment," insert "compensation,".

##### Amendment No. 3

On page 2, line 40, of said bill, at the beginning of the line before "of promoting", insert "in whole or in part".

##### Amendment No. 4

On page 2, line 41, of said bill, after "contributions", insert a comma and "expenditures or payment of compensation".

##### Amendment No. 5

On page 4, line 3, of said bill, strike out the words "joint rule", and insert "the joint rules".

##### Amendment No. 6

On page 4, line 32, of said bill, after "expenditures", insert a comma and "including his own compensation".

##### Amendment No. 7

On page 4, line 37, of said bill, after "expenditures", insert a comma and "including his own compensation,".

##### Amendment No. 8

On page 5, line 18, of said bill, after "representative", insert "at any time".

##### Amendment No. 9

On page 7, line 5, of said bill, after "shall", insert "register or".

##### Amendment No. 10

On page 5, line 11, of said bill, after "principal", insert a comma and "except associations or organizations referred to in Section 9922 of this chapter,".

##### Amendment No. 11

On page 5, line 50, of said bill, after "employee", insert "or to any officer or employee of an association or organization consisting exclusively of public agencies".

##### Amendment No. 12

On page 6, line 1, of said bill, after "employee", insert "or to any officer or employee of an association or organization consisting exclusively of public agencies".

**Amendment No. 13**

On page 6, line 3, of said bill, after the period, insert "“Public agency” or “agency” includes county, city and county, public district or municipal corporation.”

**Amendment No. 14**

On page 6, line 4, of said bill, after “employee”, and before the comma, insert “or any officer or employee of an association or organization consisting exclusively of public agencies.”

**Amendment No. 15**

On page 6, line 9, of said bill, after “agency”, insert “or association or organization”.

**Amendment No. 16**

On page 6, line 10 of said bill, after “agency”, and before the period, insert “or association or organization”.

**Amendment No. 17**

On page 6, line 11, of said bill, after “employee”, insert “or officer or employee of an association or organization consisting exclusively of public agencies”.

**Amendment No. 18**

On page 6, line 16, of said bill, after “agencies”, insert “or associations or organizations”.

**Amendment No. 19**

On page 6, line 17, of said bill, after “Legislature”, insert “separately but”.

**Amendment No. 20**

In lines 2 and 3 of the title of said bill, strike out “, and to add Section 1098 to,”.

**Amendment No. 21**

On page 7 of said bill, strike out lines 17 to 47, inclusive.

**Amendment No. 22**

On page 7, line 48, of said bill, strike out “4”, and insert “3”.

**Amendment No. 23**

On page 8, line 7, of said bill, strike out “5”, and insert “4”.

**Amendment No. 24**

On page 2, line 6, of said bill, change period to semicolon and add “provided, however, that “legislative representative” does not mean a person when representing a bona fide church solely for the purpose of protecting the public right to practice the religion of such church.”

**Amendment No. 25**

On page 3, after line 50, of said bill, insert

“9912.1. In case a person is employed as a legislative representative in such manner and under such circumstances that it is impossible or impracticable to register with the Secretary of State before he is obliged to enter upon performance of his duties as a legislative representative, he may nevertheless appear before a legislative committee and thereafter act as a legislative representative without first filing with the Secretary of State the registration statement required by this chapter, by filing with the Sergeant-at-Arms of the appropriate house of the Legislature a written statement which shall include his name and address, the subject or subjects on which he appears, and the name and address of his principal, together with a statement that within three business days thereafter, he will comply with the requirements of this chapter for filing with the Secretary of State. Such person shall pay the fee required by this chapter to the Sergeant-at-Arms. The fee so paid together with the statement so filed, shall be delivered to the Secretary of State by the Sergeant-at-Arms on the next business day. The statement herein required shall be sworn to before any Member of the Legislature. The person so registering with the Sergeant-at-Arms shall, without further fee, within three business days thereafter, register with the Secretary of State in compliance with this chapter. In such registration statement filed with the Secretary of State, such person shall, in addition to the other requirements of this chapter, set forth a statement of the facts that constituted the emergency that prevented him from registering with the Secretary of State before acting as a legislative representative.”

**Amendment No. 26**

On page 4, line 38, of said bill, after “reported”, insert “, and also all matters specified in subdivisions (e) and (f) of Section 9911”.

**Amendment No. 27**

On page 5, line 25, of said bill, strike out “two hundred dollars (\$200)”, and insert “one hundred dollars (\$100)”.

**Amendment No. 28**

On page 6 of said bill, between lines 19 and 20, insert "9922 5. Nothing in this chapter shall be construed as limiting or abrogating the right of any person, in his own interest and not for compensation, to engage in promoting, advocating, opposing or influencing legislation, nor shall this chapter be applicable to any attorney at law who is not regularly engaged in legislative representation or who occasionally appears before a committee of the Legislature in support of or in opposition to legislation on behalf of a person or corporation by whom he is employed or retained."

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Rules.

**MOTION TO ADJOURN OUT OF RESPECT TO THE MEMORY  
OF ROLLAND A VANDEGRIFT**

Senator Hatfield moved, that when the Senate adjourns this day, they do so out of respect to the memory of Rolland A Vandegrift, Legislative Auditor.

Motion carried.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 10.20 a.m.

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

**PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Bill No. 13**—An act to amend Section 189 of the Penal Code, relating to degrees of murder.

Bill read third time.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Donnelly, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 14**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor.

Bill read third time.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 15**—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification,



and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905,' approved May 31, 1917, as amended, relating to the submission of information to the bureau.

Bill read third time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after "647a," insert "subdivision 5 of Section 647,".

**Amendment No. 2**

On page 2, line 28, of said bill, after the word "all", insert "violations of any offense defined in Section 647a, subdivision 5 of Section 647, subdivision 1 or 2 of Section 311 of the Penal Code, and any offense involving lewd and lascivious conduct under Section 702 of the Welfare and Institutions Code and all".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 21**—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of certain offenses.

Bill read third time.

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

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 8**—An act making an appropriation to the counties and cities and counties of the State for expenditure during the 1949-1950 Fiscal Year for aid to the aged and aid to the needy blind, providing for the method of computation, payment, and disbursement thereof, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—30.

NOES—None.

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

AYES—Senators Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 11**—An act to amend Section 130 of the Welfare and Institutions Code, relating to the salary of the Director of Social Welfare.

Bill read third time.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 9**—An act making an appropriation to the counties and cities and counties of the State for the cost of administration of aid to the aged and aid to the needy blind during the 1949-1950 Fiscal Year, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—29.

**NOES**—None.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator McBride Presiding**

At 10.45 a.m., Senator James J. McBride of the Thirty-third District, presiding.

**Senate Bill No. 3**—An act to provide for the retirement rights of state welfare personnel entering county employment as a result of the operation of Article XXVII of the Constitution, providing for the disposition of retirement contributions by and in respect to such persons, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—31.

**NOES**—None.

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

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 4**—An act relating to personnel for the administration of aid to the aged and aid to the needy blind, providing for the separation from state service of certain employees engaged in such administration in the State Department of Social Welfare, requiring the reemployment by the counties of certain personnel now employed by the State for such administration, prescribing the procedure for layoff of employees of county social welfare departments, specifying the rights of personnel affected by this act, and repealing Section 18599 of the Government Code, declaring the urgency hereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—31.

NOES—None.

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

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 18**—An act to amend Section 286 of the Penal Code, relating to the crime against nature.

Bill read third time.

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

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Ward, Watson, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 20**—An act to amend Sections 5501, 5502, and 5503 of the Welfare and Institutions Code, relating to sexual psychopaths.

Bill read third time.

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

AYES—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 19**—An act to amend Sections 5512 and 5513 of the Welfare and Institutions Code, relating to sexual psychopaths.

Bill read third time.

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

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Ward, Watson, Way, and Weybret—29.

**NOES**—Senator Sutton—1.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 11.25 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Concurrent Resolution No. 9:** By Senator Rich—Relative to the passing of Rolland A Vandegrift.

**Request for Unanimous Consent**

Senator Hatfield asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9**

**Senate Concurrent Resolution No. 9**—Relative to the passing of Rolland A Vandegrift.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Ward, Watson, Way, and Weybret—32.

Resolution ordered transmitted to the Assembly.

**ADJOURNMENT**

At 11.40 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11.30 a.m., Monday, December 19, 1949 out of respect to the memory of the late Rolland A Vandegrift.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

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SEVENTH LEGISLATIVE DAY  
EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, December 19, 1949

The Senate met at 11.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:  
Senator Swing, on motion of Senator Powers.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cecil Kwok of Sacramento.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended Mrs. Winifred Switzer of Visalia.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Frederick Nerney of San Francisco.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 17, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 17, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

**Assembly Joint Resolution No. 5**—Relative to memorializing Congress to enact legislation providing for the distribution of funds belonging to California Indians.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 4**—Relating to providing instruction for school children to meet the dangers resulting from sex offenses.

Referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 17, 1949

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

Assembly Bill No. 1  
Assembly Bill No. 22  
Assembly Bill No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bills were read the first time:

**Assembly Bill No. 1**—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Above bill ordered held at desk.

**Assembly Bill No. 22**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor and declaring the urgency thereof, to become effective immediately.

Referred to Committee on Judiciary.

**Assembly Bill No. 25**—An act relating to personnel for the administration of aid to the aged and aid to the needy blind, providing for the separation from state service of certain employees engaged in such administration in the State Department of Social Welfare, requiring the reemployment by the counties of certain personnel now employed by the

State for such administration, prescribing the procedure for layoff of employees of county social welfare departments, specifying the rights of personnel affected by this act, and repealing Section 18599 of the Government Code, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Social Welfare.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 17, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following resolution was read:

**Assembly Concurrent Resolution No. 10**—Approving the charter of the City of Modesto, County of Stanislaus, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

#### Request for Unanimous Consent

Senator Donnelly asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

**Assembly Concurrent Resolution No. 10**—Approving the charter of the City of Modesto, County of Stanislaus, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of November, 1949.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Collier, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, Parkman, Powers, Watson, and Weybret—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 17, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 7

Senate Concurrent Resolution No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 15

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 5**—Approving amendments to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 11, 1949;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of December, 1949, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 7

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill ordered to second reading.

**Senator Breed Presiding**

At 11.55 a.m., Senator Arthur H. Breed, of the Sixteenth District, presiding.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Senate Bill No. 7, at this time, for consideration of committee amendments.

**CONSIDERATION OF SENATE BILL NO. 7**

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Rules:

**Amendment No. 1**

On page 2, line 48, of the printed bill, as amended, after "purpose", insert "in whole or in part".

**Amendment No. 2**

On page 3, line 49, of said bill, as amended, after "required", change the period to a comma, and insert "and no duplicate reporting of items is required."

**Amendment No. 3**

On page 5, line 46, of said bill, as amended, strike out "expenditures", and insert "items of expenditure".

**Amendment No. 4.**

On pages 6, line 27, of said bill, as amended, after "required", change the period to a comma, and insert "and no duplicate reporting of items is required."



**Amendment No. 5**

On page 7, lines 1 to 3 of said bill, as amended, after "elective", strike out "constitutional officers and heads of departments of the State Government", and insert "officers, heads of departments of the State Government and of county, city and county and city government, districts and other local public agencies, and members of public boards and commissions, state and local".

**Amendment No. 6**

On page 1, in the title of said bill, as amended, after the word "of" in the second line of the title, insert a comma and "and to add Section 1098 to,".

**Amendment No. 7**

On page 8, line 25, of said bill, as amended, insert

"SEC. 3. Section 1098 is added to said code, to read:

1098. No elective or appointive officer or employee of this State or any department thereof, receiving a salary or other compensation from the State in excess of six hundred dollars (\$600) (exclusive of expenses) in any calendar year, shall do either of the following:

(a) Represent for compensation as agent, attorney or in any other capacity except in the discharge of his official duties, the interests of any other person before any of the following public bodies or officers or any board, hearing officer, or other administrative officer thereof:

(1) The Legislature, either house of the Legislature, or any committee or sub-committee of the Legislature or either house, the Governor or Lieutenant Governor.

(2) Any state board, commission, officer, hearing officer, or other state agency in any proceeding involving the application, revocation, suspension, reinstatement or other disciplinary action with reference to professional or business licenses, permits or registration.

(3) The State Personnel Board.

(4) The State Department of Public Works.

(5) The State Department of Natural Resources.

(6) The State Board of Control.

(7) The State Department of Agriculture.

(8) The Division of Corporations, as to any matter concerning permits for the sale of securities to the public.

(9) The State Lands Commission.

(10) The Franchise Tax Board as to any agreement in writing between the Franchise Tax Commissioner and a corporation in respect to any tax levied under the Bank and Corporation Franchise Tax Act.

