CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 3, 1952

The Assembly met pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated March 3, 1952, convening the Legislature of the State of California on this day in extraordinary session.

Hon Sam L. Collins, Speaker of the Assembly for the 1952 Regular (Budget) Session, presiding

ANNOUNCEMENT

Speaker Sam L Collins announced that, pursuant to the requirements of the Government Code, Section 9150, the following officers of the Assembly of the 1952 Regular (Budget) Session of the Legislature were present, and in their respective positions:

Arthur A Ohnimus, Chief Clerk of the Assembly; Geraldine B Hadsell, Minute Clerk; Wilkie Ogg, Sergeant-at-Arms

PROCLAMATION OF THE GOVERNOR

Speaker Sam L. Collins directed the Clerk to read the Proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Clerk read the following Proclamation:

Proclamation

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA
March 3, 1952

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 the third day of March, 1952, at 12 30 p m. of said day for the following purposes and to legislate upon the following subjects:

1. To consider and act upon legislation to provide for capital outlay for construction or improvement of public schools

2. To consider and act upon legislation relating to the providing of funds for the purchase of farms and homes under the Veterans' Farm and Home Purchase Act of 1943.

3. To consider and act upon legislation relating to civil defense.

4. To consider and act upon legislation to amend Section 1170 of the Probate Code, relating to the termination of joint tenancies.

5. To consider and act upon legislation relating to the administration of the Los Angeles State College of Applied Arts and Sciences.

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

7. To consider and act upon legislation relating to the repayment to the Highway Fund of such amounts as the Legislature may determine for expenses heretofore incurred from the Highway Fund in the maintenance and operation of the toll bridge known as the San Francisco-Oakland Bay Bridge.

8. To consider and act upon legislation relating to the construction, reconstruction, or alteration of the toll bridge known as the San Francisco-Oakland Bay Bridge.

9. To consider and act upon legislation to appropriate money for the purpose of bringing surveys and plans for a southern crossing of San Francisco Bay to the same state of completion as those heretofore made for a northern crossing or crossing parallel to the toll bridge known as the San Francisco-Oakland Bay Bridge.

10. To consider and act upon legislation to provide relief for school districts which, through clerical error in fixing tax rates, have raised insufficient funds with which to provide for their operation during the present fiscal year.

11. To consider and act upon legislation relating to the jurisdiction as to subject matter of Class "B" Justice Courts.

12. To consider and act upon legislation relating to the issuance of revenue bonds by port districts issued under Article II of Chapter IV of Part 4 of Division 8 of the Harbors and Navigation Code.

13. To consider and act upon legislation relating to Stockton Slough.

14. To consider and act upon legislation to validate the organization, boundaries, governing officers or boards, acts, proceedings and bonds of public bodies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of March, 1952.

(SEAL)

EARL WARREN, Governor of California

ATTEST: FRANK M. JORDAN, Secretary of State

REQUEST FOR UNANIMOUS CONSENT THAT PRAYER BE PRINTED IN JOURNAL

Mr. Doyle asked for, and was granted, unanimous consent that the prayer offered by the Chaplain, Dr. Clarence A. Kircher, during this morning's 1952 Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

PRAYER

Prayer by Dr. Clarence A. Kircher, Chaplain of the Assembly for the 1952 Regular (Budget) Session:

Almighty and Merciful God, the source of all life, the Father of all spirits, and the author of all good, we seek Thy guidance for the deliberations of this Assembly. We pray for the President of the United States, the Governor of our Commonwealth, the presiding officer of this body, and for each member and all associated with us in the duties of the Legislature.

Move in the hearts of the rulers of all nations that they may honestly strive for a just and durable peace. Bless the members of our Armed Forces and all who strive for the preservation of our liberties. May our citizens ever be reminded of their privileges and responsibilities.

Through all the waiting land proclaim
Thy gospel of good-will,
And may the joy of Jesus' name
In every bosom thrill.
O'er hill and vale, from sea to sea,
Thy holy reign extend;
By faith and hope and charity
America, befriend!

We ask it in the name of Him whom we worship in spirit and in truth.—AMEN.

ANNOUNCEMENT

The Speaker announced that the next order of business was the nomination and election of officers for the 1952 First Extraordinary Session of the Assembly, and declared that nominations for officers of the Assembly were now in order.

RESOLUTIONS

The following resolution was offered:

By Mr. Sherwin:

House Resolution No. 1

Resolved by the Assembly of the State of California, That the following named persons constitute the officers of the Assembly for the 1952 (First Extraordinary) Session, with the per diem as fixed by statute or resolution:

Hon. Sam L. Collins ..... *Speaker*
Hon. Thomas A. Maloney ..... *Speaker pro Tempore*
Arthur A. Ohnimus ..... *Chief Clerk*
Geraldine B. Hadsell ..... *Minute Clerk*
Wilkie Ogg ..... *Sergeant-at-Arms*
Rabbi Irving Hausman ..... *Chaplain*

Request for Unanimous Consent

Mr. Sherwin asked for, and was granted, unanimous consent to take up House Resolution No. 1 at this time.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—75.

NOES—None.

OATHS OF OFFICE ADMINISTERED

Hon. Sam L. Collins, Speaker-elect; Hon. Thomas A. Maloney, Speaker pro Tempore-elect; Arthur A. Ohnimus, Chief Clerk-elect; Geraldine B. Hadsell, Minute Clerk-elect; Wilkie Ogg, Sergeant-at-Arms-elect; and Rabbi Irving Hausman, Chaplain-elect; took and subscribed to the following oath, administered by Hon. 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 to which I have been elected, according to the best of my ability.

Speaker Presiding

At 12.36 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Sam L. Collins, the Assembly then gave the pledge of allegiance to the Flag.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 2

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

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 2, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs Maloney, Sherwin, Evans, Rosenthal, and Beck as such Select Committee to wait upon the Governor.

By Mr. Stewart:

House Resolution No. 3

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a Committee of Three to inform the Senate that the Assembly is in session pursuant to the Proclamation of His Excellency, the Governor, dated the second day of March, 1952, and ready for the transaction of legislative business, with the following officers, to wit:

Hon. Sam L. Collins ..... *Speaker*
Hon. Thomas A. Maloney ..... *Speaker pro Tempore*
Arthur A. Ohnimus ..... *Chief Clerk*
Geraldine B. Hadsell ..... *Minute Clerk*
Wilkie Ogg ..... *Sergeant-at-Arms*
Rabbi Irving Hausman ..... *Chaplain*

Request for Unanimous Consent

Mr Stewart asked for, and was granted, unanimous consent to take up House Resolution No 3, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 3, the Speaker announced the appointment of Messrs. Hinckley, Shaw, and Stewart as such Select Committee to wait upon the Senate.

By Mr. Crowley:

House Resolution No. 4

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

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P. Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17.60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr.	Yuba City, Sutter County	58	--	--	58	116	5 80
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4.00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	Gordon A Fleury	Sacramento, Sacramento County	--	--	--	--	--	------
9	John E Moss, Jr.	Sacramento, Sacramento County	--	--	--	--	--	------
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7.30
11	Howard Q. Parker	Stockton, San Joaquin County	48	--	--	48	96	4 80
12	John J. McFall	Manteca, San Joaquin County	48	10	--	58	116	5.80
13	Francis Dunn, Jr.	Oakland, Alameda County	84	--	--	84	168	8.40

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
14	Randal F. Dickey	Alameda, Alameda County	84	5	--	89	178	$8.90
15	Luther H. Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr.	San Francisco, San Francisco County	90	--	--	90	180	9 00
22	George D Collins, Jr.	San Francisco, San Francisco County	90	--	--	90	180	9.00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W. Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	Charles S Gubser	Gilroy Santa Clara County	128	28	--	156	312	15 60
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7.70
31	George A. Clarke	Planada, Merced County	114	10	--	124	248	12.40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	Wallace D Henderson	Fresno, Fresno County	169	--	--	169	338	16 90
35	William W Hansen	Fresno, Fresno County	169	3	--	172	344	17 20
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B. Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
39	H W. Kelly	Shafter, Kern County	278	--	6	272	544	27.20
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G. Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H. Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43.70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Charles Edward Chapel	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Albert I. Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Ernest R Geddes	Claremont, Los Angeles County	447	26	--	473	946	47 30
50	Thomas M. Erwin	Puente, Los Angeles County	447	19	--	466	932	46 60
51	William A Munnell	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Holtbaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E. Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Charles W Lyon	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	Patrick D. McGee	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Carley V. Porter	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S. Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Herbert R. Klocksiem	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Stanford C. Shaw	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	L. Stewart Hinckley	Redlands San Bernardino County	508	9	--	517	1,034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L. Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D. Babbage	Riverside, Riverside County	512	--	--	512	1,024	51 20
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Ralph R Cloyed	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way		Total mileage	Amount at 10 cents per mile
Arthur A. Ohnimus	San Francisco, San Francisco County	--	--	--	---		---	-----
Geraldine B. Hadsell	Los Angeles, Los Angeles County	447	--	--	447		894	$89.40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	---		---	-----

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

By Mr. Grunsky:

House Resolution No. 5

Resolved by the Assembly of the State of California, That the Standing Rules of the 1951 Regular Session, as amended, be and the same are hereby adopted as the Temporary Rules for the 1952 First Extraordinary Session.

Request for Unanimous Consent

Mr. Grunsky asked for, and was granted, unanimous consent to take up House Resolution No. 5, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Doyle:

House Resolution No. 6

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

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 6, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 7

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

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 7, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Geddes:

House Resolution No. 8

Relative to filling vacancies existing in the standing or interim committees

The Speaker of the Assembly is authorized to fill vacancies existing in the membership of any of the standing or interim committees.

Request for Unanimous Consent

Mr. Geddes asked for, and was granted, unanimous consent to take up House Resolution No. 8, at this time, without reference to committee or file.

Resolution read, and adopted.

MOTION

Mr. Burke moved that a Select Committee of Three be appointed by the Speaker to advise the Members of the Senate that the Assembly is inviting them to meet in Joint Session in the Assembly Chamber, at this time, for the purpose of hearing a message from the Governor.

Mr. McCarthy seconded the motion.

Motion carried.

Appointment of Select Committee

Pursuant to the provisions of the motion by Mr. Burke, Speaker Sam L. Collins announced the appointment of Messrs. McCarthy, Burke, and Waters as such Select Committee to wait upon the Senate.

MOTION

Mr. Stanley moved that a Select Committee of Five be appointed by the Speaker to escort to the rostrum, His Excellency, the Hon. Earl Warren, Governor of California.

Mr. McGee seconded the motion

Motion carried.

Appointment of Select Committee

Pursuant to the provisions of the motion by Mr. Stanley, Speaker Sam L. Collins announced the appointment of Messrs. Stanley, McGee, Silliman, Lowrey, and Brown as such Select Committee to escort to the rostrum the Hon. Earl Warren, Governor of California

ANNOUNCEMENT

Mr. Maloney announced that the Governor has sent word that he will be prepared to address the Joint Session at 1 p.m.

REPORTS OF SELECT COMMITTEES

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

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1: By Messrs. Shaw, Munnell, and Stewart—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any persons, and providing for filing of a petition with respect thereto.

Referred to Committee on Rules

Speaker pro Tempore Presiding

At 12.55 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Senate, and invite the members to meet with the Assembly in Joint Convention, reported that it had performed its duty.

Speaker Presiding

At 12.58 p.m., Hon Sam L Collins, Speaker of the Assembly, presiding.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 1: By Messrs. Condon and Maloney—Relative to the passing of Harold E. Sawallisch

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to the passing of Harold E. Sawallisch

Resolution read, and adopted unanimously by a rising vote.
Resolution ordered transmitted to the Senate

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

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

Assembly Bill No. 2: By Messrs. Brown, Beck, Rosenthal, Burke, Chapel, Dills, Fleury, Grunsky, Hagen, Lanterman, Lindsay, Moss, Munnell, Stewart, and Waters—An act to amend Section 1170, of the Probate Code, relating to the termination of joint tenancies upon the death of one joint tenant.

Referred to Committee on Rules

Assembly Bill No. 3: By Messrs. Beck, Brown, Burke, Munnell, and Kilpatrick—An act to amend Section 1170 of the Probate Code, relating to joint tenancies.

Referred to Committee on Rules.

Assembly Bill No. 4: By Messrs. Burke, Stewart, Erwin, Brown, Babbage, Belotti, Berry, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—An act to amend Section 1170 of the Probate Code, relating to joint tenancy.

Referred to Committee on Rules.

Assembly Bill No. 5: By Mr. Luckel, Mrs. Niehouse, Messrs. Burke, and Cloyed—An act to amend Section 1170 of the Probate Code, relating to joint tenancy, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

COMMITTEE FROM THE SENATE

Senators Desmond, Harold T. Johnson, and Kraft appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business

ANNOUNCEMENT

Mr. McCollister announced that he is holding bills at his desk which have been prepared as a result of hearings held by the Committee on Military Affairs, and requested that all members desiring to be co-authors on these bills come to his desk and affix their signatures to said bills.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 3, 1952

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following statutory officers for the 1952 First Extraordinary Session:

President pro Tempore—Harold J. Powers
Secretary of the Senate—Joseph A. Beek
Sergeant-at-Arms—Joseph F. Nolan
Minute Clerk—John F. Lea
Chaplain—Rev. Father John G. Terwilliger

J. A. BEEK, Secretary of the Senate

RECESS

At 1.24 p.m., the Speaker announced that the Assembly would be at recess until call of the Chair, to meet with the Senate in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 3, 1952

At 1.25 p.m., the Senate and 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; and the Honorable Harold J. Powers, President pro Tempore of the Senate, and invited them to the rostrum.

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:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—78.

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

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, Byrne, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Dounelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Judah, Kraft, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybret, and Williams—38.