(11) The State Water Pollution Control Board and regional water pollution control boards.

(12) The State Department of Public Health.

(b) For compensation prosecute, aid or assist in the prosecution of, in any manner except in the discharge of his official duties, the claim or asserted claim of another person against the State, or any department or board of this State, where such action is prosecuted before any board, hearing officer, or other administrative officer of the public bodies or officers enumerated in subsection (a) of this section as limited therein.

(c) Receive any special retainer from any person. "Special retainer" as used in this section includes any compensation paid to any such officer or employee by any person having a special interest in any pending or proposed legislation for the purpose of influencing the recipient's exercise of discretion in the performance of his official duties. It does not include any compensation paid by way of a general retainer when it is intended by both parties that such retainer will be earned in connection with matters which have no relation to the recipient's official duties. Any such general retainer shall be represented by an instrument in writing which has been signed by both parties and which sets forth in detail the services which are to be performed and the amount of compensation.

The violation of this section is a misdemeanor."

**Amendment No. 8**

On page 9, line 6, of said bill, as amended, strike out "SEC. 3.", and insert "SEC. 4."

**Amendment No. 9**

On page 9, line 15, of said bill, as amended, strike out "SEC. 4.", and insert "SEC. 5."

**Amendment No. 10**

On page 7, line 25, of said bill, as amended, strike out "or", and insert "and".

**Amendment No. 11**

On page 7, line 25, of said bill, as amended, after "appears", insert "but in any case on not more than three separate or consecutive days during a legislative session".

**Amendment No. 12**

On page 2, of said bill, as amended, between lines 10 and 11, insert  
" "Legislative representative" does not include a person whose employment is such that any acts of promoting, advocating, opposing, or influencing legislation done by him within the scope of his employment are incidental to his other duties in the sense that no part of his compensation is directly assigned or understood to be for the purpose of promoting, advocating, opposing, or influencing legislation."

**Amendment No. 13**

On page 2, line 10, of said bill, as amended, before the period, insert " , including matters relating to the eleemosynary, charitable, hospital, or educational interests of such church".

Amendments read.

**Motion to Divide Amendments to Senate Bill No. 7**

Senator Ward moved that the amendments proposed by the Committee on Rules be divided and that they be voted upon as follows: Amendment Nos. 1 to 5, inclusive, together; 6 to 9, inclusive, together; 10 and 11 together, and 12 and 13 each separately.

**Motion to Amend**

Senator Dorsey moved that the motion by Senator Ward be amended to read that the bill be preprinted with the amendments proposed by the Committee on Rules and that the bill be sent to print with a rush order so that it may be considered this afternoon.

Motion carried.

**MOTION TO APPROVE JOURNALS**

Senator Powers moved that the Journals for December 12, 1949; December 13, 1949; December 14, 1949; December 15, 1949; December 16, 1949; and December 17, 1949, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 13

Assembly Bill No. 37

Assembly Bill No. 38

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

Committee membership 12; committee vote: Ayes 7; absent 5.

WARD, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 23

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

Committee membership 12; committee vote: Ayes 7; noes 1; absent 4.

WARD, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 24

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

Committee membership 12; committee vote: Ayes 7; absent 5.

WARD, Chairman

Above reported bill ordered to second reading.

The President directed the Secretary to give second reading to all bills reported from committees.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 24**—An act to add Section 209.1 to the Penal Code, relating to punishment for sex crimes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

In line 6 of the printed bill after "in", strike out "Section 261, subsection 2, 3, 4 or 5", and insert

"Subsections 2, 3, 4 or 5 of Section 261".

##### Amendment No. 2

In line 11 of said bill, after "suffers", insert "great".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 13**—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of sex offenses and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 37**—An act to amend Section 286 of the Penal Code, relating to the crime against nature.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 38**—An act to amend Section 189 of the Penal Code, relating to degrees of murder and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, at this time, for consideration, the Constitution having been suspended and the bill read second and third times on December 13, 1949.

**CONSIDERATION OF ASSEMBLY BILL NO. 1**

**Assembly Bill No. 1**—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees. to take effect immediately.

Bill read third time, and presented by Senator Powers.

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

**AYES**—Senators Abshire, Breed, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF SENATE BILLS**

**Senate Bill No. 15**—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the submission of information to the bureau.

Bill read third time.

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

**AYES**—Senators Abshire, Breed, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Jespersen, Johnson, Judah, Keating, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 15, 1949

**MR. PRESIDENT :** The Committee on Rules, to which was referred :

Senate Joint Resolution No. 2

Has had the same under consideration, finds that it is within the purview of the call and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency.

Committee membership 5 ; committee vote : Ayes 5.

**POWERS, Chairman**

Above reported resolution re-referred to Committee on Governmental Efficiency.

**RECESS**

At 12.35 p.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

**REASSEMBLED**

At 3 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time :

**Senate Bill No. 27:** By Senator Dillinger—An act to add Sections 288.2 and 288.3 to the Penal Code, relating to crimes against children under 14 years of age.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day adopted :

Senate Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 19, 1949

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

Assembly Bill No. 27  
Assembly Bill No. 47

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bills were read the first time :

**Assembly Bill No. 27**—An act to provide for the retirement rights of state welfare personnel entering county employment as a result of the operation of Article XXVII of the Constitution, providing for the disposition of retirement contributions by and in respect to such persons, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 47**—An act to add Article 13.6 to Chapter 15 of Division 3 of the Education Code, relating to the support of the Public School System, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**FURTHER CONSIDERATION OF COMMITTEE AMENDMENTS TO  
SENATE BILL NO. 7 PROPOSED BY THE COMMITTEE ON RULES**

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of the Government Code, relating to the legislative and executive departments of the State

Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

**Senator Mayo Presiding**

At 3.20 p.m., Senator Jesse M. Mayo of the Twenty-sixth District, presiding.

**Motion to Set for Special Order**

Senator Coombs moved that Senate Bill No. 7 and amendments proposed by the Committee on Rules be set for special order of business for 10 a.m. Tuesday, December 20, 1949.

**Point of Order**

Senator Ward rose to a point of order and stated that Senator Donnelly was not speaking on the subject before the Senate.

The President ruled the point of order well taken.

The question being on the motion by Senator Coombs that Senate Bill No. 7 and amendments be set for special order of business for Tuesday, December 20, 1949 at 10 a.m.

**Roll Call Demanded**

Senators Donnelly, Dillinger, and Sutton demanded a roll call.

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

**AYES**—Senators Abshire, Busch, Coombs, Crittenden, Desmond, Ward, and Way—7.

**NOES**—Senators Breed, Brown, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Watson, Weybret, and Williams—25.

**Further Consideration of the Amendments to Senate Bill No. 7**

**Proposed by the Committee on Rules**

**Request for a Division**

Senator Ward requested a division of the amendments, that each amendment be voted on separately.

**Consideration of Amendment No. 1**

**Amendment No. 1**

On page 2, line 48, of the printed bill, as amended, after "purpose", insert "in whole or in part".

Amendment read, and adopted.

**Consideration of Amendment No. 2**

**Amendment No. 2**

On page 3, line 49, of said bill, as amended, after "required", change the period to a comma, and insert "and no duplicate reporting of items is required."

Amendment read, and adopted.

**Consideration of Amendment No. 3**

**Amendment No. 3**

On page 5, line 46, of said bill, as amended, strike out "expenditures", and insert "items of expenditure".

Amendment read, and adopted.

**Consideration of Amendment No. 4****Amendment No. 4**

On page 6, line 27, of said bill, as amended, after "required", change the period to a comma, and insert "and no duplicate reporting of items is required."

Amendment read, and adopted.

**MOTION FOR COMMITTEE OF THE WHOLE**

Senator Kraft moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering amendments to Senate Bill No. 7.

Motion carried.

**IN COMMITTEE OF THE WHOLE**

Senator Mayo Presiding

Senator Mayo, of the Twenty-sixth Senatorial District, presiding.

On motion of Senator Powers, the committee did arise and report back to the Senate.

**IN SENATE**

Senator Mayo Presiding

Senator Mayo, of the Twenty-sixth Senatorial District, presiding.  
Chief Assistant Secretary Cleve V. Taylor at the desk.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Constitutional Amendment No. 1:** By Senators Dilworth, Sutton, Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Watson, Way, Weybret, and Williams—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 6 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

Referred to Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 1**—Relative to Joint Rules of the Senate and Assembly;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of December, 1949, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 19, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 2**—An act making an appropriation for the contingent expenses of the Senate, including committee expenses, to take effect immediately;

**Senate Bill No. 12**—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1949 First Extraordinary Session of the Legislature, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of December, 1949, at 4 p.m.

POWERS, Chairman

#### MOTION FOR COMMITTEE OF THE WHOLE

Senator Powers moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering amendments to Senate Bill No. 7.

Motion carried.

#### IN COMMITTEE OF THE WHOLE

Senator Mayo Presiding

Senator Mayo, of the Twenty-sixth Senatorial District, presiding.

On motion of Senator Powers, the committee did arise and report back to the Senate.

#### IN SENATE

Senator Breed Presiding

Senator Breed, of the Sixteenth Senatorial District, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

#### RECESS

At 6.45 p.m., on motion of Senator Powers the Senate recessed until 8.30 p.m.

#### REASSEMBLED

At 8.30 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

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

The following resolution was offered:

**Senate Joint Resolution No. 4:** By Senator Gibson—Relative to the United States Naval Shipyard at Mare Island.

Ordered placed on file.

Senator Burns Presiding

At 8.55 p.m., Senator Hugh M. Burns of the Thirtieth Senatorial District, presiding.



**FURTHER CONSIDERATION OF AMENDMENTS TO SENATE BILL NO. 7  
PROPOSED BY THE COMMITTEE ON RULES**

**Consideration of Amendment No. 5**

**Amendment No. 5**

On page 7, lines 1 to 3, of the printed bill as amended, after "elective", strike out "constitutional officers and heads of departments of the State Government", and insert "officers, heads of departments of the State Government and of county, city and county and city government, districts and other local public agencies, and members of public boards and commissions, state and local".

Amendment read, and adopted.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendment:

**Amendment No. 1**

On page 7, line 1, of the printed bill as amended, after the word "Except", insert "The following, to wit:".

Amendment read, and adopted.

**Further Consideration of Committee Amendments to Senate Bill No. 7  
Proposed by the Committee on Rules**

**Consideration of Amendment No. 6**

Consideration postponed.

**Consideration of Amendment No. 7**

Consideration postponed.

**Consideration of Amendment No. 8**

Consideration postponed.

**Consideration of Amendment No. 9**

Consideration postponed.

**Consideration of Amendment No. 10**

**Amendment No. 10**

On page 7, line 25, of said bill, as amended, strike out "or", and insert "and".

Amendment read.

**Roll Call Demanded**

Senators Desmond, Rich, and Tenney demanded a roll call.

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

**AYES**—Senators Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Regan, Sutton, Ward, Watson, and Williams—26.

**NOES**—Senators Abshire, Breed, Crittenden, Desmond, Dorsey, Miller, Parkman, Rich, Tenney, Way, and Weybret—11.

**Consideration of Amendment No. 11**

**Amendment No. 11**

On page 7, line 25, of said bill, as amended, after "appears", insert "but in any case on not more than three separate or consecutive days during a legislative session".

Amendment read, and adopted.

**Consideration of Amendment No. 12****Amendment No. 12**

On page 2 of said bill, as amended, between lines 10 and 11, insert  
 " "Legislative representative" does not include a person whose employment is such that any acts of promoting, advocating, opposing, or influencing legislation done by him within the scope of his employment are incidental to his other duties in the sense that no part of his compensation is directly assigned or understood to be for the purpose of promoting, advocating, opposing, or influencing legislation."

**Amendment read, and adopted.**

**Consideration of Amendment No. 13****Amendment No. 13**

On page 2, line 10, of said bill, as amended, before the period insert "including matters relating to the eleemosynary, charitable, hospital, or educational interests of such church".

**Amendment read, and adopted.**

**Further Consideration of Amendment No. 7****Amendment No. 7**

On page 8, line 25, of said bill, as amended, insert

"SEC. 3. Section 1098 is added to said code, to read :

1098. No elective or appointive officer or employee of this State or any department thereof, receiving a salary or other compensation from the State in excess of six hundred dollars (\$600) (exclusive of expenses) in any calendar year, shall do either of the following :

(a) Represent for compensation as agent, attorney or in any other capacity except in the discharge of his official duties, the interests of any other person before any of the following public bodies or officers or any board, hearing officer, or other administrative officer thereof :

(1) The Legislature, either house of the Legislature, or any committee or subcommittee of the Legislature or either house, the Governor or Lieutenant Governor.

(2) Any state board, commission, officer, hearing officer, or other state agency in any proceeding involving the application, revocation, suspension, reinstatement or other disciplinary action with reference to professional or business licenses, permits or registration.

(3) The State Personnel Board.

(4) The State Department of Public Works.

(5) The State Department of Natural Resources.

(6) The State Board of Control.

(7) The State Department of Agriculture.

(8) The Division of Corporations, as to any matter concerning permits for the sale of securities to the public.

(9) The State Lands Commission.

(10) The Franchise Tax Board, as to any agreement in writing between the Franchise Tax Commissioner and a corporation in respect to any tax levied under the Bank and Corporation Franchise Tax Act.

(11) The State Water Pollution Control Board and regional water pollution control boards.

(12) The State Department of Public Health.

(b) For compensation prosecute, aid or assist in the prosecution of, in any manner except in the discharge of his official duties, the claim or asserted claim of another person against the State, or any department or board of this State, where such action is prosecuted before any board, hearing officer, or other administrative officer of the public bodies or officers enumerated in subsection (a) of this section as limited therein.

(c) Receive any special retainer from any person. "Special retainer" as used in this section includes any compensation paid to any such officer or employee by any person having a special interest in any pending or proposed legislation for the purpose of influencing the recipient's exercise of discretion in the performance of his official duties. It does not include any compensation paid by way of a general retainer when it is intended by both parties that such retainer will be earned in connection with matters which have no relation to the recipient's official duties. Any such general retainer shall be represented by an instrument in writing which has been signed by both parties, and which sets forth in detail the services which are to be performed and the amount of compensation.

The violation of this section is a misdemeanor."

**Amendment read.**

**Motion to Lay on Table**

Senator Desmond moved that Amendment No. 7 to Senate Bill No. 7 be laid on the table.

**Roll Call Demanded**

Senators Donnelly, Desmond, and Jespersen demanded a roll call. The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Desmond moved a call of the Senate.

Motion carried. Time, 9.35 p.m.

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

**PROCEEDINGS UNDER CALL OF THE SENATE  
FURTHER CONSIDERATION OF SENATE BILL NO. 7****Motion to Amend**

Senator Mayo moved the adoption of the following amendment:

**Amendment No. 1**

On page 7 of the printed bill, as amended December 17, in line 24, strike out the words "attorney at law", and insert "person".

Amendment read, and adopted.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 9.45 p.m., on motion of Senator Desmond, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the motion to lay on the table Amendment No. 7 to Senate Bill No. 7 was lost by the following vote:

**AYES**—Senators Breed, Coombs, Crittenden, Desmond, Dorsey, Judah, Keating, Kraft, McBride, Miller, Parkman, Regan, Rich, Tenney, Ward, Way, and Weybret—17.

**NOES**—Senators Abshire, Brown, Burns, Busch, Collier, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Mayo, O'Gara, Powers, Sutton, Watson, and Williams—21.

**FURTHER CONSIDERATION OF AMENDMENTS TO SENATE BILL NO. 7  
PROPOSED BY THE COMMITTEE ON RULES****Further Consideration of Amendment No. 7**

The President put the question.

The question being on the adoption of Amendment No. 7 to Senate Bill No. 7.

**Roll Call Demanded**

Senators Rich, Crittenden, and Donnelly demanded a roll call.

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

**AYES**—Senators Burns, Busch, Collier, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Kraft, Mayo, O'Gara, Powers, Sutton, and Williams—17.

**NOES**—Senators Abshire, Breed, Brown, Coombs, Crittenden, Desmond, Dilworth, Dorsey, Judah, Keating, McBride, Miller, Parkman, Regan, Rich, Tenney, Ward, Watson, Way, and Weybret—20.

**Further Consideration of Senate Bill No. 7****Motion to Amend**

Senator Ward moved the adoption of the following amendments:

**Amendment No. 1**

On page 6, line 32, of the printed bill as amended in the Senate December 17, 1949, after "who", insert "wilfully".

**Amendment No. 2**

On page 6, line 33, of said bill, as amended, after "chapter", insert ", knowing the same to be false in any particular,".

**Amendment No. 3**

On page 6, line 34, of said bill, as amended, after "Code", insert a period and strike out "whether", and strike out lines 35 and 36.

Amendments read, and adopted.

**Further Consideration of Senate Bill No. 7****Consideration of Amendments Offered by Senator Desmond to Senate Bill No. 7****Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 46, of the printed bill, as amended, strike out "expenditures", and insert "items of expenditures made by him".

Amendment read.

**Roll Call Demanded**

Senators Jespersen, Donnelly, and Hatfield demanded a roll call.

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

**AYES**—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dorsey, Johnson, Judah, Keating, Kraft, McBride, Parkman, Regan, Rich, Tenney, Ward, Watson, Way, and Weybrecht—21.

**NOES**—Senators Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Jespersen, Mayo, Miller, O'Gara, Powers, Sutton, and Williams—13.

**MOTION TO POSTPONE INDEFINITELY**

Senator Powers moved that further consideration of Amendments Nos. 6, 8, and 9 to Senate Bill No. 7 proposed by the Committee on Rules be postponed indefinitely.

Motion carried.

Senate Bill No. 7 ordered printed, engrossed, and to third reading.

## REQUEST FOR UNANIMOUS CONSENT

Senator Desmond asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel printed in the Journal:

## OPINION OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO 2, CALIFORNIA, December 19, 1949

*Hon. Earl D. Desmond*  
*Senate Chamber*

Scope of "Compensation" in subdivision (a) of Section 1098 of the Government Code as proposed to be amended by report of Rules Committee December 19, 1949—No. 474.

DEAR SENATOR DESMOND:

*Question*

You have asked us whether or not "compensation" as used in subdivision (a) of Section 1098 of Senate Bill No. 7, as proposed to be amended by the report of the Senate Rules Committee on December 19, 1949, includes traveling and other expenses.

*Opinion*

We believe that "compensation" as used in subdivision (a) would be held by the courts to include traveling and other expenses.

*Analysis*

The lead sentence and subdivision (a) of Section 1098 as proposed to be incorporated in Senate Bill No. 7 by the Senate Rules report of December 19, 1949, reads:

"No elective or appointive officer or employee of this State or any department thereof, receiving a salary or other compensation from the State in excess of six hundred dollars (\$600) (exclusive of expenses) in any calendar year, shall do either of the following:

(a) Represent for compensation as agent, attorney or in any other capacity except in the discharge of his official duties, the interests of any other person before any of the following public bodies or officers or any board, hearing officer, or other administrative officer \* \* \*."

"Compensation" has been variously defined in the cases according to the context in which it has been used. In some cases it has been given a broad definition as including any consideration (*Searcy v. Grow* (1860) 15 Cal. 117 at 123).

On the other hand, in the cases of *Kirkwood v. Soto* (1891) 87 Cal. 394, and in *The City of Sacramento v. The Industrial Accident Commission and Eva Streepy* (1925) 74 Cal. App. 386, the term was defined not to include allowance for the incidental expenses of an office and as being limited to wages, respectively.

In view of this it is necessary to examine the context in which the word appears. The lead clause of Senate Bill No. 7 expressly excludes

expenses from "compensation." Subdivision (a) does not do so. The more natural result of this would appear to be that "compensation" as used in subdivision (a) includes expenses.

Having reached this conclusion, it becomes unnecessary to consider the effect of Section 9906 in Senate Bill No. 7 which defines "compensation" for purposes of a chapter in the Government Code, other than that in which Section 1098 appears.

Very truly yours,

FRED B. WOOD, Legislative Counsel  
By BARBARA G. COCHRANE, Deputy

Copies to authors of Senate Bill No. 7  
pursuant to Joint Rule No. 34

#### ADJOURNMENT

At 11.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 9.30 a.m., Tuesday, December 20, 1949.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

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EIGHTH LEGISLATIVE DAY  
NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, December 20, 1949

The Senate met at 9.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:  
Senator Swing, on motion of Senator Keating.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. P. Burton, Fred Pugt, Fred Hulse, and R. R. Noble of the Thirtieth Agriculture District Association of Red Bluff.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Weldon Smith, Miss Sandra Smith, and Timothy Smith of Hemet.

On requests of Senators Desmond and Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alyce Bowman and Ollie Casey of Sacramento.

On request of Senators O'Gara, Parkman and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following officers of the California Junior Statesmen: Dwight W. Allen, Governor, of Millbrae; Bill Smith, Mayor of Northern California Region, of Hayward; Gerry Sturges, Lieutenant Governor, of El Cerrito; Nancy Smith, Secretary of State, of Burlingame.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe Roberts of San Francisco and Edward Rowan of Oakland.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hugh Brierly, attorney of Bishop.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Constitutional Amendment No. 1

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

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 7

Senate Bill No. 24

And reports the same correctly engrossed.

POWERS, Chairman

#### Senator McBride Presiding

At 9.50 a.m., Senator James J. McBride of the Thirty-third District, presiding.

### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

Bill read third time.

#### Motion to Amend

Senator Ward moved the adoption of the following amendments:

#### Amendment No. 1

On page 6, line 49, of the printed bill, as amended in Senate December 19, 1949, after "capacity", insert "or to any officer or employee of a nonprofit corporation, association or group organized for the purpose of promoting the public welfare of a local community while acting in an official capacity for such corporation, association or group".

#### Amendment No. 2

On page 7, line 2, of said bill, as amended, after "agencies", insert ", and to any officer or employee of a nonprofit corporation, association or group organized for the purpose of promoting the public welfare of a local community,".



**Amendment No. 3**

On page 7, line 11, of said bill, as amended, after "Government and", insert "heads of departments, officers, and employees".

Amendments read.

**Roll Call Demanded**

Senators Donnelly, Hatfield, and Jespersen demanded a roll call.

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

AYES—Senators Collier, Crittenden, Dorsey, Kraft, Parkman, Tenney, Ward, and Watson—8.

NOES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Sutton, Way, and Williams—29.

**FURTHER CONSIDERATION OF SENATE BILL NO. 7****Previous Question**

Senator Keating moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 7.

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

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Sutton, and Williams—24.

NOES—Senators Abshire, Coombs, Crittenden, Desmond, McBride, Miller, Parkman, Regan, Rich, Swing, Tenney, Ward, Watson, Way, and Weybret—15.

Bill ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 10.25 a.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Joint Resolution No. 5:** By Senators Dilworth, Tenney, Busch, Coombs, Dorsey, Desmond, Sutton, and O'Gara—Relative to hospital facilities for veterans in California.

**Request for Unanimous Consent**

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 5**

**Senate Joint Resolution No. 5**—Relative to hospital facilities for veterans in California.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

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

**Senate Joint Resolution No. 4**—Relative to the United States Naval Shipyard at Mare Island.

Resolution read.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 10, of the printed measure, after "steps", insert "consistent with national economy".

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Joint Resolution No. 1**—Relative to memorializing the President of the United States, the Vice President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Congress of the United States, to maintain in operation the San Francisco Naval Shipyard.

**Motion to Amend**

Senator O'Gara moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 4, of the printed measure, after "extent", insert "consistent with national economy".

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 1, at this time, for consideration.

**CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 1**

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 6 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

Resolution read.

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

**AYES**—Senators Abshire, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Gibson, Hatfield, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 38**—An act to amend Section 189 of the Penal Code, relating to degrees of murder and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Regan.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—34.  
**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—33.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 37**—An act to amend Section 286 of the Penal Code, relating to the crime against nature.

Bill read third time, and presented by Senator Regan.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—35.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 24**—An act to add Section 209.1 to the Penal Code, relating to punishment for sex crimes.

Bill read third time.

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

**AYES**—Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Ward, Watson, Way, and Williams—32.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Concurrent Resolution No. 10:** By Senator Hulse—Relative to the disposition and use of furniture, office equipment and other personal property acquired for the administration of the aged and blind aid programs.

Referred to Committee on Rules.

**RECESS**

At 11.50 a.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

**REASSEMBLED**

At 3 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

**MOTION TO PRINT ADDITIONAL COPIES**

Senator Dorsey moved that 1,500 additional copies of the Final Report of the Standing Committee on Institutions be printed.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 22

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

Committee membership 12; committee vote: Ayes 9; absent 3.

WARD, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 27

Has had the same under consideration, and finds that it is within the purview of the call, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill re-referred to Committee on Judiciary.

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Joint Resolution No. 3

Assembly Concurrent Resolution No. 4

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 3

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 6

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

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 4

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 20, 1949

**MR. PRESIDENT:** The Committee on Rules has examined:

**Senate Concurrent Resolution No. 6**—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the eighth day of November, 1949;

**Senate Concurrent Resolution No. 7**—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eighth day of November, 1949;

**Senate Concurrent Resolution No. 9**—Relative to the passing of Rolland A Vandegrift;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of December, 1949, at 3 p.m.