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

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon. Goodwin J. Knight, President of the Senate, announced the appointment of Senators Hatfield, Harold T. Johnson, and Erhart 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. Stanley, McGee, Silliman, Lowrey, and Brown as the Assembly Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

ANNOUNCEMENT

The President of the Senate, Hon. Goodwin J. Knight, announced the presence in the Assembly Chamber of the Hon. Fred Wood, Associate Justice of the District Court of Appeal, and former Legislative Counsel, and announced that he had administered the oath of office to the elected officers of the Senate.

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

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

PRESENTATION OF THE LIEUTENANT GOVERNOR

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

PRESENTATION OF THE GOVERNOR

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

ADDRESS BY THE GOVERNOR

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

MESSAGE TO THE CALIFORNIA LEGISLATURE BY GOVERNOR EARL WARREN

Budget Session, March 3, 1952

To the Senate and Assembly of the State Legislature of California:

I again welcome you to Sacramento for the budget session, and in accordance with Section 34, Article 4 of the Constitution I submit to you the budget for our State for the fiscal year ending June 30, 1953.

This is the first session at which all of us have been housed in the new Capitol addition, and I trust that all of you will at long last be able to enjoy adequate facilities for the performance of your very important duties. It has been a matter of wonderment to me for many years how the Legislature could function in its totally inadequate and obsolete quarters. I want to say to you also that my staff and I are pleased with our new quarters, and that we believe the greatly improved facilities will enable us to discharge our responsibilities to the people better than heretofore.

At the outset I report to you that our State is in a sound financial condition. No new or added taxes are required. The present rates will meet the budget expenditures and leave us with an estimated General Fund surplus of approximately $70,000,000 on June 30, 1953, after financing the budget as herein proposed. This is substantially greater than we had reason to believe it would be when I submitted our budget for the current fiscal year, the reason for this being our estimates of revenue in last year's budget were proved to be conservative because we, as did other forecasters, failed to anticipate the full extent of scare buying and other forces related to the defense program which inflated sales volume, prices, and income. This budget contains a thorough discussion of the revenue estimates for the coming fiscal year and the assumptions on which they are based. We have used every means at our command to develop reliable and realistic estimates However, these are uncertain times and any major unforeseen development in world affairs could make a substantial change in either direction in our revenue yield.

The budget for the next fiscal year which I submit to you is one of minimum requirements to carry out policies and functions already established by the Legislature. In the belief that the Legislature and the people in providing for annual budget sessions, intended them for the purpose of facilitating the preparation of budgets and not for changing policies greatly except in general sessions, we have endeavored in the presentation of this budget to follow your policies as established in the 1951 Session. With the exception of the instances which I will in a moment enumerate, this has been done explicitly. Any other increase is largely a matter of meeting the greater costs occasioned by the continued growth of the State and the advances in price and wage levels. It is

significant for all of us to bear in mind that according to the estimates of the Census Bureau, our State has grown by 450,000 persons in the past year, 300,000 by in-migration and 150,000 by increase of births over deaths.

The expenditures in this budget are estimated at $1,185,397,270 for the fiscal year, an increase of $82,063,743 or 7 4 percent over the current fiscal year. Of this increase, $34,500,000 or 42 2 percent, will go to local governments in the form of larger payments for support of public schools, and $4,600,000 or 5 5 percent for other local subventions. Five million nine hundred and two thousand dollars, or 7 2 percent represents the net increase in expenditures for capital outlay, and $37,033,000 or 45 1 percent will be used for state operations. The latter sum includes $12,550,000 for increased salaries of state employees, in accordance with Personnel Board recommendations, $5,506,000 for the university, state colleges and other educational activities, $3,290,000 for an improvement in the level of care at mental hospitals and homes, $2,518,000 for public works and highway maintenance, and $2,038,000 for better traffic law enforcement by the Highway Patrol.

State Operations

Budget recommendations for the operation of the departments of the State Government have been carefully calculated to meet work loads. Every request has had a very thorough examination, and many have been sharply reduced before being presented to you The details of the department operating requirements were released to your committees for their advance study one month ago I follow this practice of so informing you in order that you may be thoroughly advised of the budget requests before the session is convened.

Your special attention is called to the following items which represent the major increases in this budget.

Mental Hygiene

For several years we have been endeavoring to take our State out of the Asylum Age and establish it in the Hospital Age, where a high quality of medical care working toward rapid and complete cure is substituted for mere custodial care Improvements in the quality of treatment authorized by the Legislature are now showing substantial results in earlier discharges and shorter periods of hospitalization. Six years ago the average length of time patients remained in our state hospitals for serious mental illnesses was 6.6 months At the present time, the average length of such hospitalization is 4.5 months. If these advances had not been made we would now have one-third more patients in our state hospitals or an addition of 13,000 to the total of 40,000. This budget recommends funds for modest augmentation of medical, nursing, and rehabilitation staffs so that still greater progress can be made

Highway Patrol

Accidents continue to take a horrible toll on our highways in both lives and property. Last year 3,411 of our citizens were killed; 2,420 of these lost their lives on rural highways. In addition, 95,000 people were injured, many thousands of them very badly injured. We are attempting to meet this problem in every possible way—through public safety programs, by driver education, by assigning additional patrolmen within our limited means to the most dangerous areas and by sending flying

squadrons into places of extreme traffic density. We have received citations from national safety organizations for good highway engineering practices, enlightened enforcement methods and for active safety programs. Our Highway Patrol is doing its best, but all of these things are not enough. Traffic fatalities increased 15 6 percent on our rural highways last year. The fact is the patrol is of necessity spread too thinly. We do not have enough officers to man our highways. The State must have a more adequate patrol force, and the reasons for this statement are plain In 1947 the Legislature provided the 40-hour week as of July 1, 1948, instead of the 48-hour week which had been in existence prior to 1948. This represented a reduction of one-sixth of the patrolmen available for duty on the highways. Since that time the small increases in personnel authorized by the Legislature have done little more than compensate for that loss. To be specific, the increase is but 5 percent On the other hand, the number of automobiles on our highways since 1947 has increased by 1,433,000 or 36 percent Since that same date, the annual number of accidents investigated by the patrol has increased 82 percent The supervision over the additional traffic occasioned by these 1,433,000 automobiles and the investigation of this increased number of accidents have reduced the number of officers actually patrolling the highways to the danger point in practically every county of the State. It is a proven fact that the number of accidents on any highway depend very largely upon the number of highway patrolmen who patrol it. I am therefore again recommending to you an increase in strength of the Highway Patrol, with a very earnest plea, so that there may be more effective traffic law enforcement Without this we cannot hope to substantially reduce the appalling number of traffic deaths The 232 officers recommended in the budget represent the equivalent of 24 cents annually for each registered vehicle This is indeed a small cost for the added protection it will buy for every man woman and child in California

University of California and State Colleges

In recent years you have authorized new state colleges at Los Angeles, Long Beach, and Sacramento, new campuses of the University of California at Santa Barbara and Riverside, and expanded activities at various of its other campuses. These expansions in the facilities for higher education have been only partly in operation in the immediate past while awaiting construction of buildings An increase of more than $5,000,000 will be required for the more nearly complete operation of these institutions in the coming year

Water Resources

An appropriation of $800,000 is proposed for preliminary plans and surveys on the Feather River Project which you authorized at the 1951 Session This is a large an important project. If it is to become a reality in time to help many parts of our State which are badly in need of water, there should be no delay in making the surveys and preparing the preliminary plans for its realization. There is no more basic problem to be solved in California than the conservation of water and I again urge upon you the great importance of early action on this project.

Prices and Pay Increases

Provision has been made in this budget to meet further increases in prices, particularly for the larger items of food and clothing in the state

institutions. A lump sum is recommended for allocation to the various institutions and departments supported by the General Fund if and when actual advances in prices occur. It may be interesting to point out that in our many state institutions we have 56,167 people who must be clothed and fed every day of the year. This means that in a year the State serves 61,500,000 meals, and an increase of one cent per meal would mean an additional cost of $615,000 per year. Provision is also made for price advances in the estimated cost of highway maintenance and other activities financed from special funds.

As you know, the State Personnel Board is required by law to recommend salaries comparable to those paid in private industry and by other public agencies. The board has made its annual report and has recommended that funds be made available to allow an increase in the pay of state employees of approximately 5 percent in the fiscal year, with some further allowance for special equity adjustments including a special increase for employees caring for mental cases. The cost of this recommendation, including increases already authorized but not allocated, amounts to $14,200,000 in the next fiscal year. A proposed salary adjustment item in conformity with the Personnel Board's recommendation is included in the budget.

The requirements for the functions above enumerated and for the price and pay increases account for the greater part of the increase in the portion of the budget dealing with the operating expenses of the State Government.

Capital Outlay

Of necessity the capital outlay items in this budget represent a very substantial amount of money. Of the $222 million recommended, the sum of $107 million is for highways, $35 million is for education—$17 million for the University, $17 million for the state colleges, and one million dollars for other educational institutions. Twenty-two million dollars is for Mental Hygiene, $19 million for Corrections, $8 million for Natural Resources, $5 million for office space, and $24 million for miscellaneous buildings and a fund to meet the increased prices. These amounts represent projects for which there is an absolute and immediate need. It is a program which can be gotten under way within the fiscal year. We believe that national defense will have advanced to a point where materials may be available for them. Delay in beginning this work will inevitably mean that the State has failed to meet its obligation largely in the care, treatment, and education of thousands of its citizens. Except for the projects which were deferred by action in the 1951 Session, the postwar building program for which money was saved between 1943 and 1946, is practically all either completed or under contract. It has relieved some of the worst situations of overcrowding and hazardous housing, but there is still a long way to go to meet our building requirements. It must be remembered that since 1946 our State has increased in population by another two million people. There are still hundreds of juvenile delinquents being held in local jails because of lack of space for them in the State's youth facilities. There is still a long waiting list of children—thousands of them—requiring care and treatment in state homes for the mentally defective. There is still much more to do at the state colleges and the new campuses and graduate schools of the university. Our state hospitals for the mentally ill are still overcrowded, and we now have over

12,000 prisoners in our penitentiaries. We cannot stop building so long as our population is increasing at the rate of 450,000 each year, and particularly after we have been slowed down by defense programs.

Local Assistance

More than half the budget—$625 million—comes under the general heading of local assistance.

Public Schools

The largest item is the State's contribution to the support of public schools, which will amount to more than $290,800,000 under existing law, an increase of more than $22,500,000 over the current year. This is explained largely by the fact that there are in our public schools this year 144,000 more children than last year. In addition to the above sum, I have included $12 million for the Equalization Fund of the General School Fund to assist those school districts which, in spite of the efforts of the State in the past to assist them with their special financial problems, find themselves distressed by the inflation which affects all of us. In 1946, the voters of California approved a constitutional amendment increasing the State's support for public schools to a minimum of $120 per unit of attendance. Since that time the Legislature has on several occasions augmented this minimum. The definition of average daily attendance has been liberalized to include absences due to verified illness Payments for the excess cost of educating physically handicapped children have been increased materially, and provision has been made for the education of the mentally retarded. Apportionments have been placed on a current year basis, thus correcting an inequity and relieving pressure in the financial operation of growing school districts. Special provision has been made for greater state assistance in districts with low assessed valuations and for small high schools. State payments toward the cost of transportation of school children have been increased and special incentive has been provided for the unification of schools. The State has guaranteed the interest and redemption payments on school building bonds for distressed districts to the extent of $250 million. The State has granted $55 million outright to the most distressed districts of our State for building purposes. Contributions for teachers' retirement have been liberalized. All told, the State, in addition to the grants made and bond redemption payments assumed, has provided at least $50 million annually for support of public school activities over and above the constitutional minimum since 1946. This is an impressive record, but it does not tell the full story because in 1946-47 our budget for the public schools was $113 million. Now, because of growth and further liberalization by the Legislature, our current budget for the same purpose is $290 million. I am of the opinion, however, that it would be decidedly in the interests of better education to increase the equalization fund by $12 million to assist the poorer districts.

Many of these districts also, in spite of the help the State has heretofore afforded them, are still in need of additional school buildings after reaching the statutory limits in their tax rates and bonded indebtedness. The funds from the bond issue have been exhausted and it is my belief that another such bond issue should be submitted to the people in the November election. If the Legislature desires to continue the policy of assisting necessitous school districts in this manner and submits such a bond issue,

I recommend that $40 million be loaned to the districts pending the vote on the bond issue and providing for repayment therefrom or in the event that the bond issue should fail, from the funds of the school district on the same terms as the original bond issue for that purpose. Since our State now has a sizeable indebtedness because of this obligation, I recommend that when the $40 million is repaid, it be placed in a special fund for amortization of the State's obligation under these bond issues. It is sound business, and would accomplish the same purpose as we accomplished in 1943 and 1945 when you completely amortized the entire outstanding bonded indebtedness of the State.

Social Welfare

The State's share of aid to the aged, the blind, and needy children, while amounting to the very substantial sum of $151 million, is showing a smaller rate of increase than in previous years, due primarily to better employment opportunities.

Shared Revenues

Revenues from the automobile "in lieu" tax, gasoline tax, liquor licenses, and other shared taxes which the State collects and pays over to the counties and cities will amount to more than $148 million.

Veterans Farm and Home Loan Program

Due to accelerated activity in home purchases under the veterans farm and home loan program, the money from the last bond issue of $100 million for that purpose has been exhausted. Unless some provision is made by the State to provide immediate additional funds for that purpose, no homes for veterans can be financed for a period of 10 months There are still many veterans who need and are entitled to this help from the State. Many of these are wounded veterans from Korea. It is estimated by the Department of Veterans Affairs that it will be necessary to finance homes and farms to the extent of $5,500,000 per month as has been the case in recent months I therefore recommend that we lend to the Department of Veterans Affairs for this purpose either from surplus or from such other funds as may be available the sum of $55 million to be repaid either from the bond issue to be voted on next November, or in such other manner as the Legislature may prescribe.

Fiscal Policies

As I stated to you at the outset, the finances of our State are in excellent condition The budget is in balance, as it has been every year since 1943 We have amortized our general bonded indebtedness that existed prior to that time, and with the exception of our obligation of approximately one-third of the school bond issue of $250 million, we have no outstanding debt

In 1947, you set aside the so-called "Rainy Day Fund" as a reserve for revenue deficiency In the last 10 years taxes have not been raised in California and for six of those years taxes were decreased on an average of 15 percent, representing a saving to the people of approximately $560 million. At the end of this fiscal year we will have an estimated surplus of $70 million, after making provision for financing this budget This is a fiscal record of which the Legislature may well be proud.

If it were reasonably safe to do so, I would again recommend to you that we reduce taxes once more, but I am of the opinion that we cannot do so with safety. Our revenues come from taxes measured by income and sales. The yields have increased with the recent expansion in business and incomes The heavy wave of buying which took place after the outbreak of the Korean War greatly increased receipts from the sales tax. Defense work and the general high level of prices, wages, and farm and industrial income, have resulted in revenues substantially in excess of previous years and of the estimates made in last year's budget.

A great part of our economy is geared to defense expenditures. We have no assurance that the present high level of our tax yields will continue. On the contrary, there is good reason to expect declines as defense spending begins to taper off This is the time for careful planning of fiscal affairs While a General Fund surplus of $70 million at the end of the next fiscal year is forecast, in a broader sense, the State does not have a surplus so long as it has outstanding debt greater than that amount. To be fully on a pay-as-you-go basis, the State should set aside a sinking fund equal to its proportionate share of the school bond obligation. Substantial installments should be paid into such a sinking fund until the State's share of this obligation is fully funded.

We cannot avoid, even with our most careful economies, an increase in the State Budget in the years ahead. The combined effects of the great postwar increase in birth rate and heavy in-migration is really just beginning to have its influence on school attendance. As this wave advances through the elementary and secondary schools and then through our colleges and university, our annual outlays for schools and higher education will inevitably increase by many millions, even if there is no change in the unit costs. Our best estimate is that that increase will be $39 million in 1954-55 Fiscal Year over this year.

Welfare expenditures during these periods of full employment have not increased as much as in previous years. Curtailment in defense activities will cause readjustments in the labor force which will make it more difficult for aged and handicapped to obtain employment, and increased welfare costs are sure to result. This would add still more millions to our budget.

More money will be needed to finance the State's share of the flood control projects which have been authorized.

The purchasing power of the dollar in public construction is diminishing year by year. In fact, we now obtain for our dollar only 37 cents of construction as compared with 100 cents of construction in 1939. In other words, the approximately $100 million construction program recommended in this budget will produce only $37 million of construction as compared with 12 years ago. It is also worth remembering in this connection that in a tax reduction program comparable to that we had between 1943 and 1948, the Federal Government under present tax schedules would automatically take $38 million out of the $109 million of the state tax reduction to our citizens.

The primary responsibility of those of us who are charged with the administration of our state affairs is to maintain a solvent government. No matter what other virtues government might have, if it is not solvent, it cannot be good government. If we were to overestimate our revenues of the future, or underestimate our expenses in a fluctuating economy

such as we have at the present time, we might, by giving slight temporary relief, be the cause of permanently injuring the credit of our State and the services it renders to the people. I urge you in the interest of stability to abide by the fiscal policies which you established last year as we are doing in all other things, in the hope that when the Legislature meets next January, conditions will be more stable and the road ahead of us will be more clearly discernible.

Finally, may I remind you that the surplus we are dealing with was accumulated over prior years, with most of it credited to the Fiscal Year 1950-51 as a result of the scare buying and defense expenditures occasioned by the Korean War. Only $12 million of it can be credited to the current fiscal year. In no single year since World War II have we ever accumulated a sum approaching $109 million in surplus and if we should reduce our income by that amount, it is more than possible that we would end the year with a deficit.

I offer you my whole-hearted cooperation in your consideration of this budget.

Special Session

I have also called you into special session for the purpose of considering certain subjects which I believe can properly be called emergency matters They are 14 in number, but in almost every instance are believed to be noncontroversial. All of them have been discussed with and agreed to by your Speaker and President pro Tempore. There were many other items requested—to be specific, 68 in number. It was the joint belief of your officers and myself that although many of the others could well be the subject of desirable legislation, they are not emergencies within the proper scope of a special session and should therefore be left to the general session in January, 1953. All of the included items have been specifically requested by one or more legislators, who have been notified that they would be included in the call of the session.

I have commented in the Budget Message on the items for public school construction and the Veterans' Farm and Home Purchase Program.

The item on civil defense was included for the purpose of enabling the Legislature to provide for unfreezing funds heretofore appropriated for federal-state programs.

The item on sex offenses is to enable your legislative committee which has been working on this problem for a long time to foster legislation to strengthen the law.

The items on the San Francisco-Oakland Bay Bridge are for the purpose of enabling the Legislature to pass such legislation as it deems proper in connection with the financing of improvements to the bridge, and for plans and specifications for additional crossings.

The other items are of a special or local nature. They are described in the call and should require no further elaboration. If you desire any further information concerning them, I will be happy to supply it upon request.

I wish you success in your deliberations, and feel certain that the items in this special session will not greatly increase your labors nor unduly extend the length of the session.

Respectfully submitted,

EARL WARREN, Governor

March 3, 1952

ADJOURNMENT OF JOINT CONVENTION

At 2.10 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

IN ASSEMBLY

At 2.11 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Arthur A. Ohnimus, Chief Clerk, at the desk.

MOTION

Mr. Doyle moved that the address of the Honorable Earl Warren, Governor of California, be ordered printed in the Journal

Mr. Waters seconded the motion.

Motion carried

MOTION

Mr. Geddes moved that the address just given by Governor Warren be ordered printed as a separate document, and that 1,000 copies be ordered printed.

Mr. Waters seconded the motion.

Motion carried.

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

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

Assembly Bill No. 6: By Mr. Sherwin—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 7: By Messrs. McCollister, Grant, Dickey, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, Conrad, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Hawkins, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lyon, Maloney, McFall, McMillan, Meyers, Morris, Moss, Mrs. Nichouse, Messrs. Parker, Porter, Rumford, Sherwin, Silliman, Stewart, and Thomas—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Berry:

House Resolution No. 9

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized to act as the authorized representative of the Committee on Rules pursuant to Rule 9.5 of the Standing Rules of the Assembly for the purpose of approving all long distance telephone calls and telegrams, and be it further

Resolved, That wherever by any resolution of this Assembly amounts are allocated from the Contingent Fund, or any other fund, to be expended by the Chief Clerk, he is hereby designated to act as the authorized representative of the Committee on Rules for the purpose of making such expenditures as may be authorized by said resolution without the prior approval of the Committee on Rules.

Request for Unanimous Consent

Mr. Berry asked for, and was granted, unanimous consent to take up House Resolution No. 9, at this time, without reference to committee or file.

Resolution read, and adopted.

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

The following resolutions were offered:

Assembly Joint Resolution No. 1: By Messrs Luckel and Cloyed—Relative to pay increases for the Armed Forces of the United States.

Referred to Committee on Rules.

Assembly Joint Resolution No. 2: By Mr. Luckel, Mrs. Niehouse, Messrs. Thomas, Cloyed, Burke, and Morris—Relative to the imposition of duties on the importation of tuna fish.

Referred to Committee on Rules.

Assembly Joint Resolution No. 3: By Mr Luckel, Mrs. Niehouse, Messrs. Cloyed, Morris, and Burke—Relative to closing the United States-Mexico Border to unescorted minors.

Referred to Committee on Rules

Assembly Joint Resolution No. 4: By Mr. Luckel—Relative to economy in Federal Government nonmilitary expenditures and services.

Referred to Committee on Rules.

Assembly Joint Resolution No. 5: By Mr. Luckel—Relative to the use of money collected by federal gasoline, diesel fuel, and lubricating oil taxes.

Referred to Committee on Rules.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Tomlinson, on motion of Mr. Levering.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Morris and Evans, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames Amy S. Ardouin and Faye Provine of Los Angeles.

On request of Speaker Sam L. Collins, Messrs. McMillan, Lyon, and the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ida R. Koverman and Miss Grace S. Stoermer of Los Angeles.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Mae Shoele and Mrs. Helen A. Dickey of Alameda

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary W. Morris and Miss Valerie Ann Morris of Los Angeles.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Miss Nancy Chapel, a student at the College of the Pacific.

On request of Messrs. Evans and Morris, the usual courtesies of the Assembly for this day were unanimously extended to George P. Cronk of Los Angeles.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. J. E. Gibbings of Saskatoon, Saskatchewan, Canada.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to William Dresbach, Frank Martella, and Mr. Mark Hite, teachers, and the following pupils of the Sunset School of San Lorenzo: Morina Apodoca, Max Barmettler, Jack Barrow, Silvia Brown, Elvera Burns, Jon Casperson, Dale Chapman, Ron Coney, Katherine Daniels, Wayne Evans, Neomi Farris, Leroy Ferreria, Robert Gonzales, Ted Hammons, Kay Hara, Irene Heredig, Herman Heuer, David Jones, Donald Lawler, Gordon Lester, Clara Little, Patsy Long, Richard Miller, Henry Moreno, Norman Myers, Opal Nabor, Vivian Nelson, David Nunemann, Adel Ramarez, Roger Roger, Albert Romero, Larry Ryan, Douglas Shackley, Donald Sheeley, Jean Shimada, Janice Sorenson, Linda Valentine, Patsy Williams, and Mary Lou Willis.

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Earl Warren, Mrs. Goodwin J. Knight, and Mrs. Sam L. Collins.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Frances Exter and Mrs. Aline Gillam of Sacramento.

ADJOURNMENT

At 2 14 p m , on motion of Mr. Klocksiem, the Speaker declared the Assembly adjourned until 11 05 a m., Tuesday, March 4, 1952, out of respect to the memory of the late former Assemblymen Harold F. Sawallisch of Richmond and Geoffrey Francis Morgan of Los Angeles.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 4, 1952

The Assembly met at 11.05 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

MOTION

Mr. Lyon moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Hahn seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

O God, we invoke Thy blessing upon the elected representatives of our government, and we pray that the policies of government may never be dictated by fear, but by good conscience, faith and reason, and by a steadfast belief that we can serve Thee best by devotion to our democracy, and by the espousal of those causes that have made our Nation the land of the free and the home of the brave.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

RECESS

At 11.07 a.m., on motion of Mr. Lyon, the Assembly recessed until 11.26 a.m.

REASSEMBLED

At 11.26 a.m., the Assembly reconvened
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1952

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

Assembly Bill No. 1
Assembly Bill No. 2
Assembly Bill No. 3
Assembly Bill No. 4
Assembly Bill No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary

SAM L. COLLINS, Chairman

Above reported bills ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1952

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

Assembly Bill No. 6

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

SAM L. COLLINS, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1952

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

Assembly Bill No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Military Affairs.

SAM L. COLLINS, Chairman

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 8: By Messrs. Parker and McFall—An act to declare that a certain portion of Stockton Slough (Channel) situated in the City of Stockton, County of San Joaquin, is no longer necessary for navigation of fisheries.

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

Assembly Bill No. 9: By Messrs. Parker and McFall—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigation of Stockton Slough.

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

Assembly Bill No. 10: By Messrs. Levering and Lyon—An act to repeal Chapter 1717 of the Statutes of 1951, relating to the validation of the West Side County Water District.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 11: By Mr. Brown—An act to amend Sections 1170 and 1175, and to add Article 1 5 to Chapter 21 of Division 3, of the Probate Code, relating to the termination of joint tenancies upon the death of one joint tenant, providing for the determination of the inheritance tax liability accruing thereon, and prescribing the duties of state and local officers in connection therewith.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND ARTICLE BE PRINTED IN JOURNAL

Mr. Brown asked for, and was granted, unanimous consent that a letter of transmittal, and a copy of an article written by Walter L. Nossaman, be ordered printed in the Journal in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, March 4, 1952

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol Building
Sacramento, California

DEAR MR. SPEAKER: Because one of the subjects of the Special Session of the Legislature concerns joint tenancy, I attach hereto a copy of an article written by Walter L. Nossaman, a prominent attorney of the State of California. This article covers the subject of joint tenancy very thoroughly.

The Judiciary Committee has been studying this problem and located this article which was originally published by the Trust Department of the California Bankers Association. We feel that the information contained therein would be very valuable to the many constituents who have written the members about joint tenancy legislation and ask that it be printed in the Journal.

Very truly yours,

RALPH M. BROWN
Chairman, Judiciary Committee

JOINT TENANCIES IN CALIFORNIA

By WALTER L. NOSSAMAN, Member of the State Bar of California

The purpose of this discussion is to answer questions and to assist in understanding the practical advantages and disadvantages of joint tenancies in California. An effort has been made to use plain, nontechnical terms. It should be emphasized that the statements made in this pamphlet are for general information, and are not to be considered as legal advice or recommendations.

Joint tenancy is one of the most common forms of ownership. In many instances it is unobjectionable, may even be advantageous. In other instances it has unanticipated and undesirable results.

Every day property is placed in joint tenancy by people in California without giving thought as to whether a taxable gift results from taking title in this manner. The belief is widespread that joint tenancy avoids the necessity for all legal proceedings at the time of death. Another belief equally common and fully as erroneous is that it reduces death taxes. Many people have no clear understanding as to the effect of their wills on jointly held property. Some confuse joint tenancy with community property. It is important to know the answers to these and many other questions relating to joint tenancy.

1. EXPLANATION OF TERMS USED

Certain terms which appear rather frequently in the following pages will be explained.