POWERS, Chairman

The President directed the Secretary to give second reading to all bills reported out of committees.

#### SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 22**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor and declaring the urgency thereof, to become effective immediately.

Bill read second time, and ordered to third reading.

#### CONSIDERATION OF DAILY FILE (RESUMED)

##### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Joint Resolution No. 1**—Relative to memorializing the President of the United States, the Vice President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Congress of the United States, to maintain in operation the San Francisco Naval Shipyard.

Resolution read, and presented by Senator O'Gara.

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

**AYES**—Senators Burns, Busch, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—24.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

##### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Joint Resolution No. 4**—Relative to the United States Naval Shipyard at Mare Island.

Resolution read.

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

**AYES**—Senators Brown, Burns, Coombs, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Gibson, Johnson, Keating, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—25.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 3**

**Assembly Joint Resolution No. 3**—Relative to memorializing the President of the United States, the Vice President of the United States, the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Congress of the United States, to maintain in operation the Long Beach Naval Shipyard.

Resolution read, and presented by Senator Tenney.

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

**AYES**—Senators Brown, Burns, Busch, Desmond, Dillinger, Dilworth, Dorsey, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—24.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Keating asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4**

**Assembly Concurrent Resolution No. 4**—Relating to providing instruction for school children to meet the dangers resulting from sex offenses.

Resolution read, and presented by Senator Keating.

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

**AYES**—Senators Brown, Burns, Collier, Coombs, Dillinger, Dorsey, Drobish, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—24.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Drobish asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3**

**Senate Joint Resolution No. 3**—Relative to the erection of a dam on the Feather River near Oroville, California.

Resolution read.

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

**AYES**—Senators Brown, Burns, Collier, Coombs, Desmond, Dillinger, Dilworth, Dorsey, Drobish, Gibson, Hatfield, Johnson, Keating, Kraft, Mayo, Miller, Powers, Regan, Tenney, Watson, Way, Weybret, and Williams—23.

**NOES**—Senator Ward—1.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

**MR. PRESIDENT:** The Committee on Rules, to which was referred the message from the Governor, dated December 16, 1949, appointing

**CHARLES MAYNARD COOKE, JR.,** to the State Board of Education, vice self for the term prescribed by law, ending January 15, 1952;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 3; absent 2.

**POWERS, Chairman**

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Charles Maynard Cooke, Jr. as a member of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of Charles Maynard Cooke, Jr.?"

The roll was called, with the following result:

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Johnson, Judah, Keating, Kraft, Miller, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—26.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Charles Maynard Cooke, Jr. as member of the State Board of Education.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

**MR. PRESIDENT:** The Committee on Rules, to which was referred the message from the Governor dated December 16, 1949 appointing

**C. A. HERBAGE**, to Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission, vice self, for the term ending at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 3; absent 2

**POWERS**, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of C. A. Herbage as Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of C. A. Herbage?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Johnson, Judah, Keating, Kraft, Mayo, Miller, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of C. A. Herbage as Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated December 16, 1949, appointing:

MICHAEL B. KUNZ to the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission, vice self, for the term prescribed by law, ending September 1, 1953;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Michael B. Kunz as a member of the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Michael B. Kunz?"

The roll was called, with the following result:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Johnson, Judah, Keating, Kraft, Mayo, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Michael B. Kunz as member of the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated December 16, 1949, appointing

ROY MARKS, to the State Soil Conservation Commission, vice self, for the term prescribed by law, ending October 1, 1953;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Roy Marks as a member of the State Soil Conservation Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Roy Marks?"

The roll was called, with the following result:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

NOES—None.



**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Roy Marks as a member of the State Soil Conservation Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred the message from Myrtle Williams, Director, Department of Social Welfare, appointing:

SHERIDAN DOWNEY, JR., as Chairman of the State Social Welfare Department under the provisions of Article XXV of the State Constitution; Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of Mrs. Myrtle Williams be confirmed.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE DEPARTMENT OF SOCIAL WELFARE****Motion to Confirm Appointment by the Department of Social Welfare**

Senator Powers moved that the Senate confirm and consent to the appointment of Sheridan Downey, Jr. as Chairman of the State Social Welfare Department under the provisions of Article XXV of the Constitution.

The President put the question, "Will the Senate confirm and consent to the appointment of Sheridan Downey, Jr.?"

The roll was called, with the following result:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Johnson, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Sheridan Downey, Jr. as Chairman of the State Social Welfare Department under the provisions of Article XXV of the State Constitution.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred the message from Myrtle Williams, Director, Department of Social Welfare, appointing:

FRANK E. GARDNER, to the State Social Welfare Department under the provisions of Article XXV of the State Constitution; Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of Mrs. Myrtle Williams be confirmed.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE DEPARTMENT OF SOCIAL WELFARE****Motion to Confirm Appointment by the Department of Social Welfare**

Senator Powers moved that the Senate confirm and consent to the appointment of Frank E. Gardner as a member of the State Social Welfare Department under the provisions of Article XXV of the State Constitution.

The President put the question, "Will the Senate confirm and consent to the appointment of Frank E. Gardner?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Johnson, Keating, Kraft, Miller, O'Gara, Powers, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Frank E. Gardner as member of the State Social Welfare Department under the provisions of Article XXV of the State Constitution.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Concurrent Resolution No. 11:** By Senators Tenney, Dorsey, and Donnelly—Relative to Arthur H. Samish.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11**

**Senate Concurrent Resolution No. 11**—Relative to Arthur H. Samish.

Resolution read.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Kraft moved a call of the Senate.

Motion carried. Time, 4.31 p.m.

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

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 13**—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of sex offenses and declaring the urgency thereof, to take effect immediately.

**Motion to Amend**

Senator Judah moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, of the printed bill, as amended in Assembly December 15, 1949, strike out lines 22 and 23.

**Amendment No. 2**

On page 2 of said bill, as amended, strike out lines 1 to 3, inclusive, and insert "shall be immediately registered by the court in which he has been convicted, or by the person in charge of the penal institution or mental hospital from which he is discharged or paroled if he has not been previously registered by a court upon the conviction of the offense for which he has been confined or upon the order adjudging him to be a sexual psychopath. The court or person in charge of the institution may

deliver the person into the temporary custody of a sheriff or chief of police at a place near which the court is sitting for the purpose of making the registration, in which event the sheriff or chief of police shall register the person pursuant to this section and then re-deliver the person to the court or person in charge of the institution for further disposition of the proceedings against or concerning him."

**Amendment No. 3**

On page 2, line 8, of said bill, as amended, after "the", insert "court, chief of police, person or".

**Amendment No. 4**

On page 2, line 11, of said bill, as amended, after "to", insert "the sheriff and".

**Amendment No. 5**

On page 2, line 13, of said bill, as amended, after "register", insert "or to be registered".

**Amendment No. 6**

On page 2, line 14, of said bill, as amended, strike out "within the county in which he is required to".

**Amendment No. 7**

On page 2, line 15, of said bill, as amended, strike out "register".

**Amendment No. 8**

On page 2, line 15, of said bill, as amended, strike out "sheriff", and insert "State Bureau of Criminal Identification and Investigation".

**Amendment No. 9**

On page 2, line 16, of said bill, as amended, strike out the comma and insert a period.

**Amendment No. 10**

On page 2, line 16, of said bill, as amended, strike out "and such sheriff shall within three days after receipt".

**Amendment No. 11**

On page 2 of said bill, as amended, strike out lines 17 to 23, inclusive.

**Amendment No. 12**

On page 2, line 24, of said bill, as amended, after "register", insert "or to be registered".

Amendments read, and adopted.

**Motion to Reconsider**

Senator Judah moved to reconsider the vote whereby the amendments to Assembly Bill No. 13 were adopted.

Motion carried.

Assembly Bill No. 13 ordered to third reading.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Joint Resolution No. 6:** By Senators Drobish, Dorsey, O'Gara, Burns, Dillinger, Abshire, and Miller—Relative to the problem of unemployed and starving persons in the valleys of the State of California.

**Request for Unanimous Consent**

Senator Drobish asked for unanimous consent to consider Senate Joint Resolution No. 6.

Senator Hatfield withheld unanimous consent.

**Motion to Consider**

Senator Drobish moved that the Rules be suspended and that the Senate take up Senate Joint Resolution No. 6 at this time for consideration.

*Motion Withdrawn*

Senator Drobish withdrew his motion to suspend the Rules and take up at this time for consideration Senate Joint Resolution No. 6.

Senate Joint Resolution No. 6 referred to the Committee on Rules.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.50 p.m., on motion of Senator Kraft, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—37.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES**

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

**MR. PRESIDENT:** The Committee on Finance, to which was referred:  
Assembly Bill No. 27

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

Committee membership 11; committee vote: Ayes 10; absent 1.

**RICH**, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, December 20, 1949

**MR. PRESIDENT:** The Committee on Finance, to which was referred:  
Assembly Bill No. 47

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and hold on Senate floor until a schedule of figures is furnished by Department of Education as agreed.

Committee membership 11; committee vote: Ayes 10; absent 1.

**RICH**, Chairman

Above reported bill ordered to second reading.

The President directed the Secretary to give second reading to the bills reported out of committee.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 27**—An act to provide for the retirement rights of state welfare personnel entering county employment as a result of the operation of Article XXVII of the Constitution, providing for the disposition of retirement contributions by and in respect to such persons, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 47**—An act to add Article 13.6 to Chapter 15 of Division 3 of the Education Code, relating to the support of the Public School System, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 2, line 29, of the printed bill, as amended, strike out "(b)", and insert "(c)".

**Amendment No. 2**

On page 3, line 16, of said bill, as amended, strike out "for the Fiscal Year 1949-1950".

**Amendment No. 3**

On page 3 of said bill, as amended, between lines 21 and 22, insert

"(c) He shall compute the amount of basic state aid for such district under Article 6 of this chapter except that in making such computation the average daily attendance of the district used shall be the allowed average daily attendance of the district."

**Amendment No. 4**

On page 3, line 22, of said bill, as amended, strike out "(c)", and insert "(d)".

**Amendment No. 5**

On page 3, line 23, of said bill, as amended, strike out "(1)".

**Amendment No. 6**

On page 3, line 24, of said bill, as amended, strike out ", (2)", and insert a period and

"(e) He shall then compare the amounts computed for such district under (c) and (d) and from the larger of the amounts, he shall deduct (1)".

**Amendment No. 7**

On page 3, line 31, of said bill, as amended, strike out "(3)", and insert "(2)".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5**

**Assembly Joint Resolution No. 5**—Relative to memorializing Congress to enact legislation providing for the distribution of funds belonging to California Indians.

Resolution read, and presented by Senator Kraft.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

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

**Senate Bill No. 16**—An act to amend Section 290 of the Penal Code, relating to the registration of persons heretofore or hereafter convicted of certain offenses.

Bill read third time.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Jespersen,

Johnson, Judah, Keating, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Ward, Watson, Way, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

**President Pro Tempore of the Senate Presiding**

At 5 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 2, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 2**

**Assembly Joint Resolution No. 2**—Relative to the designation of the year 1950 as the year for the observance of an American Free Enterprise Centennial.

Resolution read, and presented by Senator O'Gara.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Ward, Watson, Way, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 6, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 6**

**Assembly Joint Resolution No. 6**—Relative to the continuance of payment of nonresident fees by the Veterans Administration to the Hastings College of Law, San Francisco, California.

Resolution read, and presented by Senator O'Gara.

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

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Ward, Watson, Way, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL AND RE-REFERENCE OF SENATE  
JOINT RESOLUTION NO. 6**

Senator Crittenden moved that Senate Joint Resolution No. 6 be withdrawn from Committee on Rules, and referred to Committee on Agriculture.

Motion carried.

**ADJOURNMENT**

At 5.12 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 9.30 a.m., Wednesday, December 21, 1949.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE  
1949 FIRST EXTRAORDINARY SESSION

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# SENATE DAILY JOURNAL

NINTH LEGISLATIVE DAY  
TENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, December 21, 1949

The Senate met at 9.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

### ROLL CALL

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

Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rev. Nelson E. Hinman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Swing, on motion of Senator McBride.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Abshire and Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Packard Poalin of Glen Ellen.

On request of Senator Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elmer J. Merz, Executive Secretary of California Association of Nurserymen, of Sacramento.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Richard H. Lee of Oakland.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter Perry of Hemet.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Balis and William Balis of Hilt.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chester A. Mayle, M. D., and Kenneth Williamson of Merced.