Joint Tenancy

In a joint tenancy, two or more persons own property in a single joint ownership In theory, each owns the whole, the interest of the other or others being a sort of cloud or encumbrance which passes away with them, leaving the survivor with clear title As a California case puts it, "he [the survivor] succeeds to no new title or right upon the death of his co-tenant, but is merely relieved thereby from the further interference of the co-tenant." For the purpose of disposing of the property, the joint tenants are presumed to own it in equal shares; that is, if there are two, each can convey title as to one-half.

The distinct and peculiar feature of joint tenancy is that when a joint tenant dies, the other or others (if there were more than two originally) take the property. In most cases there are two joint tenants, for example, a husband and wife, or a mother and daughter. When one dies, the survivor becomes the sole owner. This simple and typical situation is the one this article deals with.

Sometimes in transferring property, the form "to John Smith and Jane Smith, as joint tenants, *with right of survivorship,*" is used. The italicized words add nothing Survivorship follows as a matter of course, if the parties are joint tenants.

Tenancy in Common

In a tenancy in common, two or more persons own undivided interests, not necessarily equal, in the same property. There is no right of "suvivorship" among them; that is, when one dies, his interest is part of his estate, and he can dispose of it by will. If he leaves no will, it goes to his heirs.

Survivor or Survivorship

"Survivor" as here used means the one of two or more persons who outlives the other or others. The principal feature in a joint tenancy which is different from a tenancy in common is the "survivorship" right by which the surviving joint tenant takes the property.

Community Property

Community property is property accumulated by married residents of a community property state, representing the product of their labor or industry. Your salary or your professional earnings are community property; so are the earnings you get from your business, except to the extent that they represent a return on your separate property used in the business. The income from your community property is community. Property you had before your marriage or which is given to you or which you inherit is separate. In California, the income from separate property is separate.

The federal law recognizes two kinds of California community property. In that acquired since July 29, 1927, the interests of the spouses are said to be "present, existing and equal." The wife is regarded as having an interest less than that in community property acquired before the 1927 date.

Death Taxes

These consist of the federal estate tax, which applies to every net estate (after debts and expenses of administration) of more than $60,000, and the inheritance tax assessed by the State of California. The estate tax is assessed against the estate as a whole, regardless of who takes it. The amount of the inheritance tax depends on who takes the estate, a wife or husband or children getting the benefit of lower rates and larger exemptions from tax than do more distant relatives or strangers.

Gift Taxes

This term refers to the federal and state taxes on gifts. You can give up to $3,000 to each of any number of persons in any one year and pay no federal tax. The corresponding exclusion from the state tax is $4,000. You can make a gift or a series of gifts up to a total of $30,000 above the $3,000 annual exclusion and pay no federal tax, although you must make a return if you give more than $3,000 to any one person in any year. You get the $30,000 exemption only once. After it is used up, the only tax-free gifts you can make have to be within the $3,000 to-one-person annual limit. The amount of gifts which is free from the state tax and the rate of tax depend on who the donee is; a gift to a wife, for example, has a larger exemption ($24,000), and gets the benefit of a lower rate than does a gift to a brother or a cousin.

Under the Revenue Act of 1948, which applies to gifts made on or after April 3, 1948, a husband and wife, if both consent, may make gifts up to $6,000 to any one person in any calendar year and pay no federal tax, although they should file a return with the Collector of Internal Revenue if their combined gifts to any one person exceed $3,000 in any year. A husband can give his wife up to $6,000 in any year and pay no

tax. Under this law, husband and wife each have the $30,000 exemption referred to in the foregoing paragraph.

A division between husband and wife of community property acquired since 1927 is not subject to gift tax.

2. ADVANTAGES OF JOINT TENANCY

The above definition of joint tenancy suggests what may be an advantage of a joint tenancy in some cases. The survivor takes the property without probate of the estate of the joint tenant who dies first. Since this saves probate expense as to that item of propery, joint tenancy is frequently a desirable arrangement, particularly where the family home is the principal item to be considered.

It is not to be understood that the surviving joint tenant takes over automatically when the other dies. In the case of real property, the fact of death has to be established of record. This requires a court proceeding, which may be a part of the probate proceeding on the estate of the deceased joint tenant, if his estate has been probated.[1] In the course of this proceeding, the court has to determine whether there is any inheritance tax due the State of California because of the joint tenant's death. As the court proceeding incurs some expense, the saving of the expense of probate on the joint tenancy property is not all clear gain [2]

The possible saving of probate expense and of time in clearing up the title complications caused by death are the principal advantages of joint tenancy. The desire to save probate expense is perfectly natural and proper. However, since probate expense is one of the smallest items incurred in passing title to property from one generation to another, it should not be given too much prominence. To do so is to emphasize the less important matter at the expense of the more important—a case of the tail wagging the dog.

3. CREATION OF JOINT TENANCY

Under the California law prior to 1935, joint tenancies in personal property could be created without any writing. Although the present California law does not permit this, a joint tenancy in personal property proved to have been established by oral agreement prior to 1935 would very likely be upheld. Due to the lapse of time, the danger of the establishment of such claims is diminishing.

4. EFFECT OF SALE OF A JOINT TENANT'S INTEREST

When you create a joint tenancy you don't necessarily insure that the property held in the joint tenancy will pass at your death without probate. A joint tenant is an equal owner with the other or others. He can bring a legal proceeding to partition the property, which may result in the court's ordering the property sold. He can mortgage or sell his interest, or it can be attached and sold for his debts. He can even make a conveyance of his interest to take effect after his death. If any of these

[1] Was true before 1951 law was adopted.

[2] As a practical matter, title companies in California will sometimes pass titles without the legal proceeding referred to above, where the estate is small, and a death certificate, affidavit stating the facts, and a certificate of release of inheritance tax (from the State Inheritance Tax Attorney's Office) are furnished by the surviving joint tenant. Many title companies continue to do this in 1951 and 1952.

things happens, the joint tenancy is terminated when the conveyance becomes effective, and the new owner becomes a tenant in common with the other former joint tenant, each owning an undivided one-half interest.

The fact therefore that you start out in a joint tenancy doesn't necessarily mean you are going to continue in it. You may end up in a sort of partnership relation with your wife's uncle, or with a stranger. There are of course many cases where the practical likelihood of this happening is small. But it does happen, sometimes unexpectedly, as a good many cases that have come before the courts show

5. OTHER METHODS OF TERMINATING JOINT TENANCY

A joint tenancy in personal property can be terminated by an oral agreement between the Joint tenants. There is nothing very alarming about this in itself; but it suggests the possibility that when you hold personal property in joint tenancy, someone may prove—perhaps after you and the other joint tenant are dead—that you had agreed with the other joint tenant to put an end to the joint tenancy. The effect of such an agreement would be to destroy the survivorship feature under which the survivor takes all.

This possibility adds an uncertainty to joint tenancy which doesn't exist in the case of property held in such a manner that the owner can dispose of it by will. Wills must be in writing, and can be revoked only by a writing, or by a deliberate act of destroying the will The possibility of proving that people have disposed of their property by oral arrangements, that is, by conversation, always opens the door to proving events that never happened.

Another rather unexpected way in which a joint tenancy can be terminated is illustrated by a California case. A husband and wife held various properties in joint tenancy. The husband made a will declaring that all property of his wife and himself was community, and with his wife's consent he willed the entire community estate. This was held to put an end to the joint tenancy at his death, the result being that the wife did not take the joint tenancy property—a result which would perhaps have been pretty surprising to the husband, if he had known about it

Although, as stated above, joint tenancies sometimes come to an end in rather unexpected ways, there are others in which they show a surprising toughness, rendering them hard to get rid of. Illustrating this are California cases holding, in effect, that where a husband and wife, for example, have a joint bank account—that is, an account with right of survivorship—and the husband withdraws money from the account which he uses to purchase personal property in his own name, the property purchased in this manner is joint, even though the parties don't know it, and perhaps, had they thought about it, would have preferred that the property be community.

These cases furnish illustrations of the peculiarities of joint tenancies, and the fact that they often lead to surprising results. Other instances of this will be referred to later on. Enough has been said to show the reasons for dissatisfaction with joint tenancies which moved an English judge as long ago as Queen Anne's time (1709) to say that "a joint tenancy is an odious thing in equity."

6. EFFECT OF A WILL ON JOINT TENANCY

Except under extremely unusual circumstances, such as are shown in the illustration given in paragraph 5, the will of the joint tenant who dies first has no effect on joint tenancy property. This is emphasized because the opposite belief is held by many people. If you hold property in joint tenancy with your wife, and you die first, any attempt in your will to dispose of the joint tenancy property is without effect. The survivor takes the property as her own.

It is not intended to suggest that there is anything objectionable about this. It may be—it frequently is—exactly what the parties want. But it is important that people understand this consequence of joint tenancy, as it may make important differences in the way in which they draw their wills. In such cases, each should remember, first, that the joint tenancy property is not going to be included in the probate estate of the one who dies first; and second, that the property is going to be included in the probate estate of the joint tenant who dies later. Remembering this may enable the parties, with the assistance of their attorney, to work out a mutually satisfactory method of handling the estate.

7. DANGER OF DISINHERITING CHILDREN AND OTHER HEIRS THROUGH THE USE OF JOINT TENANCIES

In paragraph 6, the risks run, where people fail to understand that by putting property in joint tenancy they take the property out of their estates, were mentioned. Some illustrations of this will now be given.

Suppose Mr. Brown, the father of two children, remarries, and puts his property into joint tenancy with his new wife. If his wife survives him, any provision he has made or may thereafter make in his will for his children will be entirely ineffective as far as the joint tenancy property is concerned, resulting in disinheriting his children.

This result is, of course, not limited to cases where a man or woman, having children by a former marriage, remarries and places property in joint tenancy. It happens in every case where a joint tenant having children dies first. There is nothing wrong about this result if the parties understand it is going to happen, and it is what they want. Frequently they don't understand the consequences of the joint tenancy and would want something entirely different if they did understand them.

8. JOINT TENANCIES AND SAFE DEPOSIT BOXES

A type of safe deposit contract, now less common than it was some years ago, provided that all property placed in the box became joint tenancy property; that is, the survivor would take it. This form of contract was easily confused with another, still in use, providing that the renters hold the box (as distinguished from the contents) as joint tenants. The first mentioned type of contract (then perfectly legal, since the courts upheld it) produced some surprising results. In one California case, an elderly gentleman made his grandnephew a joint tenant with himself as to a safe deposit box and contents, the latter consisting of various securities. After the granduncle's death, the grandnephew admitted that the granduncle had said that the purpose of the arrangement was to facilitate the handling of the estate, and there were other facts indicating that this was the purpose of the arrangement. It was held

nevertheless that the grandnephew took the property, to the exclusion of the persons, including the wife of the deceased, who were beneficiaries under his will.

The kind of contract described in the preceding paragraph (providing for the right of survivorship as to the contents of safe deposit boxes) is now legal only as to such arrangements as were made prior to October 1, 1949, a new law invalidating such contracts for the future having gone into effect on that date. But the case referred to above, which arose under the former law, is an illustration of the kind of thing—the disinheritance of heirs and others whom the deceased wished to benefit—which may happen under any joint tenancy unless its effects are clearly understood.

9. UNFORESEEN OR DISAPPOINTING RESULTS OF JOINT TENANCIES

The fact brought out by the illustrations already given, that joint tenancies frequently yield disappointing or unforeseen results, is no new idea. It is an idea which in many states has caused statutes to be enacted doing away with the right of survivorship. A widely used legal textbook says "The policy of American law is opposed to survivorship." And almost two hundred years ago, Lord Chancellor Hardwicke, a noted English judge, made this statement regarding the dangers of joint tenancies: "But courts of equity have long been favorable to tenancies in common whenever they could lay hold of any words to construe it so, from its being a greater equality, a better provision, and preventing estates from going by accident contrary to intent."

Estates going by accident contrary to intent—these words are as applicable to joint tenancies today as they were in 1748 when they were written. But let us suppose that you have consulted your lawyer, you thoroughly understand all the legal effects of the joint tenancy you are creating and are satisfied with them. It is well to remember here that conditions change. A joint tenancy satisfactory today may not be satisfactory a year or five years from now, when the family situation has changed—another child or grandchild is born, or a death or divorce upsetting previous plans has occurred. A will can be changed to suit changed conditions. A joint tenancy, once created, is difficult to get rid of. Unless it is terminated in one of the ways mentioned in paragraph 4, the consent of all the joint tenants is required in order to dissolve it. And dissolving it, for example by transferring the property to one joint tenant may give rise to gift tax problems if the property is of substantial value.

10. JOINT TENANCIES AND TESTAMENTARY PLANS

A husband and wife, whether their property is the separate property of one or the other, or is community, can often agree on plans through which the tax burdens incurred in passing their estates on to their children can be kept at a minimum. For example, suppose a husband and wife, having a child or children, each owns property worth $100,000. The husband makes a will giving the wife the income, perhaps other benefits, from the husband's $100,000 estate during her life. At her death, the estate goes to the children without any additional tax. The wife makes a similar will giving the husband, if he survives her, the benefit

of her estate during his life, then passing it on to the children. Whichever dies first, there will be only one tax to pay in order to pass the property on to the next generation. A similar arrangement is possible if the property is community.

Suppose on the other hand, the combined $200,000 estate is held in joint tenancy. $100,000 of this will be part of the taxable estate of the spouse who dies first—the whole $200,000, if the surviving spouse contributed none of the funds with which the property was originally acquired. Half of these amounts—$50,000 or $100,000 as the case may be—will be actually taxed. The other half will be "deductible"—in effect tax-free—under the "marital deduction" provisions of the Revenue Act of 1948, which is further explained in paragraph 12.[3] On the death of the surviving spouse, even though it occurs immediately, the entire estate is taxed again. Joint tenancy makes it impossible under such circumstances to obtain the benefit of tax savings which otherwise would be readily available.

11. JOINT TENANCIES AND COMMUNITY PROPERTY

Up to a few years ago, there was reason to believe that if title to property was held by married persons in the form of joint tenancy, it could not be community. More recent court decisions in California show that this belief was erroneous. If the spouses have agreed that the property is actually community, even though held in joint tenancy form, that agreement is good. In such cases, whatever title the survivor takes in the deceased spouse's community interest is held for the benefit of the estate of the deceased spouse, who in the case mentioned would have the power to dispose of a one-half interest by will. That interest would be subject to administration as part of the deceased spouse's estate.

12. JOINT TENANCIES AND TAXES

This is touched on in paragraph 10, where it is pointed out that the existence of a joint tenancy makes difficult or impossible the formation of a sound plan, intended to conserve the estate as far as possible. The death taxes that affect joint tenancies directly at the death of the joint tenant who dies first, will now be discussed.

Any idea that death taxes may be avoided or reduced by putting property in joint tenancy is erroneous, in the great majority of cases at least. The reason is that for estate and inheritance tax purposes, when you have a joint tenancy, you are required to look back to its beginning, and see who furnished the funds paid for the property. Jointly owned property will be included in the estate of the person who furnished the funds going into the purchase of the property, not in the estate of the one who did not contribute.

For example, suppose a husband purchases real property out of his separate funds. Title is taken in his and his wife's names as joint tenants. On his death, the entire property is part of his estate for tax purposes, at the value at the date of his death, or (if the executor so elects) one year later. If in such a case the wife dies first, the property is not included

[3] The statement in the text needs to be qualified to the extent that the property going to the surviving spouse through the joint tenancy exceeds one-half the estate (see paragraph 12) To that extent, no "deduction" of that property would be allowed, and it could all be subject to tax—the entire $100,000 or $200,000—depending on whether the survivor contributed half or none of the funds used originally to purchase the property.

in her estate. If husband and wife each contributed one-half of the purchase price (out of separate or out of community funds), one-half of the value of the property would be included in the estate of the one dying first.

The case just supposed, where a husband purchases property with his own funds, placing title in his own and his wife's names as joint tenants, and she dies first, is about the only situation where joint tenancy is likely to work out better from a tax standpoint than would be the case if the property were held as community property by the spouses, or held by them as separate property in equal undivided interests. But the situation that produces this desirable tax result is also the situation where the joint tenancy most likely fails to produce other results desired. The husband placed the title in joint tenancy because he wanted his wife to get the property without probate. This purpose fails because the wife dies first. The case therefore where joint tenancy carries with it no tax disadvantage is also the case where it produces a minimum of practical advantage. A system of property holding which works best respecting taxes only where its principal practical purpose has failed cannot be altogether satisfactory.

The Revenue Act of 1948, referred to in paragraph 1 above (under the heading Gift Taxes), made some changes, too complicated to be fully discussed here, affecting both joint tenancies and community property. In brief, it exempts from taxation a part (up to one-half) of the separate estate going to the surviving spouse either as an outright gift, or into a trust for her benefit where she is to get the income and is given the power to dispose of the principal of the trust as she sees fit. California community property acquired since July 29, 1927, is considered as belonging to both spouses equally, so that when one dies the survivor takes half the community estate without paying a tax As between husband and wife therefore, these rules apply:

a. If the husband holds in joint tenancy with his wife property purchased with his separate funds, the wife will take the property free of federal estate tax if, together with other separate property passing to her, it does not exceed in value one-half of the husband's separate estate.

b. If the property is community, the wife's half will be excluded from the husband's taxable estate.

c. If the property was purchased with community funds but held in joint tenancy form, the result will be the same—half will be excluded.

So, as between husband and wife, it makes little difference as far as death taxes are concerned whether the property is joint tenancy or community. But the joint tenancy in such a case accomplishes nothing which could not be equally well accomplished by will, if the property were held in the deceased spouse's individual name. And the latter method of holding title has the advantage of flexibility referred to in paragraph 6 above —that is, the property can be freely disposed of by will.

13. TAXES INCURRED IN CREATING JOINT TENANCIES

When a husband and wife buy real property, it is a common practice to take title in their names as joint tenants. The federal taxing authorities consider this a gift by the husband to the wife of a one-half interest in the property if the money used to make the purchase was separate property

of the husband, or community property acquired prior to July 29, 1927. The taxing authorities of the State of California regard the transaction as constituting a gift if the purchase money was separate property of the husband, not if it was community.

Although a gift tax, federal or state, or both, may be incurred in connection with such a transaction (depending upon the amount and other factors), exposing the parties to liabilities, even to penalties, for not reporting it, this fact seems to be overlooked more often than it is remembered. Anyone contemplating taking title in this way should consult his attorney as to possible gift taxes that may be incurred.

If you put your bank account into joint tenancy with your wife, you make no gift until she withdraws money from the account for her own purposes (as distinguished from family purposes), since before she checks on the account, you can withdraw the entire amount. Similar rules apply to purchases of United States savings bonds, Series E, F, and G. Where the purchaser of any of these bonds causes the name of a co-owner or beneficiary to be inserted, he makes no gift at that time, since in either case he can surrender the bond without the co-owner's or beneficiary's consent. Such holdings are not strictly joint tenancies, but they are like joint tenancies in that the surviving co-owner or beneficiary takes the bond.

14. TAX PROBLEMS ON TERMINATION OF JOINT TENANCIES

A joint tenancy between husband and wife may be terminated without gift tax, state or federal, by partition of the property or by conversion of the holding into tenancy in common or into community property. If the termination occurs through the transfer by one spouse to the other of his or her interest in the property, a tax will be incurred if the amounts involved exceed those mentioned in paragraph 1 (under the heading Gift Taxes) as being exempt.

15. JOINT TENANCIES AND INCOME TAXES

The income from jointly owned property is divisible equally between husband and wife for income tax purposes. Each pays a tax on one-half of the income. This was true even before the Revenue Act of 1948, which permits husband and wife to "split" all their income between them for tax purposes. The same applies to the income from community property and from property held as tenants in common (the tenants owning equal interests). If the property increases in value and is sold, the capital gain is likewise divided between them, each paying a tax on one-half.

Suppose property is held in joint tenancy and the husband dies. As stated in paragraph 12, the federal estate tax applies to the entire property, not merely to the husband's half, in cases where the funds to purchase the property were his separate funds. If, for example, the property was worth $100,000 when purchased, and $200,000 at the husband's death (or one year after, if the executor elects the later date), $200,000 is the value on which the estate tax must be paid. If later on the widow sells the property for $300,000, she pays an income tax on the difference between $100,000 (the original cost of the property) and $300,000, the amount for which it is sold.

Suppose, on the other hand, the property had been the separate property of the husband at the time of his death, not in joint tenancy. The federal estate tax would be the same as above. But on a later sale of the property, the widow would pay income tax on the difference between $200,000 (the value on which the estate tax is paid) and $300,000, the amount for which the property is sold.

Suppose again, that the property had been held as community at the husband's death. Only $100,000 of the then $200,000 value would be taxed as part of the husband's estate. But the "basis" of the wife's community half as well as of the husband's half would be "stepped up" to the value at the date of his death. Assuming the wife received the husband's half at his death, she would have a new basis of $200,000 for the property, resulting in the case supposed, in only a $100,000 taxable gain on selling the property later. The advantages in such a case are all on the community property side as opposed to joint tenancy.

Another point having to do with income taxes: Suppose a man and wife hold in joint tenancy property used for business purposes, acquired with $125,000 of separate funds of the husband, or with community funds. Of the $125,000, $100,000 represents the amount paid for improvements, $25,000 for the land. Depreciation has been allowed (or was allowable) at 3 percent per year during the period of their ownership on the $100,000, this item constituting a deduction from income and reducing the income tax correspondingly. If the property has been retained for 33 years, the improvements have been fully depreciated, leaving a zero basis for this item, so that the entire amount received on that account, if the property is sold, is taxable income. If the joint tenancy is in effect when the husband dies, the improvements will continue to have a zero basis, even though they are then worth $50,000, and are taxed in his estate at that figure. The widow will get no further deduction for depreciation, and if she sells the property at a price which will yield $50,000 for the improvements, that amount will be income to her. If, on the other hand, the husband had left the property to his wife by will, she would start with a new basis of $50,000, would be allowed depreciation based on that value, and would incur no income tax on a subsequent sale for that amount, except insofar as her new basis had been reduced by depreciation allowable while she continued to hold the property.

16. JOINT TENANCIES AND DIVORCE

A California court has held:

> " * * * It is undoubtedly the law that the power of the court to assign property upon dissolution of a valid marriage does not extend to interests held in joint tenancy * * *." (*Turknette* v. *Turknette*, 100 Cal. App 2d 271, 278 (1950)).

Under the heading, Effect of Sale of a Joint Tenant's Interest, it has been pointed out that each joint tenant is an equal owner with the other or others. Where spouses are joint tenants, each owns his or her interest as separate and not as community property. The California courts have no authority, in divorce proceedings, to assign the separate property of

one of the spouses to the other (*Fox* v. *Fox*, 18 Cal. 2d 645 (1941)). A consequence of this rule is that the court in a divorce proceeding has no power to make any disposition of joint interests where a true joint tenancy (not community property camouflaged as joint tenancy, such as has been described above) exists

This lack of power in the court to make disposition of the jointly owned property exists regardless of who may be at fault, and regardless of the flagrancy of the fault which leads to the divorce. The court is simply helpless under such circumstances and must leave the parties where they have placed themselves. The property may have been originally the property of the spouse not at fault, and the joint interest given by that spouse to the other. Or it may have been originally community property. If the community status had continued, or if the property, originally separate, had been converted into community, the court would not be powerless, and on granting a divorce for one of the more serious causes, would be at liberty to make such disposition of the property as it deems just (Civil Code § 146). By reason of the joint tenancy, the property has been "frozen" into a situation where the court is no longer able to do justice between the parties.

17. CONCLUSION

The advantages of joint tenancy reduce themselves to the avoidance of part, not all, of the expense of passing title from the dead to the living, and to a certain amount of speed and convenience, which is frequently, though not in all cases, to be obtained through this means, rather than having the property pass through probate.

Subject to minor exceptions, joint tenancy is among the least desirable methods of holding title to property, if taxation is of any importance. Joint tenancies interfere with sound, long-range planning of estates. In many cases, their practical operation is not understood, particularly in that this form of holding property removes it from under the will of the joint tenant who dies first, leading in some instances to the defeat of his wishes, and to the disappointment of the natural expectations of his heirs.

The adoption or continued use of this form of holding should be carefully scrutinized if any one of the following conditions exists:

a. If the combined estates of husband and wife exceed $60,000.

b. If it seems likely that on a sale of the property by the surviving joint tenant, a substantial gain will be realized.

c. If the spouses both wish to retain the right to will their interests in the property, particularly if children by former marriages are involved.

d. If it is thought there is any reasonable possibility that the joint tenancy will be terminated in any of the ways mentioned in paragraphs 4 and 5.

e. If there is any possibility of a divorce between the parties.

No general condemnation of joint tenancies is intended by this booklet. It will bear emphasis that in small estates they sometimes offer advantages, particularly where the family residence is an important item, and where the husband and wife intend the survivor to take everything, regardless of other heirs, if there are any. In other cases, persons holding

property in joint tenancy would do well to review their situation. Perhaps the situation is satisfactory. If so, reassurance on that point is itself worth something. If the situation can be improved, it is desirable to know it and to act accordingly. This article will have accomplished its purpose if it shall cause any considerable number of people to give thought to these matters.

REQUEST FOR UNANIMOUS CONSENT THAT ARTICLE BE PRINTED AS A SEPARATE DOCUMENT

Mr Brown asked for, and was granted, unanimous consent that the above article be ordered printed as a separate document, and that 1,000 copies be printed.

UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr Smith asked for, and was granted, unanimous consent that a letter of transmittal and a report by Karl M Bowman, Medical Superintendent of the Langley Porter Clinic on Sexual Deviation Research, March, 1952, by the Assembly Judiciary Subcommittee on Sex Research, be ordered printed in the Journal in 10 point type as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, March 3, 1952

Hon. Sam L. Collins, Speaker of the Assembly
Sacramento, California

RE: SEX RESEARCH

DEAR SPEAKER COLLINS: Doctor Karl M Bowman, Medical Superintendent, The Langley Porter Clinic has submitted to me, as Chairman of the Assembly Judiciary Committee Subcommittee of Sex Research, a Preliminary Report on Sex Research as authorized by the Legislature. This report tells of the special research being carried on, the progress made to date, and of the plans and hopes for the future.

This should be of special interest to the Legislature at this time, and accordingly I request that it be printed in the Journal. As there are many requests being made from outside sources for copies of this information, if the number of copies of the Journal are insufficient to provide 500 extra copies, I would request that permission be granted to have it printed in separate form so that 500 extra copies in all may be made available.

Very truly yours,

H. ALLEN SMITH, Chairman
Judiciary Subcommittee on Sex Research

REPORT OF KARL M. BOWMAN MEDICAL SUPERINTENDENT OF THE LANGLEY PORTER CLINIC

SEXUAL DEVIATION RESEARCH, MARCH, 1952

INTRODUCTION

The research into the problems of sex offenses has now proceeded for about a year and a half. As you know, the law, passed by the Legislature and approved by the Governor, appropriated $100,000, to be divided equally for the initial two-year period of planning and study. As early as May, 1950, in consultation with Doctor Tallman, Director of the Department of Mental Hygiene, I began to survey and plan preliminary projects and to interview suitable candidates. Some work began when the first funds were available on August 15, 1950. However, because of the national emergency qualified personnel was obtained only gradually, and not until July, 1951, did the general administrator begin work.

Professor A. R. Mangus, research sociologist and social psychologist on leave from Ohio State University, now heads the entire project. He is making a community survey of sex offenses and offenders, administration of justice and problems of parole in representative sections of the State. He has already finished one section of the study, and his 46-page interim report, "Sex Crimes in San Francisco," comprises an important part of the entire report.