On request of Senators Kraft and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard F. Desmond of Sacramento and Doris Matson of Pine Grove.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stanley Jewell, attorney, of Los Angeles.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. F. D. Jacobs of El Centro.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. Harold Brown of Oakland and James D. Hahn of Orinda.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ed Waltenspeil and Gordon Waltenspeil of Windsor.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 20, 1949

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

Assembly Bill No. 4

Assembly Bill No. 5

Assembly Bill No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 4**—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Referred to Committee on Rules.

**Assembly Bill No. 5**—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation.

Referred to Committee on Rules.



**Assembly Bill No. 29**—An act to add Section 9056 to the Government Code, relating to the solicitation and acceptance of fees to prevent the enactment of legislation.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 20, 1949

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

Assembly Bill No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 13

Assembly Concurrent Resolution No. 16

Assembly Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bills were read the first time:

**Assembly Bill No. 2**—An act to add a new chapter to be numbered 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation before the Legislature.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 12**—Relative to the creation of a Joint Legislative Committee on Lobby Regulation and defining the powers and duties of the committee.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 13**—Congratulating Judge Edward F. O'Day of the San Francisco Municipal Court.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 16**—Relative to the Pepperdine College victory in the Los Angeles Invitational Basketball Tournament.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 18**—Relative to the leasing of the Federal Prison at Terminal Island, California, for the early establishment of facilities for the Medical Facility of the Department of Corrections as provided for in Part 3, Title 7, Chapter 8 of the Penal Code.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 20**—Relative to the recess of the 1949 (First Extraordinary) Session of the Legislature.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:  
Assembly Bill No. 25

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

Committee membership 9; committee vote: Ayes 5; absent 4.

DILLINGER, Chairman

The President directed the Secretary to give second reading to bills reported out of committee.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 25**—An act relating to personnel for the administration of aid to the aged and aid to the needy blind, providing for the separation from state service of certain employees engaged in such administration in the State Department of Social Welfare, requiring the reemployment by the counties of certain personnel now employed by the State for such administration, prescribing the procedure for layoff of employees of county social welfare departments, specifying the rights of personnel affected by this act, and repealing Section 18599 of the Government Code, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**RESOLUTIONS**

The following resolution was offered:

By Committee on Rules:

**Senate Resolution No. 20**

*Resolved*, That the Controller be and he is hereby directed to draw his warrant upon the Senate Contingent Fund in favor of the Minute Clerk of the Senate in the sum of one thousand dollars (\$1,000) for postage for the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Watson, Way, Weybret, and Williams—29.

NOES—None.

**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 13**—An act to amend Section 290 of the Penal Code, relating to registration of persons convicted of sex offenses and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Judah.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Watson, Way, and Williams—29.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Watson, Way, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 22**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor and declaring the urgency thereof, to become effective immediately.

Bill read third time, and presented by Senator Regan.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Regan, Rich, Watson, Way, and Williams—27.

**NOES**—None

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Powers, Regan, Rich, Watson, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 47**—An act to add Article 13 6 to Chapter 15 of Division 3 of the Education Code, relating to the support of the Public School System, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendment:

**Amendment No. 1**

On page 5 of the printed bill, as amended in the Senate December 20, 1949, strike out lines 7, 8, and 9 and insert "of this act the sum of two million one hundred thousand dollars (\$2,100,000), of which sum there is hereby appropriated the sum of two million dollars (\$2,000,000)".

**Amendment read.**

**Previous Question**

Senator Rich moved the previous question.

Motion carried.

The question being on the adoption of amendment to Assembly Bill No 47 offered by Senator Breed.

Amendment adopted.

Bill ordered printed, and to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Hulse asked for, and was granted, unanimous consent to take up Assembly Bill No 25, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 25****Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Hulse:

*Resolved*, That Assembly Bill No 25 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read

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

**AYES**—Senators Abshire, Breed, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Rich, Tenney, Watson, Way, Weybret, and Williams—29.

**NOES**—None

**Assembly Bill No. 25**—An act relating to personnel for the administration of aid to the aged and aid to the needy blind, providing for the separation from state service of certain employees engaged in such administration in the State Department of Social Welfare, requiring the reemployment by the counties of certain personnel now employed by the State for such administration, prescribing the procedure for layoff of employees of county social welfare departments, specifying the rights of personnel affected by this act, and repealing Section 18599 of the Government Code, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator Hulse.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—31.

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dillworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 27**—An act to provide for the retirement rights of state welfare personnel entering county employment as a result of the operation of Article XXVII of the Constitution, providing for the disposition of retirement contributions by and in respect to such persons, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Desmond.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—34.  
**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, McBride, Miller, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—32.  
**NOES**—None

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT** The Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 16

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

Committee membership 5; committee vote: Ayes 4; absent 1

**POWERS**, Chairman

**Request for Unanimous Consent**

Senator Abshire asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 16, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16**

**Assembly Concurrent Resolution No. 16**—Relative to the Pepperdine College victory in the Los Angeles Invitational Basketball Tournament.

Resolution read, and presented by Senator Abshire.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—32.  
**NOES**—None

Resolution ordered transmitted to the Assembly

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Concurrent Resolution No. 12:** By Senator Breed—Relative to congratulating the football team of the University of California on its splendid record.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12**

**Senate Concurrent Resolution No. 12**—Relative to congratulating the football team of the University of California on its splendid record.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MOTION TO PRINT IN APPENDIX TO THE JOURNAL**

Senator Breed moved that the estimated cost of excess growth, as provided in Assembly Bill No. 47, submitted by the Department of Education, be printed in the Appendix to the Journal.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 20, 1949

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

Senate Concurrent Resolution No. 3

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

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration of Assembly amendments.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3**

**Senate Concurrent Resolution No. 3**—Relative to hours which the State Library remains open.

**Consideration of Assembly Amendments**

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 3?

**Amendment No. 1**

On page 1, line 9, of the printed measure, after "the", insert "law library of the".

**Amendment No. 2**

On page 1, line 14, of said measure, strike out "all of".

**Amendment No. 3**

On page 1, line 14, of said measure, after "the", insert "law library in the".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 3 by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobush, Gibson, Hatfield, Hulse, Johnson, Judah, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—32.  
**NOES**—None.

Above resolution ordered enrolled.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Constitutional Amendment No. 1

ARTHUR A. O'NIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1

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

ARTHUR A. O'NIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**Request for Unanimous Consent**

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 1, at this time, for consideration of Assembly amendments.

**CONSIDERATION OF SENATE BILL NO. 1**

**Senate Bill No. 1**—An act to call a special election to be consolidated with the direct primary election of 1950 and to provide for the submission to the electors of the State at such consolidated election an amendment to the Constitution of the State, proposed by the Legislature at the First Extraordinary Session of 1949, confirming and validating the Veterans Bond Act of 1949 and making said Bond Act fully effective, and to amend the title and Section 2 of, and to repeal Sections 3, 4, and 5 of Chapter 1267 of the Statutes of 1949, relating to the creation of a debt or debts, liability or liabilities through the issuance and sale of state bonds to be used and disbursed to provide home and farm aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory of and supplemental to said act of 1943, declaring the urgency of this act, to take effect immediately.

### Consideration of Assembly Amendments

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1?

#### Amendment No. 1

In the title of the printed bill, strike out lines 4 to 10, inclusive, and insert "election an amendment to the Constitution of the State, proposed by the Legislature at the First Extraordinary Session of 1949, confirming and validating the Veterans Bond Act of 1949 and making said bond act fully effective, and to amend the title and Section 2 of, and to repeal Sections 3, 4, and 5 of Chapter 1267 of the Statutes of 1949, relating to the creation of a debt or debts, liability or liabilities through the issuance and sale of state bonds to be used and disbursed to provide home and farm aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory of and supplemental to said act of 1943, declaring the urgency of this act, to take effect immediately."

#### Amendment No. 2

On page 1 of said bill, strike out lines 11, 12, and 13; and on page 2, strike out lines 1 to 20, inclusive, and insert

"SEC. 2. At said special election there shall be submitted to the electors Assembly Constitutional Amendment No. 28 of the 1949 Regular Session of the Legislature (Resolution Chapter 149) and a certain amendment to the Constitution of the State of California, proposed by the Legislature at the First Extraordinary Session of 1949, relating to the issuance of bonds of the State to provide funds for farm and home aid for veterans, and validating and making effective the Veterans Bond Act of 1949.

SEC. 3. The special election provided for in this act shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act.

SEC. 4. In regard to each such proposed constitutional amendment, the presiding officer of the house in which such proposed constitutional amendment originates shall immediately appoint the author or one of the authors of such proposed constitutional amendment and one member of the same house who voted in favor thereof to draft an argument giving the reasons for the adoption thereof, and he shall also appoint a member of the same house who voted against such proposed constitutional amendment to draft an argument against the adoption thereof. If no member of such house voted against such proposed amendment the presiding officer shall appoint a qualified person to draft such argument. Each argument shall consist of not more than five hundred words and shall be submitted by the author or authors to the Secretary of State on or before January 26, 1950 or on or before the 10th day after this act takes effect, whichever is the later.

SEC. 5. On or before January 26, 1950, or on or before the 10th day after this act takes effect, whichever is later, the Attorney General shall prepare and deliver to the Secretary of State a valid ballot title for such measure and the Legislative Counsel shall prepare and deliver to the Secretary of State an impartial analysis of the measure showing the effect thereof on the existing law and the operation of the measure."

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

#### Amendment No. 3

On page 2 of said bill, strike out lines 21 to 31, inclusive; and on page 3, strike out lines 1 to 39, inclusive, and insert

"SEC. 6. The title of Chapter 1267 of the Statutes of 1949 is amended to read: An act to add Article 5B (*Veterans Bond Act of 1949*) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, and providing [for the submission of this act to a vote of the people at the general election to be held in the month of November,



1950] *that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said Veterans Bond Act of 1949.*

SEC. 7. Section 2 of Chapter 1267 of the Statutes of 1949 is amended to read:

SEC. 2. This act [i. e. adopted by the people,] shall take effect [on the fifteenth day of November, 1950, as to all its provisions except those relating to and necessary for the submission to the people, and for returning, canvassing, and proclaiming the votes, and as to said excepted provisions this act shall take effect immediately] *upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective the Veterans Bond Act of 1949.*

SEC. 8. Sections 3, 4, and 5 of said chapter are repealed "

#### Amendment No. 4

On page 3, line 40, of said bill, strike out "7", and insert "9".

#### Amendment No. 5

In line 10 of the title of said bill, after "election", insert "Assembly Constitutional Amendment No. 28 of the 1949 Regular Session and"

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1 by the following vote.

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobush, Gibson, Hulse, Jespersen, Johnson, Judah, McBride, Miller, O'Gara, Parkman, Powers, Rich, Tenney, Watson, Way, Weybret, and Williams—29

NOES—None.

Above bill ordered enrolled.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 17

Assembly Concurrent Resolution No. 14

ARTHUR A. OLINIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following resolution was read:

**Assembly Concurrent Resolution No. 14**—Relative to the Honorable Bartley W. Cavanaugh

#### Request for Unanimous Consent

Senator Parkman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 14, at this time, for consideration.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

**Assembly Concurrent Resolution No. 14**—Relative to the Honorable Bartley W. Cavanaugh

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, McBride, Miller, O'Gara, Parkman, Powers, Tenney, Watson, Way, Weybret, and Williams—28

NOES—None.

Resolution ordered transmitted to the Assembly

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read :

**Assembly Concurrent Resolution No. 17**—Relative to the adoption of Assembly Constitutional Amendment No. 84 at a special election held November 8, 1949.

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 17, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 17**

**Assembly Concurrent Resolution No. 17**—Relative to the adoption of Assembly Constitutional Amendment No. 84 at a special election held November 8, 1949.

Resolution read.

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Dorsey, Gibson, Hatfield, Jespersen, Johnson, Judah, McBride, Miller, O'Gara, Parkman, Powers, Tenney, Watson, Way, Weybret, and Williams—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 8

Assembly Joint Resolution No. 9

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
**By HAROLD F. LEWRIGHT**, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read :

**Assembly Joint Resolution No. 9**—Relative to federal aid for the continuation of investigation of the Reber Plan by interim committees of the Legislature.

**Request for Unanimous Consent**

Senator Crittenden asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 9, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 9**

**Assembly Joint Resolution No. 9**—Relative to federal aid for the continuation of investigation of the Reber Plan by interim committees of the Legislature.

Resolution read.

**Motion to Re-refer Assembly Joint Resolution No. 9**

Senator Breed moved that Assembly Joint Resolution No. 9 be re-referred to Committee on Transportation.

**Motion Withdrawn**

Senator Breed withdrew his motion to refer Assembly Joint Resolution No. 9 to the Committee on Transportation.