It must be emphasized that lack of funds has seriously hampered both the extent and the progress of our undertakings. Several worthwhile and carefully planned projects, recommended for investigation, had to be postponed when the Legislature failed to appropriate any part of the requested additional funds for the second year. The initial funds were not adequate to continue work in progress, to begin new work for which definite commitments had been made and to maintain the administrative and secretarial department. Within the available funds we have made every effort to carry on all possible work, but no study has been able to proceed with the desired speed and thoroughness Workers were borrowed from one study to help on another, and at least two temporary leaves of absence have been granted largely to conserve funds.

These facts are recited in no querulous, complaining manner, but simply, so that legislators may understand some of the obstacles which have hindered optimum progress in the past 17 months

The problems regarding sex offenses are as old as the first cave man Our laws go back to Babylonian and Egyptian codes, with the main influences from the Greek, Roman and Judeo-Christian body of law. English common law is at the base of our civil and criminal codes. In regard to sex laws, some 16 states and jurisdictions, including California, have authorized special laws, penalties, registers and types of sentence and parole for the handling of sex offenders Other states depend upon the general and specific statutes regarding personal safety and rights and

public decency to protect their citizens against sexual outrages and crimes.

Wide differences mark the content and enforcement of laws on sex offenses in the 48 states. Ploscowe's new book, "Sex and the Law," points out the many inconsistencies which the author, a noted judge of the magistrate's court in New York City, has observed. So-called statutory rape situations are an example In a Texas case of rape the defendant received a 25-year sentence although the complainant had been drinking with him in a tourist cabin and had not offered extreme resistance, nor apparently did actual penetration occur. The older law demanded a very high degree of resistance, a requirement still true in Wisconsin law. In Tennessee a girl under 21 cannot legally consent to sexual intercourse although she may legally marry at age 16.

We hope soon to begin a thorough study of California sex offense laws as compared with those of other states By next fall we should be able to suggest possible revisions of sex laws in the light of modern investigations of the problem. Professor Kinsey has kindly agreed to give us all possible assistance. This offer is important and should greatly benefit our study, since a faculty member of Indiana University Law School is working full time on legal aspects of the Kinsey Sex Research. Professor Kinsey's generous offer illustrates a point brought up from time to time regarding cooperative research with other states or other research organizations. The Kinsey research, under the state of Indiana, will thus allow for valuable exchange of material Perhaps other organizations will propose similar cooperative programs when they see that California is seriously interested in these problems and is willing to spend some time and effort on them.

Confusion also concerns medical and psychological ideas of what is normal and abnormal sex conduct. However, most authorities, whether medical, legal or social, agree in condemning crimes of violence; offenses to public decency; and molesting, tampering or in any way influencing the sexual conduct of small children There is wide disagreement regarding the seriousness of certain sexual deviations, the causes of these disorders and in the case of sexual offenders the best means of punishment, treatment and rehabilitation. These disagreements characterize other cultures, both Western and Oriental; but no society, however, primitive, fails to restrict in certain ways the sexual mores

The complexity of problems and the confusion in values mark the field of sex offenses in every culture and have done so for 5,000 years. No state, even so rich and influential a state as California, can expect in a year or so to do more than lay out practical plans and begin worthwhile research. No important results or anything that will help achieve a solution to these problems can come except after several years of careful investigation.

Considerable advances have already come out of our tackling the subject. In the past year we have seen the following tangible accomplishments:

1. An administrative head has been obtained, as noted before In addition to his executive work Professor Mangus has finished a detailed study

of probation records of 500 juvenile sex offenders handled by court action in San Francisco. It covers personal and family characteristics, types of sex offenses, means of discovery, numbers of offense repeaters and course of probation. On the basis of juvenile sex offense rates computed for 19 California counties, estimates have been made for the entire State. Analysis of the statistics of 12,681 arrests in San Francisco shows the number and types of sex crimes committed by adult offenders; their age, sex, race and nativity; and methods of disposition by police and courts. These detailed facts are presented, along with conclusions and recommendations for future work, in an interim report titled, "Sex Crimes in San Francisco," now ready for publication.

2. The study of certain steroids and antienzymes in sex deviates conducted by research members of the University of California School of Medicine at Los Angeles continues. A rubber column method of separating sex hormone substances has been developed with some success Total androgen assays on 25 sex psychopaths and protein metabolism determinations on 74 sex psychopaths at Norwalk State Hospital have been made in a preliminary study, and the work of correlating these laboratory findings with psychiatric evaluations has begun.

3. Psychiatric evaluations have been made of 46 child victims of adult sex offenders seen in the Langley Porter Unit of the San Francisco Youth Guidance Center. The parents (usually the mother) have been interviewed, and also nine offenders. An additional 20 offenders have been observed in court trials. The child victims have been classified into 38 participating and eight accidental victims, and some motivations have been outlined.

4. The extensive abstracting and reviewing of scientific literature on sex offenses has covered publications of about the last eight years, beginning with 1950-51 and working back. The aim is to survey literature published here and abroad during the past 20 years or so. The assistant also handles editorial work on papers and reports from the different research projects and prepares material for publication. In addition the worker has given help in assembling and coding the community survey materials

5. Under supervision the secretary has performed varied duties She orders and handles all supplies and equipment; manages the accessions and use of books in the small specialized library; records data; keeps various records; and accounts for all materials in the Langley Porter and other sex research units. This assistant handles the general correspondence for the Research, writes many letters independently, meets the public in various appointments and supervises small groups of clerical employees. She has charge of preparing numerous reports in their various stages.

6. Careful plans have been set up for two important studies:

   a. A pilot study comparison of certain male homosexuals called "queens" with those of the main group practicing only homosexual relations.

   b. A long-term study of the effects of castrations in sex deviates. Both plans propose complete anatomical, physiological, endocrine and psychiatric studies. They include extensive psychiatric history and mental examination; psychological test battery; sex

hormone assays; brain blood flow and brain metabolic rates; tests of adrenal reserve; tests of pituitary function; and somatotyping (body build, contours, sexual hair). In the castration studies all tests are to be repeated periodically over a long period; social and sexual behavior carefully examined; and the effects of castration thoroughly evaluated. One or two preliminary studies have been done in laboratory space found for the work at Langley Porter Clinic.

7. Electrical recordings of case histories, psychological test results and therapy interviews have been collected on male homosexual and non-homosexual subjects served by the Student Health Service at University of California, Berkeley. These have not been analyzed, due to lack of research personnel. Full plans have been set up for a comparison of personal and family factors in the male homosexual and a control group.

During the past year the Sexual Deviation Research has received considerable public attention.

On June 6, 1951, I addressed the annual dinner meeting of the Northern California Society of Neurology and Psychiatry on "Current Problems in Sex Research," and the talk elicited general discussion. At the Institute for Probation, Parole and Institutional Workers at the University of California, Berkeley, I spoke August 1, 1951, on "Some Observations in Dealing with the Sex Offender." A particularly lively discussion followed this talk. A member of the sex research in September described the general purposes of the research to a seminar meeting of the San Francisco VA Mental Hygiene Clinic.

On October 5, 1952, together with Professor A. R. Mangus, I took part in a panel discussion in Sacramento on "Research into the Problem of Sex Crimes." Professor Mangus addressed a January 17, 1952, meeting in Los Angeles of 300 Legislature committee chairmen of the 10th District Parent Teachers Association. "Progress of the Sex Deviation Research Program" was the subject of his talk.

The October, 1951, issue of *American Journal of Psychiatry* contains "The Problem of the Sex Offender," the Gregory Memorial lecture which I delivered more than a year ago at Bellevue Medical Center, New York University College of Medicine. It was first printed in Part B of last year's report on the Sexual Deviation Research, and then in "Progress Report to the Legislature, 1951 Regular Session."

During the past year several popular articles on the program have appeared in San Francisco newspapers. A long article, "California Studies the Sex Criminal," by Nathan Hale, Jr., appeared in the January 16, 1952, issue of a new national magazine, *U. S. Crime.*

PART A. SEX CRIMES IN SAN FRANCISCO

An Analysis of Sex Offenses Known to the Police and to the Juvenile Court Authorities

An Interim Report—Sex Offense Survey

By A. R. Mangus

State of California, Department of Mental Hygiene, the Langley Porter Clinic, Parnassus and First Avenues, San Francisco; in cooperation with the San Francisco Police Department, the San Francisco Juvenile Probation Department, Youth Guidance Center.

FEBRUARY, 1952

I. INTRODUCTION

Total research in a subject such as sexual deviation requires three general types of investigation. First, survey research to find the important facts and to define the basic problems for further research. Second, basic research to test hypotheses and to establish new principles regarding causal, therapeutic, preventive and other factors. Third, applied research to find the practical applications of tested knowledge provided by the basic research.

A total sex research program must necessarily be a long-time project and must employ various specialists. Indeed, research in human sexuality offers the greatest promise for the achievement of valid and significant results when it is organized around basic unsolved problems rather than around any one specialized discipline or body of theoretical knowledge. Such research should give special attention to persons involved in sex crimes of violence and aggression, and to older persons involved in sex contacts with young children.

Total research of this kind should not, however, restrict its aims to finding means of treatment and prevention of sex crimes. Also of major importance are the positive aims of discovering the channels through which human sexuality contributes most to human growth and development and to physical, mental and social health.

This bulletin is an interim report on the survey research on sex crimes and delinquencies initiated in August, 1951, as part of the larger sex deviation research program authorized by the California State Legislature in 1950. The present report has been prepared in order to show the aims, purposes and methods of survey research and to present the findings to date.

In undertaking a survey of sex offenses one must recognize that every typical American community has a vast underground of sexual behavior which is illegal and antisocial by prevailing legal and social standards. Only a small fraction of this sexual misconduct ever comes to the attention of public officials or agencies. This conclusion is supported by such incidence surveys as the well-known Kinsey reports and other more local studies. The present survey does not duplicate the Kinsey studies but is limited to those illegal sexual involvements which become known to law enforcement agencies.

The following staff members assisted in the collection and processing of the materials of this survey and the typing of reports: Marjorie B. Cantzlaar, senior clerk (part-time); Bernice Engle, research assistant

(part-time); George W. Korber, research assistant (part-time during fall of 1951); Irene H. Walters, clerical assistant (full-time since October 1, 1951).

II. PROBLEMS AND METHODS

The present survey was conceived in terms of six major problems:

1. What is the total impact of sex crimes and delinquencies on the law enforcement agencies in a series of counties representative of the State of California?

2. What are some of the general characteristics of the persons who are known sex offenders, including their age, sex, race, nationality, religious affiliation, social position, marital and family status, intelligence level, etc.?

3. What kinds of sex offenses are committed and what proportions are serious in their nature and consequences?

4. How do official agencies in the community deal with reported sex crimes and delinquencies?

5. Is the incidence of sex offenses known to official agencies increasing, declining, or remaining steady from year to year?

6. What major unsolved problems of sexual behavior are amenable to basic research at the present stage of development of the human sciences?

The survey seeks answers to other questions, mostly subsidiary. It is designed to search out factual answers to take the place of guesswork and unsupported assumptions regarding sex offenses. It makes no attempt to probe into causes lying deeply imbedded in human personality, culture, and social organization, but does try to point out the practical applications of its findings in the fields of legislation, education and community health and welfare services.

The Objectives

The main objectives of this survey research are the following:

1. To provide a reliable body of information regarding sexual crimes and delinquencies to be used:

   a. In formulating public policies for solving or alleviating the problems posed by sexually deviated behavior in men, women and children.

   b. In planning workable programs for dealing with problems of sexual deviations.

2. To provide a factual basis for the formulation of promising hypotheses to be tested by more basic social, psychological, and medical research.

3. To provide a body of factual information for use in a program of public education concerning the true nature of the so-called sex problems in this State.

Definitions

All valid research is undertaken on the basis of certain assumptions and definitions. Some have already been stated, and others will be explained as they arise.

For purposes of this survey, a sex offender is assumed to be a person who engages in one or more sex acts contrary to existing law or public

policy, whose misconduct becomes known to a law enforcement authority. Such an offender may be charged as an adult criminal or juvenile delinquent, or treated as a juvenile with delinquent tendencies

The Survey Method

The survey research method if fully applied should consider all complaints about sex involvements referred to law enforcement agencies during given time periods in selected areas, and follow up each complaint on a case basis to its final disposition. Who complains, why, about whom and what? What proportion of complaints prove upon investigation to be well founded? What degrees of seriousness to the offenses complained about represent? What types of persons are involved as complainants, offenders, accomplices, accessories, victims? What circumstances or set of circumstances brings sex offenses to public attention? How are offenders handled at the various levels of investigation —arrest, detention, adjudication, custody and rehabilitation?

Answers to such questions come largely from data in existing agency records; data which must be carefully collected, evaluated, recorded, summarized and analyzed in order to arrive at valid conclusions. The specialized tasks involve:

1. Over-all planning and gaining of necessary agency cooperation.
2. Collecting current statistical reports on numbers and characteristics of sex offenders in California
3. Devising adequate survey schedules for recording data so collected.
4. Collecting data by field work.
5. Editing and coding the data.
6. Tabulating the data for statistical and research analysis.
7. Preparing survey research reports to include findings, interpretations, recommendations.

Survey Work Completed

The sex survey research has so far been confined to San Francisco, city and county, but with the expectation that it will be extended to other representative counties of the State Here, the full survey method has been applied only to juvenile sex delinquents, whose case records have been studied in detail Lack of funds for trained personnel has prevented making equally intensive studies of adult offenders.

Two main survey tasks have been undertaken and partially completed The first and larger task has consisted in the collection, tabulation, and partial analysis of detailed information on 500 juvenile sex offenders. These offenders include all sex delinquents referred to the juvenile court for official court action during the study period. This phase of the study was made possible through the generous cooperation of the juvenile probation department. Officials of this department made case records available for purposes of the research and provided office space for the research personnel.