**Unanimous Consent Withheld**

Senator Breed withheld unanimous consent to take up Assembly Joint Resolution No. 9, at this time, for consideration.

The President stated that under the Rules all resolutions should be referred to a committee, and therefore, he referred Assembly Joint Resolution No. 9 to the Committee on Transportation.

**Point of Order**

Senator Hatfield rose to a point of order and stated that there is nothing before the Senate.

The President ruled the point of order well taken.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read :

**Assembly Joint Resolution No. 8**—Relative to the erection of a dam on the Feather River near Oroville, California

**Request for Unanimous Consent**

Senator Drobish asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 8, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 8**

**Assembly Joint Resolution No. 8**—Relative to the erection of a dam on the Feather River near Oroville, California.

Resolution read.

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

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Tenney, Watson, Way, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined :

**Senate Joint Resolution No. 1**—Relative to memorializing the President of the United States, the Congress of the United States, the Secretary of Defense, the Secretary of the Navy, and the Maritime Commission of the United States, to reduce the tolls of the Panama Canal ;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of December, 1949, at 12 m.

POWERS, Chairman

**RECESS**

At 12.22 p.m., on motion of Senator McBride, the Senate recessed until 2 p.m.

**REASSEMBLED**

At 2 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the Desk.

**Senator Dilworth Presiding**

At 2.35 p.m., Senator Nelson S. Dilworth of the Thirty-seventh District, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 47**—An act to add Article 13.6 to Chapter 15 of Division 3 of the Education Code, relating to the support of the Public School System, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Kraft, Mayo, Miller, O'Gara, Parkman, Rich, Sutton, Tenney, Watson, Way, Weybret, and Williams—28

**NOES**—None.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Kraft, Mayo, Miller, O'Gara, Parkman, Rich, Sutton, Tenney, Watson, Way, Weybret, and Williams—29

**NOES**—None.

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Bill No. 5

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

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Hulse asked for, and was granted, unanimous consent to take up Assembly Bill No. 5, at this time, for consideration

**CONSIDERATION OF ASSEMBLY BILL NO. 5****Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Hulse:

*Resolved*, That Assembly Bill No. 5 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Kraft, Mayo, Miller, O'Gara, Parkman, Sutton, Tenney, Watson, Way, Weybriet, and Williams—28

**NOES**—None

Article IV, Section 15, of the Constitution was declared suspended.

#### CONSIDERATION OF ASSEMBLY BILL NO. 5

**Assembly Bill No. 5**—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation.

Bill read second time

**Assembly Bill No. 5**—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation.

Bill read third time, and presented by Senator Hulse.

The roll was called

#### Call of the Senate

Pending the announcement of the vote, Senator Hulse moved a call of the Senate.

Motion carried Time, 2.50 p m.

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

#### PROCEEDINGS UNDER CALL OF THE SENATE RESOLUTIONS

The following resolution was offered:

By Senator O'Gara:

#### Senate Resolution No. 21

Relative to congratulating Phillips S. Davies

**WHEREAS** The San Francisco Board of Supervisors has elected Mr. Phillips S. Davies to the Board of Directors of the Golden Gate Bridge and Highway District; and

**WHEREAS**, Phillips S. Davies is particularly well fitted for that office, having been an outstanding civic leader for many years, carrying on his work as public relations officer for the San Francisco Bank, and actively participating in the work of the San Francisco Junior Chamber of Commerce and other civic organizations, from which he has acquired an unusual knowledge of the needs of the City and County of San Francisco and the surrounding areas which the Golden Gate Bridge links together and serves, which will enable him to discharge his new duties with particular wisdom and foresight; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of this Senate extend congratulations to Phillips S. Davies upon his election as a Director of the Golden Gate Bridge and Highway District, and wish him every success, and be it further

*Resolved*, That the Secretary of the Senate is requested to send a suitably engrossed copy of this resolution to Mr. Phillips S. Davies, 1859 Vallejo Street, San Francisco, California.

Resolution read, and on the motion of Senator O'Gara, adopted.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 2 55 p.m., on motion of Senator Hulse, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 5 passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatheld, Hulse, Kraft, Mayo, Miller, O'Garra, Parkman, Powers, Regan, Rich, Sutton, Tenney, Watson, Way, Weybret, and Williams—32

NOES—None

Bill ordered transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 13

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

Committee membership 5; committee vote: Ayes 4, absent 1

POWERS, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 19

Assembly Concurrent Resolution No. 18

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

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Bill No. 2

Assembly Bill No. 4

Assembly Bill No. 29

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

Committee membership 5; committee vote: Ayes 4; absent 1

POWERS, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 10

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

Committee membership 5; committee vote: Ayes 4; absent 1

POWERS, Chairman

Above reported resolution ordered to second reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Weybret asked for, and was granted, unanimous consent to take up Senate Resolution No. 19, at this time, for consideration of committee amendments.

**CONSIDERATION OF SENATE RESOLUTION NO. 19**

**Senate Resolution No. 19**—Relative to augmenting the funds of the Senate Interim Committee on Social Welfare.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules :

**Amendment No. 1**

In line 2 of the printed resolution as printed in the Senate Journal of December 16, 1949, after "sum of", strike out "fifteen thousand dollars (\$15,000)", and insert "twenty thousand dollars (\$20,000)".

Amendment read, and adopted.

**Request for Unanimous Consent**

Senator Weybret asked for, and was granted, unanimous consent to take up Senate Resolution No. 19, at this time, for consideration as amended.

**CONSIDERATION OF SENATE RESOLUTION NO. 19, AS AMENDED****Senate Resolution No. 19, as Amended**

Relative to augmenting the funds of the Senate Interim Committee on Social Welfare

*Resolved by the Senate of the State of California.* That in addition to any money heretofore made available, the sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Social Welfare (created by Senate Resolution No. 162, 1949 General Session) and its members, and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, as amended.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hulse, Jespersen, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Regan, Rich, Tenney, Watson, Way, Weybret, and Williams—29

**NOES**—None

**REQUEST FOR UNANIMOUS CONSENT**

Senator Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 2, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 2****Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Miller :

*Resolved*, That Assembly Bills Nos. 2, 4, and 29 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage

Resolution read

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

**AYES**—Senators Abshire, Breed, Brown, Busch, Collier, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Watson, Way, and Williams—29

**NOES**—Senators Coombs, Desmond, Dilworth, Kraft, and Tenney—5.

Article IV, Section 15, of the Constitution was declared suspended.

#### REQUEST FOR UNANIMOUS CONSENT

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

**Assembly Concurrent Resolution No. 13**—Congratulating Judge Edward F. O'Day of the San Francisco Municipal Court.

Resolution read, and presented by Senator O'Gara.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Jespersen, Johnson, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, and Way—31.

**NOES**—None

Resolution ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Gibson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, for consideration of committee amendments.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

**Assembly Concurrent Resolution No. 18**—Relative to the leasing of the Federal Prison at Terminal Island, California, for the early establishment of facilities for the Medical Facility of the Department of Corrections as provided for in Part 3, Title 7, Chapter 8 of the Penal Code.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

##### Amendment No. 1

On page 2 of the printed measure, strike out lines 12 to 14, inclusive, and insert "2. That the Assembly and the Senate give consideration at the 1950 Budget Session of the Legislature to the provision of adequate budgetary funds".

##### Amendment No. 2

On page 2, line 18, of said measure, strike out "favorable".

Amendments read, and adopted.

#### Request for Unanimous Consent

Senator Gibson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, for consideration as amended.



**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18,  
AS AMENDED**

**Assembly Concurrent Resolution No. 18**—Relative to the leasing of the Federal Prison at Terminal Island, California, for the early establishment of facilities for the Medical Facility of the Department of Corrections as provided for in Part 3, Title 7, Chapter 8 of the Penal Code.

Resolution read, as amended, and presented by Senator Gibson.

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

**AYES**—Senators Abshire, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hulse, Jespersen, Johnson, Kraft, Mayo, Miller, O'Gara, Parkman, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**President Pro Tempore of the Senate Presiding**

At 3.30 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**CONSIDERATION OF ASSEMBLY BILL NO. 2**

**Assembly Bill No. 2**—An act to add a new chapter to be numbered 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation before the Legislature.

Bill read second time.

**Assembly Bill No. 2**—An act to add a new chapter to be numbered 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation before the Legislature.

Bill read third time.

Passed on file, at the request of Senator Miller.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration of committee amendments

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10**

**Senate Concurrent Resolution No. 10**—Relative to the disposition and use of furniture, office equipment and other personal property acquired for the administration of the aged and blind aid programs.

Bill read second time

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On page 2, line 9, of the printed resolution, strike out the period and quotation marks and insert ", and provided further, that all property so made available shall be receipted for in writing by an authorized representative of the county receiving or retaining possession of such property in order that proper record of such property will be maintained at all times"

Amendment read, and adopted.

**Request for Unanimous Consent**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration as amended.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10,  
AS AMENDED**

**Senate Concurrent Resolution No. 10**—Relative to the disposition and use of furniture, office equipment and other personal property acquired for the administration of the aged and blind aid programs.

Resolution read, as amended.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—32

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 12

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **HAROLD F. LEWRIGHT**, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 5

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **HAROLD F. LEWRIGHT**, Assistant Clerk

Above resolution ordered enrolled.

**Senator Hatfield Presiding**

At 3.45 p m., Senator George J. Hatfield of the Twenty-fourth District, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Drobish asked for, and was granted, unanimous consent to take up Assembly Bill No. 4, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 4**

**Assembly Bill No. 4**—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Bill read second time.

**Assembly Bill No. 4**—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Bill read third time, and presented by Senator Drobish

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

**AYES**—Senators Brown, Burns, Busch, Coombs, Crittenden, Desmond, Dillinger, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Ward, Way, Weybret, and Williams—27.

**NOES**—Senators Rich, Tenney, and Watson—3.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Drobish asked for, and was granted, unanimous consent to take up Assembly Bill No. 29. at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY BILL NO. 29

**Assembly Bill No. 29**—An act to add Section 9056 to the Government Code, relating to the solicitation and acceptance of fees to prevent the enactment of legislation.

Bill read second time.

**Assembly Bill No. 29**—An act to add Section 9056 to the Government Code, relating to the solicitation and acceptance of fees to prevent the enactment of legislation.

Bill read third time, and presented by Senator Drobish.

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

**AYES**—Senators Abshire, Breed, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Rich, Sutton, Tenney, Ward, Watson, Way, and Williams—32

**NOES**—Senators Brown, Judah, and Weybret—3

Bill ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 2, at this time, for the purpose of amendment.

#### CONSIDERATION OF ASSEMBLY BILL NO. 2

**Assembly Bill No. 2**—An act to add a new chapter to be numbered 8 to Part 1, Division 2. Title 2 of the Government Code, relating to influencing the passage or defeat of legislation before the Legislature.

##### Motion to Amend

Senator Miller moved the adoption of the following amendment :

##### Amendment No. 1

On page 5 of the printed bill, as amended in Assembly December 20, 1949, strike out lines 9 to 13, inclusive.

Amendment read, and adopted.

Bill ordered printed, and to third reading.

##### Motion to Print With Rush Order

Senator Miller moved that Assembly Bill No. 2 be sent to print with a rush order.

Motion carried.

**RESOLUTIONS**

The following resolution was offered :

By Senator Desmond :

**Senate Resolution No. 22**

Relative to extending best wishes to the football teams of the University of California and the University of Santa Clara

WHEREAS, Annually the best football teams in the Nation compete in various "bowl" games, and

WHEREAS, On the basis of their outstanding records during the 1949 season the teams representing the University of California and the University of Santa Clara have been invited to compete in the Rose Bowl and the Orange Bowl, respectively ; and

WHEREAS, The State of California is fortunate in having two teams of such high calibre to represent it in intersectional contests ; and

WHEREAS, The Members of the Senate are confident that the members of both teams will exert their best efforts to uphold the fame of the universities they represent and the State of California, now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Senate hereby extend their best wishes to the football teams of the University of California and the University of Santa Clara, and fervently hope for their success in the impending bowl games ; and be it further

*Resolved*, That the Members of the Senate express their confidence that each member of both teams will well and ably represent his university and his State, win, lose or draw ; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit copies of this resolution to the presidents of both universities, to their respective coaching staffs, and to the members of both teams.

Resolution read, and on motion of Senator Desmond, adopted.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12**

**Assembly Concurrent Resolution No. 12**—Relative to the creation of a Joint Legislative Committee on Lobby Regulation and defining the powers and duties of the committee.

Resolution read, and presented by Senator Breed.

**Motion to Re-refer Assembly Concurrent Resolution No. 12**

Senator Judah moved that Assembly Concurrent Resolution No. 12 be re-referred to Committee on Rules.

**Roll Call Demanded**

Senators Keating, Hulse, and Judah demanded a roll call.

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

**AYES**—Senators Brown, Crittenden, Desmond, Dorsey, Gibson, Jespersen, Judah, Kraft, Mayo, McBride, Miller, Sutton, and Tenney—13.

**NOES**—Senators Abshire, Breed, Burns, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Johnson, Keating, O'Gara, Parkman, Regan, Rich, Ward, Watson, Way, Weybret, and Williams—23.

**Further Consideration of Assembly Concurrent Resolution No. 12**

The President directed the Secretary to call the roll on final adoption of Assembly Concurrent Resolution No. 12.

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

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hatfield, Hulse, Johnson, Keating, McBride, Miller, O'Gara, Parkman, Regan, Sutton, Ward, Watson, Way, Weybret, and Williams—26.

**NOES**—Senators Coombs, Cunningham, Dorsey, Drobish, Jespersen, Judah, Kraft, Mayo, Rich, and Tenney—9.

Resolution ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 21, 1949

**MR. PRESIDENT :** The Committee on Rules, to which was referred :

Assembly Concurrent Resolution No. 20

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

Committee membership 5 ; committee vote : Ayes 4 ; absent 1.

**POWERS**, Chairman

##### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, for consideration of committee amendments

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 20

**Assembly Concurrent Resolution No. 20**—Relative to the recess of the 1949 (First Extraordinary) Session of the Legislature.

Resolution read second time.

##### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules :

##### Amendment No. 1

On page 1, of the printed measure, as amended in Assembly the second time on December 20, 1949, strike out lines 3 and 4.

##### Amendment No. 2

On page 1 of said measure, as amended, strike out lines 12 to 15, inclusive, and insert "Session of the Legislature of the State of California, which convened at 12 noon on the twelfth day of December, 1949, pursuant to a Proclamation issued by the Governor of the State of California under date of December 7, 1949 shall adjourn sine die at 9 p m , December 21, 1949 "

##### Amendment No. 3

In line 1 of the title of said measure, as amended, strike out "recess", and insert "adjournment sine die"

Amendments read, and adopted.

##### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, for consideration as amended.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 20,  
AS AMENDED**

**Assembly Concurrent Resolution No. 20**—Relative to the adjournment sine die of the 1949 (First Extraordinary) Session of the Legislature.

Resolution read, as amended.

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

AYES—Senators Abshire, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Tenney, Ward, Way, Weybret, and Williams—33.

NOES—None

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

Assembly Bill No. 47

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

Assembly Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

Senate Bill No. 7

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

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bill ordered to unfinished business file.

**RECESS**

At 4.30 p.m., on motion of Senator Powers, the Senate recessed until 6.30 p.m.

**REASSEMBLED**

At 6.30 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

**Call of the Senate**

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 6 30 p.m.

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

**PROCEEDINGS UNDER CALL OF THE SENATE****MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

Senate Bill No. 8

Senate Bill No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to:

Senate Bill No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

Senate Bill No. 14

Senate Bill No. 15

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

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

Above bills ordered to unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 2**—An act to add a new chapter to be numbered 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation before the Legislature.

Bill read third time, and presented by Senator Miller.

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

AYES—Senators Brown, Burns, Busch, Coombs, Cunningham, Dillinger, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Mayo, Miller, Powers, Rich, Sutton, Watson, Way, Weybret, and Williams—21

NOES—None

Bill ordered transmitted to the Assembly.

**Senator Busch Presiding**

At 7 p m., Senator Burt W. Busch of the Fourth District, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Regan asked for, and was granted, unanimous consent to take up Senate Bill No. 14, at this time, for consideration of Assembly amendments.

**Consideration of Assembly Amendments**

**Senate Bill No. 14**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor and declaring the urgency thereof, to become effective immediately

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No 14?

**Amendment No. 1**

In the title of the printed bill, strike out the period, and insert "and declaring the urgency thereof, to become effective immediately."

**Amendment No. 2**

On page 1 of the printed bill, after line 15, insert  
"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall go into immediate effect. A statement of facts constituting such necessity is as follows

The recent large increase in the number of crimes involving sex offenses has posed an immediate danger to the health, safety and welfare of the citizens of this State. This situation has become so serious that the Governor has called a special session to consider and act upon legislation relating to sex offenses. To safeguard the health and morals of our citizens and of the younger generation of this State it is necessary that this act take effect immediately."

Amendments read.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Jespersen, Johnson, Keating, McBride, Miller, O'Gara, Powers, Regan, Rich, Sutton, Tenney, Watson, Way, Weybret, and Williams—27.

**NOES**—None.

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 14 by the following vote:

**AYES**—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Jespersen, Johnson, Keating, McBride, Miller, O'Gara, Powers, Regan, Rich, Sutton, Tenney, Watson, Way, Weybret, and Williams—28.

**NOES**—None.

Above bill ordered enrolled.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Regan asked for, and was granted, unanimous consent to take up Senate Bill No. 15, at this time, for consideration of Assembly amendments.

**Consideration of Assembly Amendments**

**Senate Bill No. 15**—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved



March 20, 1905," approved May 31, 1917, as amended, relating to the submission of information to the bureau, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 15?

#### Amendment No. 1

In line 14 of the title of the printed bill, as amended in the Senate on December 17, 1949, after "bureau", insert "; and declaring the urgency thereof, to take effect immediately"

#### Amendment No. 2

On page 2 of said bill after line 43, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The recent large increase in the number of crimes involving sex offenses has posed an immediate danger to the health, safety, and welfare of the citizens of this State. This situation has become so serious that the Governor has called a special session to consider and act upon legislation relating to sex offenses. To safeguard the health and morals of the younger generation of this State, it is necessary that this act take effect immediately."

Amendments read.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Jespersen, Johnson, Keating, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—29.

NOES—None.

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 15 by the following vote:

AYES—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Jespersen, Johnson, Keating, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

NOES—None.

Above bill ordered enrolled.

### RESOLUTIONS

The following resolution was offered:

By Senator Powers:

#### Senate Resolution No. 23

*Resolved*, That the Secretary of the Senate be and he is hereby directed to take custody of and care for all Senate properties between sessions of the Legislature and to prepare files of all bills and other records of the Senate and to deposit such books, bills and other records with the Secretary of State as provided by law, to attend to the correspondence of the Senate and to mail to such of the public as may apply therefor copies of legislative enactments as provided in the Joint Rules of the Senate and Assembly.

The Secretary is further directed to supervise the indexing, correcting, comparing and proofreading of the Journal of the Senate and make the information therein contained readily available for use of Members of the Legislature, state officers and the general public, as a permanent record of the business transacted during the 1949 First Extraordinary Session of the Legislature, and to complete the compilation of the Constitution and the book on the California Legislature and to attend to the distribution thereof.

The Secretary is further directed to prepare and, at the expiration of the bill signing period, have published a Final Calendar of the business of the 1949 First Extraordinary Session, said Calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time, and any and all such other information as will provide a perfect history

of the session's business and a guide for the information of subsequent sessions of the Legislature. When said Final Calendar is prepared, the Secretary is directed to forward one copy to each public library in the State and shall distribute others as by Joint Rules No. 13 provided.

All of the publications above provided for are to be ordered by the Secretary pursuant to the provisions of Senate Rule No. 52 and Joint Rule No. 18 and paid for from the Legislative Printing Fund, and the State Printer is hereby ordered and directed to prepare and print such publication as directed by the Secretary

Resolution read.

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

**AYES**—Senators Abshire, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drabish, Gibson, Hulse, Jespersen, Johnson, Keating, Miller, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

**NOES**—None.

### REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to take up Senate Bill No. 7, at this time, for consideration of Assembly amendments.

#### Consideration of Assembly Amendments

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of, and to add Sections 1098 and 1099 to, the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees

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

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on December 19, 1949, after "of", insert ", and to add Section 1098 to."

#### Amendment No. 2

On page 2 of said bill, strike out lines 13 to 19, inclusive.

#### Amendment No. 3

On page 8 of said bill, between lines 37 and 38, insert

"SEC. 3 Section 1098 is added to said code, to read

1098. No elective or appointive officer or employee of this State or any department thereof, receiving a salary or other compensation from the State in excess of six hundred dollars (\$600) (exclusive of expenses) in any calendar year, shall represent for compensation as agent, attorney, or in any other capacity except in the discharge of his official duties, the interests of any other person before the Legislature, either house of the Legislature or any committee or subcommittee of the Legislature or either house, the Governor or Lieutenant Governor."

#### Amendment No. 4

On page 8, line 38, of said bill, strike out "3", and insert "4"

#### Amendment No. 5

On page 8, line 47, of said bill, strike out "4", and insert "5"

#### Amendment No. 6

On page 1, line 3, of said bill, strike out "Legislature and administrative tribunals", and insert "government".

#### Amendment No. 7

On page 1, line 7, of said bill, after "legislative", insert ", executive,".

**Amendment No. 8**

On page 2, line 7, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 9**

On page 2, line 21, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 10**

On page 2, line 23, of said bill, after "lature", insert ", or the Governor or the Lieutenant Governor".

**Amendment No. 11**

On page 2, line 24, of said bill, strike out "or", and after "thereof", insert ", or executive approval thereof".

**Amendment No. 12**

On page 3, line 3, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 13**

On page 3, line 7, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 14**

On page 3, line 17, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 15**

On page 3, line 24, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 16**

On page 3, line 33, of said bill, after "legislation", insert "or executive approval".

**Amendment No. 17**

On page 3, line 37, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 18**

On page 4, line 13, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 19**

On page 4, line 48, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 20**

On page 5, line 24, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 21**

On page 6, line 8, of said bill, strike out "15", and insert "35".

**Amendment No. 22**

On page 7, line 15, of said bill, after "tion", insert "or executive approval thereof".

**Amendment No. 23**

On page 7, line 22, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 24**

On page 7, line 34, of said bill, after "legislation", insert "or executive approval thereof".

**Amendment No. 25**

On page 8, line 1, of said bill, after "legislation", insert "or securing executive approval or disapproval thereof".

**Amendment No. 26**

On page 7 of said bill, between lines 41 and 42, insert  
"9923.5. It shall be unlawful for any Member of the Legislature who has a personal or private interest in any measure or bill proposed or pending before the Legislature of which he is a member to vote thereon unless he shall first disclose the fact to the house of which he is a member."

**Amendment No. 27**

On page 8 of said bill, between lines 6 and 7, insert  
"9925.5. It shall be unlawful for any elective or appointive officer or employee of this State or any department thereof to give, or offer, or promise to give his official vote or influence or perform his official act in favor of or against any measure or proposition pending or proposed to be introduced into, or that has already, been passed

by either house of the Legislature, in consideration or on condition that the Governor shall approve or disapprove, veto or sign, or agree to approve or disapprove, veto or sign any such, measure or proposition, or any measure, proposition, bill or act or proposed law that has already been passed by the Legislature, or either house thereof, or in consideration, or upon condition or promise that the Governor shall nominate for appointment or appoint or remove any person to or from any office or position under the laws of this State. Any person who violates this section shall be guilty of a felony."

#### Amendment No. 28

On page 8, line 37, of said bill, strike out the period, and insert "or to the paid bona fide officials of a local agricultural, labor, fraternal, religious, professional, business, social, or other organization organized for purposes other than to influence legislation when such official corresponds with or converses with a Legislator regarding legislation."

#### Amendment No. 29

In line 2 of the title of said bill, after "of", insert ", and to add Sections 1098 and 1099 to,".

#### Amendment No. 30

On page 8, of said bill, between lines 37 and 38, insert

"SEC. 3. Section 1098 is added to said code, to read:

1098. Any executive officer who, for the purpose of promoting, advocating, opposing or influencing legislation, offers or promises to appoint any member of the Legislature to the judiciary, is guilty of a felony."

#### Amendment No. 31

On page 8, line 38, of said bill, strike out "3", and insert "5".

#### Amendment No. 32

On page 8, line 47, of said bill, strike out "4", and insert "6".

#### Amendment No. 33

On page 3, lines 26 and 27, of said bill, strike out "No such person shall register as a legislative representative."

#### Amendment No. 34

On page 6, line 41, of said bill, strike out "in any particular", and insert "on any material matter".

#### Amendment No. 35

On page 8, line 27, of said bill, after the period, insert "No person whose certificate of registration has been revoked for a conviction of any violation of this chapter which constitutes a felony is eligible to register or act as a legislative representative"

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

AYES—Senator Miller—1.

NOES—Senators Abshire, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, McBride, O'Gara, Parkman, Powers, Regan, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—32.