Tabulations of the data on juveniles were made through the cooperation of the State Department of Mental Hygiene at Sacramento. Richard D. Morgan, statistical research officer, rendered professional and clerical services together with the use of IBM equipment, to provide the tabulations.

The second main task has consisted in the compilation and analysis of data which pertain to alleged sex offenders arrested by the San Francisco police during a six-year period (1945-1950). This phase of the study was made possible by the cooperation of the San Francisco Police Department. Officials of the department provided summaries of data on arrest from which information regarding sex offenses could be separately abstracted and analyzed.

It is the purpose of the present report to summarize the major findings and conclusions derived from these two phases of the survey research and to point out problems requiring more basic research.

San Francisco as an Area for Sex Survey Research

This study focuses attention on sex offenses dealt with by law enforcement agencies in the City and County of San Francisco. This urban center, established at the tip of a hilly peninsula, is located in the heart of the well-known Bay area. At the time of the 1950 Federal Census, its population had increased to some 775,000, or 7.3 percent of the State's population.

San Francisco City and County (their boundaries are coterminous) are, however, part of a much larger population unit The entire metropolitan area, known as the Bay area, extends into eight other counties: Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. In 1950 the total population of the entire nine-county area was 2,681,000, almost exactly one-fourth of the population of California (10,586,000).

The Bay area was the second most populous area in the State, being topped only by Los Angeles County with its 4,152,000 people, according to the 1950 census. Third in size was the urban area in and around San Diego. These three metropolitan sections contained more than two-thirds (68.9 percent) of the State's entire population.

The extent to which San Francisco is representative of the other urban sections in California with regard to sex offense data has not been fully determined. It may be assumed that conclusions based on findings here are fairly applicable to other areas with similar social, economic, and demographic backgrounds.

III. SEX CRIMES KNOWN TO POLICE

The following pages report findings derived from analyses of arrest data provided through the cooperation of the San Francisco Police Department.[1]

Volume of Police Arrests

During the six years beginning with 1945 and ending with 1950, the San Francisco police made a total of 12,681 arrests on sex offense charges, including prostitution. This represents an average of more than 2,000 arrests annually or about five or six arrests per day. Of the total individuals arrested, 249 were under age 18.

It should be pointed out that the 12,681 arrests do not enumerate all individuals who violated the legal codes of the community. In the first place, the figure means the number of arrests rather than of persons.

[1] This phase of the study was aided by the following persons in the Police Department: Michael Gaffey, Chief of Police, George W. Hippely, Director, Bureau of Criminal Information, Lieutenant Eldon Bearden and Inspector Frank Murphy of the Sex Crime Detail, and John P. Meehan, Captain, Juvenile Bureau.

The number of different persons arrested for sex offenses, although undetermined, is known to be somewhat smaller since some persons were arrested twice or more during the six-year period. Even with this duplication, the figure cited represents a gross undercount of sex offenders. The full incidence of sex offenses is unobtainable for several reasons. It is probable that most of the violators of existing sex codes are never reported. Those reported are in many instances never apprehended. Furthermore, it is known that many offenders upon arrest are charged with some nonsexual offense such as assault, battery, vagrancy, cruelty to animals, disturbing the peace. In some instances persons arrested and charged with crimes like robbery or burglary are booked for sex offenses as additional charges which do not appear in the statistical summaries. Finally, many known sex offenders are not arrested because the victims, witnesses or other complainants refuse for various reasons to press charges against them.

While arrest data do not completely measure the impact of sex offenses on the community, they doubtless provide the closest approximation obtainable, short of a person to person survey of community inhabitants by highly skilled interviewers.

Incidence of Sex Offense Arrests

During the six years ending with 1950, the San Francisco police made 12,681 arrests on sex law violation charges. This number represents an average of 2,113 sex arrests annually. Standing alone, these arrest figures may seem of impressive size. However, when they are compared with the total population of San Francisco (775,357 in 1950) or with the total number of arrests on all charges, their number is much less significant.

Average annual incidence rates of sex crime arrests were computed, using a population base of 730,000, the estimated average population for the six-year period. The yearly average incidence of reported sex crime arrests amounted to only three per 1,000 population.

Of all the reported sex crime arrests, 9,171 or 72.4 percent were for some prostitution offense while only 3,510 or 27.6 percent were for sex crimes other than prostitution. Thus, the average incidence of arrests for prostitution was about 2 per 1,000 annually, while the average incidence rate for all other arrests for alleged sex crimes was a little less than 1 per 1,000 population.

Another way to measure the rate of arrests on sex offense charges is to compare them with all arrests during the same period of time. These comparisons are shown statistically in Table I. During the period when the police arrested 12,681 persons on sex offense charges, they arrested 409,278 persons on nonsex offense charges, a total of 421,959 arrests all told. Of each 1,000 police arrests only 30.1 were for sex offense complaints, including prostitution. Prostitution arrests amounted to 21.7 per 1,000 of all arrests while all other sex arrests amounted to only 8.3 per 1,000.

For males, the rate of sex offense arrests per 1,000 of all arrests was 14.1 while the comparable rate for females was 170.8. This difference reflects the high rate of prostitution arrests among women sex offenders. For sex offenses other than prostitution the arrest rate was 8.6 per 1,000 of all arrests for men and 5.8 per 1,000 for women.

Drunkenness constituted the most frequent reason for arrest among both men and women during the study period. It is interesting that nearly 46 times more men were arrested for drunkenness than were arrested for alleged sex crimes. Also interesting is the fact that 3.5 times more women were arrested for drunkenness than for sex offenses, including prostitution.

Table I. Sex Offense Arrests Compared With All Arrests and With Arrests for Drunkenness, San Francisco, 1945-1950

Type of Charge	*Both Sexes*	*Male*	*Female*
Total arrests all charges	421,959	379,015	42,944
Arrests on drunkenness charges	269,661	243,667	25,994
All other arrests	152,298	135,348	16,950
Total arrests: sex offense charges	12,681	5 346	7,335
Prostitution arrests	9,171	2,085	7,086
All other sex arrests	3,510	3,261	249
Sex arrests per 1,000 of all arrests	30.1	14 1	170 8
Prostitution arrests	21.7	5 5	165.0
All other sex arrests	8 3	8.6	5 8
Ratio of drunkenness arrests to sex arrests	21.3	45 6	3 5

This study has shown that while the San Francisco police made an average of about six sex offense arrests per day, the total incidence of such arrests has been relatively low as compared with arrests for other types of charges. Therefore, the great seriousness of the sex crime problem is to be found not so much in the number of sex crimes known to the police, but in the shocking and revolting nature of certain of these crimes.

Types of Sex Offense Charges

The great majority of persons arrested on sex offense complaints were charged with minor crimes classified as misdemeanors. A total of 5,154 adult males (18 years old and over) were arrested during the six-year period and charged with some sex offense. About 40 percent of the men were charged with some involvement in prostitution. These included alleged visitors, keepers or inmates of houses of prostitution, and the men arrested for vagrancy quarantine in connection with the VD Control Program. Nearly all had misdemeanor charges placed against them. A few were charged with the felony offenses of pimping or pandering.

An additional 28 percent of the male arrestees were charged with lewd conduct under a municipal ordinance prohibiting "lewd and indecent acts."

Only 15 percent of all the men arrested for alleged sex crimes were charged with the serious felony offenses of rape and sex crimes against children. An additional 3 percent were charged with the felony offenses of fellatio or sodomy.

In each 100 adult males arrested for sex offenses, charges were:

- 40 prostitution involvements
- 28 lewd conduct
- 11 rape or attempted rape
- 10 contributing to delinquency of minors
- 4 crimes against children
- 3 fellatio or sodomy
- 2 vagrancy
- 1 disseminating obscene material
- 1 some other sex offense

More women than men were arrested for alleged sex offenses. A total of 7,278 females, 18 years old and over, were arrested by the police during

the six-year period. Nearly 97 percent of these women were alleged prostitutes or connected with prostitution. The remaining 3 percent were charged with contributing to the delinquency of minors or other misdemeanor offenses. It is noteworthy that only three female arrestees were charged with sex felony offenses.

Ages of Alleged Sex Offenders

Persons arrested on sex offense charges were younger on the average than were those arrested on all other grounds. The median age of adult male offenders, 18 years old and over, was 32.5 years as compared with a median age of 42.2 for all adult male arrestees. The median age of adult female offenders, 18 years old and over, was only 26.3 years as compared with a median age of 35.5 for all adult female arrestees.

The average age was highest among those men charged with crimes against children (39.4 years), with lewd conduct (37.6 years), and with fellatio or sodomy (35 years). Those charged with rape were youngest (25.3 years).

Of each 100 adult males arrested on sex offense charges:

7 were aged 18-19	12 were aged 35-39
19 were aged 20-24	10 were aged 40-44
17 were aged 25-29	7 were aged 45-49
15 were aged 30-34	13 were aged 50 and over

Of each 100 adult males arrested and charged with actual or attempted rape:

17 were aged 18-19	10 were aged 35-39
32 were aged 20-24	4 were aged 40-44
15 were aged 25-29	3 were aged 45-49
14 were aged 30-34	5 were aged 50 and over

Of each 100 adult males arrested and charged with sex crimes against children:

4 were aged 18-19	13 were aged 35-39
7 were aged 20-24	14 were aged 40-44
13 were aged 25-29	10 were aged 45-49
15 were aged 30-34	24 were aged 50 and over

Race and Nativity of Alleged Sex Offenders

Only 59 percent of all adults arrested on sex offense charges in San Francisco in 1950 were native-born Anglo-Americans. Of the remainder, 29 percent were Negroes, 7 percent were foreign-born whites, 4 percent were Orientals and 1 percent were Latin Americans.

Negroes are considerably over-represented in these sex arrest figures. Members of this racial group made up only 12 percent of all arrests in 1950 as compared with 29 percent of the sex offense arrests. The higher incidence for Negroes may be due to the recency of their migration to San Francisco and to the different attitudes toward sex behavior in the cultural and social classes from which many of them come.

Annual Changes in Volume of Arrests for Alleged Sex Offenses

Arrest enumerations for San Francisco fail to support the supposition that sex crimes have increased during recent years. Despite the fact that the population of this city has been increasing by about 15,000 annually, the over-all number of sex arrests has actually declined since 1945.

In order to summarize the trend of sex offense arrests, the data were combined into two-year periods in Table II. It shows that the total number of persons taken into custody and charged with some sex crime declined from 4,556 in 1945-46 to 4,418 in 1947-48 to a low of 3,707 during the last two-year period. In other words, during the six-year period ending with 1950, the last two years had 849 fewer arests than did the first two.

This decline in number of sex offense arrests applied to all categories of arrestees except to adult males arrested for sex crimes against children and to adult males in the "all others" classification

Adult males charged with prostitution offenses declined from 853 in the first two-year period to only 507 in the third. The number charged with lewd conduct was highest in the middle period but declined somewhat in 1949-50, also true for the charges of rape and for fellatio and sodomy. The number of adult males charged with contributing to the delinquency of a minor declined appreciably during the period. Conversely, the number of male arrestees charged with sex crimes against children exceeded in 1949-50 the two preceding biennial periods. The great increase in the "all others" category of adult males resulted from larger numbers of arrests on vagrancy charges, including "molestation of school children."

Most striking was the decline in the number of arrests of adult females on prostitution charges: 707 fewer such arrests in 1949-50 than in 1945-46. In the earlier period wartime ordinances regarding prostitution were still in force.

Table II. Changes in the Numbers of Sex Offense Arrests in San Francisco for Two-year Periods 1945-1950

Charge	*Total*	*1949-50*	*1947-48*	*1945-46*
Total arrests	12,681	3,707	4,418	4,556
Adult males	5,154	1,663	1,793	1,698
Prostitution	2,072	507	712	853
Lewd conduct	1,421	522	546	353
Rape	582	212	220	150
Contributing to minor's delinquency	509	158	165	186
Crime against child	204	85	53	66
Fellatio and sodomy	137	35	54	48
All others	229	144	43	42
Adult females	7,278	1,982	2,528	2,768
Prostitution	7,034	1,927	2,473	2,634
All others	244	55	55	134
Juveniles	249	62	97	90

Disposition of Arrests

The San Francisco Police Department supplied unpublished data on the manner in which arrested persons were disposed of during the year 1950. The data show that only a minority of those persons arrested as sex offenders were found guilty and sentenced. Slightly more than one-half were found not guilty or were dismissed because of complainants' failure to press charges or for other reasons.

Of 1,489 alleged sex offenders disposed of in 1950:

792 or 53.2 percent were dismissed
224 or 15.0 percent got jail sentences
218 or 14.6 percent were placed on probation
114 or 7.7 percent got suspended jail sentences
91 or 6.1 percent were fined

28 or 1.9 percent were turned over to the juvenile authorities
12 or 0.8 percent were sentenced to state prison
10 or 0 7 percent were otherwise disposed of

Of 178 alleged sex felony offenders:
67 or 37.6 percent were dismissed
42 or 23.6 percent were placed on probation
20 or 11.2 percent got jail sentences
19 or 10.7 percent were turned over to the juvenile authorities
12 or 6.7 percent were sentenced to state prison
11 or 6.2 percent were fined
7 or 3 9 percent were otherwise disposed of

Of 1,311 alleged sex misdemeanor offenders:
725 or 55.3 percent were dismissed
204 or 15 6 percent got jail sentences
176 or 13.4 percent were placed on probation
110 or 8.4 percent got suspended jail sentences
80 or 6.1 percent were fined
9 or 0.7 percent were turned over to juvenile authorities
7 or 0.5 percent were otherwise disposed of

IV. JUVENILE SEX OFFENDERS IN CALIFORNIA

The program of survey research has given special attention to a study of juvenile sex offenders and for a special reason. Certain evidence suggests that many adult sex criminals of tomorrow are to be found among sexually delinquent children and youths known to the juvenile courts today The exact percentages of these young delinquents who will wind up in penal institutions as adult sex offenders are not predictable on the basis of present knowledge. Presumably, the chances of becoming adult sex criminals are at the maximum for those youths who have juvenile court records as serious sex offenders and who fail to receive adequate life adjustment services. At the same time it is clear that the young offender offers the best outlook for successful treatment and rehabilitation in the hands of professional personnel. Therefore special effort should be devoted to research that will contribute to the increased understanding of the young sex offender and to the planning of effective programs for his rehabilitation.