### APPOINTMENT OF COMMITTEE ON CONFERENCE

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Hulse, Abshire, and Cunningham as a Senate Committee on Conference concerning Senate Bill No. 7 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES  
POWERS, Chairman

#### Point of Order

Senator Desmond rose to a point of order and stated that Joint Rule No. 28 provides that in appointing a Committee on Conference, two of the members comprising such committee shall be selected from those voting in the majority and the other member from those voting in the minority and that in voting on the concurrence of Assembly amendments to Senate Bill No. 7, Senator Miller was the only one voting in the minority, but he was not appointed on the Committee on Conference.

**Point of Order**

Senator Hatfield rose to a point of order and stated that a point of order is not debatable.

The President ruled the point of order well taken.

**Point of Order**

Senator Keating rose to a point of order and stated that it is now too late to question the appointments on the Committee on Conference concerning Senate Bill No. 7.

The President ruled the point of order well taken.

**Appeal From the Ruling of the President**

Senator Desmond appealed the ruling of the President.

The President put the question, "Shall the ruling of the President be sustained?"

**Roll Call Demanded**

Senators Tenney, Desmond, and Parkman demanded a roll call.

The roll was called, and the decision of the President was sustained by the following vote:

**AYES**—Senators Abshire, Brown, Busch, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Gibson, Hatfield, Jespersen, Keating, Mayo, McBride, Powers, Sutton, Weybret, and Williams—18.

**NOES**—Senators Bums, Crittenden, Desmond, Johnson, Miller, O'Gara, Parkman, Regan, Rich, Tenney, Watson, and Way—12.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 6 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans;

**Senate Concurrent Resolution No. 3**—Relative to hours which the State Library remains open;

**Senate Concurrent Resolution No. 11**—Relative to Arthur H. Samish;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of December, 1949, at 8 p.m.

POWERS, Chairman

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Sherwin, Stewart, and Moss as a Committee on Conference concerning:

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of, and to add Section 1098 to, the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

Assembly Concurrent Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

## Senate Concurrent Resolution No. 10

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

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

## Request for Unanimous Consent

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration of Assembly amendments.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

## Consideration of Assembly Amendments

**Senate Concurrent Resolution No. 10**—Relative to the disposition and use of furniture, office equipment and other personal property acquired for the administration of the aged and blind aid programs.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 10?

## Amendment No. 1

On page 2, line 3, of the printed measure, strike out "all", and insert "such".

## Amendment No. 2

On page 2; line 9, of said measure, strike out "Offices," and insert "offices," as are found necessary by the State Department of Social Welfare, with the approval of the State Department of Finance, for the proper and efficient administration of such aid;".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 10 by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—30.

NOES—None.

Above resolution ordered enrolled.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

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

## Assembly Bill No. 52

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

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

The following bill was read the first time:

**Assembly Bill No. 52**—An act to amend Sections 4501, 4532, 4533, and 4534 of, and to add Sections 4501.5, 4530.5, and 4652 to, the Elections Code, relating to influencing, or attempting to influence, legislation by means of campaign expenditures.

Bill ordered placed on file.

**REPORT OF COMMITTEE ON CONFERENCE**

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

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT. The Committee on Conference concerning:

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of, and to add Sections 1098 and 1099 to, the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

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

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

**Amendment No. 1**

On page 8 of the amended bill, strike out lines 4 to 8, inclusive.

**Amendment No. 2**

On page 9 of the amended bill, strike out all of line 23 following the word "voluntary", and all of lines 24, 25, 26, and 27, and insert a period.

HULSE  
CUNNINGHAM  
ABSHIRE

SHERWIN  
MOSS

Senate Committee on Conference

Assembly Committee on Conference

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT. I am directed to inform your honorable body that the Assembly on this day respectfully refused to adopt First Conference Committee report on:

**Senate Bill No. 7**—An act to add Chapter 8, comprising Sections 9900 to 9929, inclusive, to Part 1, Division 2, Title 2, of, and to add Section 1098 to, the Government Code, relating to the legislative and executive departments of the State Government, including the regulation of lobbying and other attempts to influence legislation, and the conduct and practices of public officers and employees.

And appointed Messrs. Kirkwood, Hollibaugh, and Erwin as a Second Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

**APPOINTMENT OF COMMITTEE ON CONFERENCE**

MR. PRESIDENT. The Committee on Rules announces the appointment of Senators Miller, Mayo, and Donnelly as a second Senate Committee on Conference concerning Senate Bill No. 7 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES  
POWERS, Chairman

**MESSAGES FROM THE ASSEMBLY**

Messrs. Geddes, Doyle, Dunn, and Hollibaugh appeared at the bar of the Senate, and announced that the Assembly had completed its work, and was ready to adjourn sine die.

**RESOLUTIONS**

By Senator McBride:

**Senate Resolution No. 24**

*Resolved*, That a Committee of Three be appointed to notify the Assembly that the Senate is ready to adjourn sine die, pursuant to the provisions of Assembly Concurrent Resolution No. 20, and to ask if the Assembly has any further communications to transmit to the Senate

Resolution read, and on motion of Senator McBride, adopted.

Pursuant to the above resolution, the President announced the appointment of Senators McBride, Miller, and Way.

By Senator Jespersen :

**Senate Resolution No. 25**

*Resolved*, That a Committee of Three be appointed to notify the Governor that the Senate is ready to adjourn sine die, pursuant to the provisions of Assembly Concurrent Resolution No. 20, and to ask if the Governor has any further communications to transmit to the Senate.

Resolution read, and on the motion of Senator Jespersen, adopted.

Pursuant to the above resolution, the President announced the appointment of Senators Jespersen, Burns, and Johnson.

**REPORTS OF SPECIAL COMMITTEES**

Senators Jespersen, Burns, and Johnson, appointed to wait upon the Governor and notify him of the readiness of the Senate to adjourn sine die, reported they had performed their duty.

Senators McBride, Miller, and Way, appointed to notify the Assembly of the readiness of the Senate to adjourn sine die, reported they had performed their duty.

**MOTION TO APPROVE JOURNALS**

Senator Powers moved that the Journals of Monday, December 19, 1949, and Tuesday, December 20, 1949, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**MOTION TO APPROVE MINUTES**

Senator Powers moved that the minutes of this legislative day, December 21, 1949, be read, and approved as read.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 8.58 p.m., on motion of Senator Hatfield, further proceedings under the call of the Senate were dispensed with.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT : The Committee on Rules has appointed Senators Mayo, Regan, and Williams to serve as members from the Senate on the Joint Committee on Lobby Regulation under the terms of Assembly Concurrent Resolution No. 12

POWERS, Chairman

**Communication From the Committee on Rules**

The following resolution of the Committee on Rules was received, and ordered printed in the Journal :

**RESOLUTION OF THE COMMITTEE ON RULES**

WHEREAS, The Senate and Assembly of California by Senate Concurrent Resolution No. 11 adopted at the First Extraordinary Session of 1949 has ordered that the name of Arthur H. Samish and the names of all his employees be stricken from the rolls of legislative representatives and has instructed this committee to take the necessary steps to carry out that order ; and

WHEREAS, This committee is advised by the Legislative Counsel that the registration of legislative representatives and the certificates of registration issued pursuant



to the provisions of the Senate Standing Rule No. 56 expire upon adjournment sine die of the Legislature at each session; and

WHEREAS, This committee has ascertained and determined that only one person has been so registered at or during or in relation to the First Extraordinary Session of 1949 and that such person is not one of the persons mentioned or referred to in said Senate Concurrent Resolution No. 11, and that therefore neither said Arthur H. Samish nor any of his employees is now registered nor does he or any of his employees now hold a certificate of registration under said Rule No. 56, which is of any force or effect; and

WHEREAS, This committee is advised by the Legislative Counsel that in view of these facts there are no names to be stricken from the Senate rolls of legislative representatives, and no action to be taken by this committee at this time, under Senate Concurrent Resolution No. 11, other than to inform the Sergeant-at-Arms of the Senate of these findings and instruct him to keep his record of registrations under Senate Standing Rule No. 56 in accordance with these findings; now, therefore, be it

*Resolved, by the Senate Rules Committee.* That the facts stated in the recitals of this resolution are hereby found and declared, and the Sergeant-at-Arms of the Senate is instructed to keep his record of registrations under Senate Standing Rule No. 56 in accordance with these findings and to issue no certificate of registration under Standing Rule No. 56 of this session to said Arthur H. Samish or any of his employees

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day returns without further action:

Senate Bill No. 3  
Senate Bill No. 4  
Senate Bill No. 13  
Senate Bill No. 16  
Senate Bill No. 18  
Senate Bill No. 19

Senate Bill No. 20  
Senate Bill No. 21  
Senate Bill No. 24  
Senate Joint Resolution No. 3  
Senate Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By HAROLD F. LEWRIGHT, Assistant Clerk

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 1**—An act to call a special election to be consolidated with the direct primary election of 1950 and to provide for the submission to the electors of the State at such consolidated election an amendment to the Constitution of the State, proposed by the Legislature at the First Extraordinary Session of 1949, confirming and validating the Veterans Bond Act of 1949 and making said bond act fully effective, and to amend the title and Section 2 of, and to repeal Sections 3, 4, and 5 of Chapter 1267 of the Statutes of 1949, relating to the creation of a debt or debts, liability or liabilities through the issuance and sale of state bonds to be used and disbursed to provide home and farm aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory of and supplemental to said act of 1943, declaring the urgency of this act, to take effect immediately;

**Senate Bill No. 8**—An act making an appropriation to the counties and cities and counties of the State for expenditure during the 1949-1950 Fiscal Year for aid to the aged and aid to the needy blind, providing for the method of computation, payment, and disbursement thereof, and declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 9**—An act making an appropriation to the counties and cities and counties of the State for the cost of administration of aid to the aged and aid to the needy blind during the 1949-1950 Fiscal Year, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of December, 1949, at 8.30 p m

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 14**—An act to amend Section 647a of the Penal Code, relating to the annoying or molesting of children, defining same as vagrancy, and providing the punishment therefor and declaring the urgency thereof, to become effective immediately;

**Senate Bill No. 15**—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the submission of information to the bureau, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of December, 1949, at 8.30 p m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 6 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of December, 1949, at 8.30 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 3**—Relative to hours which the State Library remains open;

**Senate Concurrent Resolution No. 10**—Relative to the disposition and use of furniture, office equipment and other personal property acquired for the administration of the aged and blind and programs;

**Senate Concurrent Resolution No. 11**—Relative to Arthur H. Samish;

**Senate Concurrent Resolution No. 12**—Relative to congratulating the football team of the University of California on its splendid record;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of December, 1949, at 8.30 p m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 4**—Relative to the United States Naval Shipyard at Mare Island;

**Senate Joint Resolution No. 5**—Relative to hospital facilities for veterans in California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of December, 1949, at 8.30 p m.

POWERS, Chairman

#### Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 25

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

DILLINGER, Chairman

#### Committee on Transportation

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Joint Resolution No 9

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

COLLIER, Chairman

Above reported resolution ordered transmitted to the Assembly.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, December 20, 1949

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Assembly Concurrent Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation that no further action be taken.

Committee membership 9; committee vote: Ayes 6; absent 3

CUNNINGHAM, Chairman

Above reported resolution ordered transmitted to the Assembly.

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Joint Resolution No. 6

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

CRITTENDEN, Chairman

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 17

Senate Bill No. 22

Senate Bill No. 27

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

WARD, Chairman

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 5

Senate Bill No. 10

Senate Bill No. 23

Senate Bill No. 26

Respectfully reports the same back without recommendation for the reason that no committee action has been taken

RICH, Chairman

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Bill No. 6

Senate Resolution No. 16

Has had the same under consideration, and reports the same back without recommendation for the reason that no committee action has been taken.

POWERS, Chairman

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, December 21, 1949

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Joint Resolution No. 2

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

POWERS, Vice Chairman

**APPOINTMENTS OF SENATORS BY LIEUTENANT GOVERNOR TO PRESENT AFFIRMATIVE AND NEGATIVE ARGUMENTS ON CONSTITUTIONAL AMENDMENTS SUBMITTED BY THE SENATE**

**Senate Constitutional Amendment No. 1**

Senator Dilworth and Senator Sutton—Affirmative argument.

No one appointed for the negative argument as there were no votes cast against the amendment.

**MOTION TO ADJOURN**

Senator Powers moved that, pursuant to the provisions of Assembly Concurrent Resolution No. 20 of the 1949 First Extraordinary Session, the Senate do now adjourn sine die.

**FINAL ADJOURNMENT**

Whereupon at 9 p.m., the President of the Senate declared the 1949 First Extraordinary Session of the Senate of the State of California adjourned sine die

JOHN F. LEA, Minute Clerk