True, the annual incidence of dangerous sex crimes is comparatively low in California, as in other states. Nevertheless, according to official reports from the State Department of Corrections, California state prisons at the beginning of 1951 housed an accumulated population of 1,063 male sex felons, and they comprised one-tenth of the entire male prison population. Official reports also show that state prisons receive more than 200 new prisoners each year on sex felony sentences.

It is doubtful whether any marked reduction in prison populations of sex offenders can be expected until research results provide methods of detecting incipient sex criminals among children and youths and of bringing about adjustments in their lives.

This statement should not be taken to imply that individuals begin with the less serious types of sex offenses such as window peeping and

progress to the sex felonies like rape and indecent liberties with children The present study shows that many young persons referred to juvenile court authorities have already committed sex acts that are felony offenses if committed by adults. These seriously offending juveniles can be identified as very poor risks for successful sex adjustment in their adult years unless their problems are adequately met in their earlier stages. These are considerations which give special significance to studies of juvenile sex offenders.

Juvenile Sex Offenders in 19 California Counties

While no complete count is available, it is probable that around 30,000 boys and girls are referred to juvenile courts and probation departments annually on all types of delinquency charges in California. Available statistics indicate that a minority, but yet an appreciable proportion of such referrals, are made as a result of some type of sex offense

The annual volume of complaints about sex offenses among boys and girls of juvenile court age referred to juvenile probation departments in a series of California counties is obtainable from an interesting set of reports compiled and published by the State Youth Authority Comparable statistics for a three-year period, 1948-49-50, are available for 17 counties, including two additional counties in 1950 [2]

Analyses and estimates based on the Youth Authority statistics justify some significant conclusions regarding the volume and rate of juvenile sex offenses known to juvenile court authorities

1. *It is estimated that about 2,500 juvenile sex offenses of varying degrees of seriousness are referred to probation departments or other court officials annually in California.*

The estimate is based on reports from 17 counties that participate in the current reporting system. These counties contained 35.7 percent of the State's total population, according to the 1950 census. On the assmption that this ratio applies to the population of youths referred to juvenile courts as delinquents, it is estimated that about 30,000 delinquency referrals were made in 1950 and that about 2,500 of them were made on behalf of sexually delinquent boys and girls. Sex offenders thus comprise 8 3 percent of all juvenile offenders reported to the authorities.

2 *The rate of reported juvenile sex delinquents per 100 referrals for all types of delinquencies declined during the three-year statistical period.*

Annual changes in the volume of juvenile sex delinquency may be measured in terms of total numbers of referrals or in terms of annual rates of referral computed on an appropriate base. Results in both cases are interesting. The total number of juvenile sex delinquency referrals in the 17 counties reporting to the Youth Authority declined slightly from 925 in 1948, to 891 in 1949 and to 882 in 1950. During the same time the total number of delinquency referrals (excluding traffic offenses) increased considerably, from 9,495 in 1948 to 10,539 in 1950. This was an 11 percent increase during the three-year period in the series of 17 reporting counties.

[2] "Juveniles Referred to Probation Departments." The California Youth Authority, Sacramento, California

The rate of sex delinquency referrals per 100 of all referrals declined from 9.8 in 1947 to 8.4 in 1950. The rate for boys declined only slightly from 5.5 to 5.2 per 100. The comparable rate for girls declined much more rapidly—from 22.7 to 18.4 per 100.

Available statistics thus do not support the widely held belief that juvenile as well as adult sex crime is rapidly increasing. The opinion is without factual foundation, and has no doubt arisen partly as a result of the extensive, sensational publicity given to a relatively small number of extreme and revolting sex crimes. Another reason may be found in a number of sensational but unreliable articles appearing in national magazines and other publications.

The fact that reported juvenile sex offenses are not increasing detracts in no sense from the seriousness and importance of the sex problem among children, youths and adults.

Official reports of the California Youth Authority and of the State Department of Corrections show the following facts:

(a) One in every 12 juveniles referred to juvenile court probation departments of 19 counties during 1950 was referred as a sex offender.

(b) About 4.6 percent of all boys and 44.5 percent of all girls committed by juvenile courts and resident in 1950 in Youth Authority facilities had been committed as sex offenders. Similar proportions of sex delinquents were reported among Youth Authority parolees.[3]

(c) Of all first admissions to the Youth Authority during 1950, 5.5 percent of the boys and 45.8 percent of the girls committed by juvenile courts were sex offenders. About 6.2 percent of the males committed by superior courts were convicted sex offenders.[4]

(d) Rapists and other sex felony offenders comprised 10.5 percent of the total resident population of males in California State prisons in 1950.[5]

(e) Sex criminals made up 9.2 percent of all males admitted to state prisons during the years 1945 through 1949.[6]

Such statistics only partly reflect the great tragedy involved in the improper management and direction of sexual tensions. They do point up the need for continued research and investigation of the problems of sex deviations and offenses.

3. *The rate of reported juvenile sex delinquencies per unit of population varied greatly among the reporting counties.*

In order to determine the incidence of juvenile sex offense referrals in each reporting county, these referrals were compared to the total population of the county as enumerated by the 1950 census. The number of reported sex offenses per 100,000 population varied from less than six in Shasta County, where the rate was lowest, to nearly 38 in Madera County, where it was highest. The details of these referral incidence rates are shown in Table III.

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[3] "Characteristics of Resident Population of California Facilities for Youth Authority Wards and Youth Authority Parolees on December 31, 1950." C. Y. A. Statistical Report released February 9, 1951

[4] "First Admissions to California Youth Authority by Calendar Years 1946-1950." C. Y. A. Statistical Report released July 24, 1951

[5] "Characteristics of Resident Population of California State Prisons by Institutions December 31, 1950." California State Department of Corrections. Statistical Report release date not given.

[6] California Prisoners, 1945-1949. California State Department of Corrections, the Adult Department, and Board of Trustees of the California Institution for Women. Sacramento, California, July 1, 1951. Table 2, p. 48.

4. *With respect to numbers and rates of reported juvenile sex offense referrals, San Francisco is a fairly representative county among the 19 reporting to the Youth Authority in 1950.*

In San Francisco the total volume of delinquency referrals for all causes except traffic violations rose from 2,114 in 1948 to 2,470 in 1950. At the same time the number of sex offense referrals declined from 253 to 176. The percentage of sex referrals thus dropped from 11.8 in 1948 to 7.1 in 1950, paralleling declines in the combined 17-county group.

San Francisco was also about average among the reporting counties with respect to the rate of reported juvenile sex offenses per 100,000 population. In 1950 the average incidence rate was 22.5 for the 19 counties combined and 22.7 for San Francisco (Table III).

Table III. Rate of Reported Juvenile Sex Offenses per 100,000 Population in 19 Counties, 1950

County	*Population 1950*	*Sex offense number*	*Referrals rate*
Average: 19 Counties	4,086,779	918	22.5
Madera	36,964	14	37.9
Contra Costa	298,984	102	34.1
Fresno	276,515	94	33.9
Alameda	740,315	232	31.3
Siskiyou	30,733	8	26.0
San Francisco	775,357	176	22.7
San Bernardino	281,642	62	22.0
San Benito	14,370	3	21.9
Humboldt	69,241	15	21.7
Placer	41,649	8	19.2
San Joaquin	200,750	38	18.9
Riverside	170,046	32	18.8
Kern	228,309	43	18.8
Nevada	19,888	3	15.1
San Diego	556,808	56	10.1
Sacramento	277,140	28	10.1
Glenn	15,448	1	6.5
El Dorado	16,207	1	6.2
Shasta	36,413	2	5.5

The fact that San Francisco, despite its larger population, is representative of the 19 reporting counties is of particular interest and importance because this city-county has been chosen as one of the areas for a special detailed study of juvenile sex offenders.

5. *The total volume and incidence of juvenile sex misconduct cannot be determined from existing agency records and reports.*

It must be emphasized that the foregoing statements about the numbers and rates of sex delinquencies refer only to those offenses that are detected and brought to official attention. They do not reflect the total volume and rate of sexual misconduct among juveniles in any county.

In the first place, only an undetermined part of all juvenile sex violations are ever detected by any observer or by one who is particularly shocked or offended by the misconduct. Many offenses are detected, but not referred to law enforcement authorities, particularly if the violators belong to families of means and influence. Such families generally can obtain other types of services to meet their problems, or can adjust the difficulty without calling upon an outside resource.

Second, many sex offending juveniles are not so identified when they are referred to a juvenile court for official or unofficial action. Frequently

sex offenses are cloaked under such general charges as disorderly conduct, improper associations, vagrancy, runaway, refusal to obey, waywardness or cruelty to animals. Many families consider a sex offense charge against their child, particularly against a daughter, as almost the ultimate disgrace, and make strong efforts either to conceal the sexual misbehavior or to cover it under some less damaging charge.

V. JUVENILE SEX OFFENDERS IN SAN FRANCISCO

Several interesting findings are here presented from a study of juvenile sex offenders in San Francisco. One objective was a detailed study of 500 cases of sex offenders referred to the probation department and dealt with officially by the juvenile court during the past five years. The 500 official cases made up a little more than one-half of all sex offense complaints referred to the juvenile probation department during these years, as indicated by the 176 sex delinquency referrals received in 1950. Of these, 40 percent were closed by the Intake Unit by dismissal or by referral to another agency; 5 percent were placed under informal supervision without court action; and 55 percent were referred for official court action on delinquency petitions [7]

The Subjects

The 500 youths who are the subjects of this study were referred to the court during the period beginning with January 1947 and ending with June 1951. All came before the court on sex delinquency petitions filed on their behalf by a probation officer following his investigation of the complaints against them The majority of petitions were filed under subdivision k (danger of immorality) of Section 700 of the Welfare and Institutions Code of the State of California. Other petitions were filed under subdivision m of the code in instances involving specific violations of the sex laws The juveniles at the time of their referral ranged from 11 to 20 years and averaged about 16 years in age. Of the 500 juvenile sex delinquents in the study, 90 (18 percent) were still active court wards in December 1951 when the work of gathering data was completed. The average length of stay on probation was approximately 10 months for those wards whose cases were continued beyond one month of probation Some cases were closed only after the offenders were transferred for continued supervision to the California Youth Authority or to some other public agency.

Significant Findings

1. Sex Crimes of Violence Were Comparatively Rare Among Juveniles

Nearly one-half (47 percent) of all the male sex offenders referred to the juvenile court were referred because of heterosexual intercourse with a girl under 18 years old; and in the majority of instances, the girl played the role of a willing partner in the affair.

Only 10 percent of all sexual delinquencies on the part of boys was classified as forcible rape or as assult to rape. In many of these instances, however, the facts did not fully support the girl's contention that she was raped against her will In some instances the girl participated in the sex activity all the way to actual intromission, only to resist at the point of

[7] Special count made by California Youth Authority for this report

penetration by the boy. One girl went so far as to get completely undressed in a hotel room with her male companion and then charged him with rape when he attempted to force completion of the sexual act.

2. Boys Engaged in Sex Play With Young Girls (Under 14 Years) With Considerable Frequency

One-fourth (25 percent) of all boys in the study were referred to the court because of sexual play with female children. Of these boys, 9 percent had full genital intercourse with young girls. An additional 16 percent engaged in other kinds of heterosexual play, including such acts as removal of the girl's clothing, manual manipulation of her genitals and, in some cases, oral-genital or anal-genital contacts with her.

3. Nearly One-fourth of All Boys in This Study Were Referred to the Court Because of Homosexual Activities

These homosexual activities ran the full range of contacts practiced by males. Most notable was the fact that in the majority of instances the teen-age boy associated himself with an adult male homosexual, frequently serving as a prostitute or semiprostitute as a way of getting "easy money." Others used these homosexual contacts as a means of establishing satisfying relationships with adult males

The preceding paragraphs describe the main types of sex offenses committed by the delinquent boys in the study. The following tabulation summarizes the relative frequency of the various types of sexual misconduct.

Of each 100 sexually delinquent boys, the stated numbers performed:

30 intercourse by mutual consent with girls aged 14-18
7 intercourse by mutual consent with girls under 14
8 rape or attempted rape on girls aged 14-18
2 rape or attempted rape on girls under 14
16 noncoital sex play with girls under 14
8 noncoital sex play with girls aged 14-18
14 homosexual acts with adult partners
10 homosexual acts with minor partners
5 other sexually delinquent acts

4. The Predominant Sexual Delinquency Among Girl Referrals Was Heterosexual Intercourse by Mutual Consent

Of the girls in this study, 95 percent were willing or active participants in sexual intercourse with one or more males, while only 5 percent were referred for other kinds of sex offenses, including some form of noncoital sex play with males.

Out of 500 records of female sex offenders, only one girl had a known record of homosexual activities with other females

5. The Social and Emotional Relationship or Involvement Between the Sexually Delinquent Girl and Her Partner Varied Widely

Most frequently the girl's sex partner was a stranger or near-stranger about her own age with whom she made a pick-up date at a dance, on the street or elsewhere. The date ended with sexual contacts in one or the other of their homes, in the back seat of an automobile, in a public park, in an unoccupied residence or elsewhere. These girls were not labeled

"promiscuous" since for them only a single delinquent act was reported in court records.

Almost as frequently, the girl's sex partner was a boy with whom she had an established friendship relation, without being engaged or in love.

The casual pick-up date and the boy friend of longer standing, together, contributed to the delinquency of about one-half of the girls and were, in their turn, usually referred for court action as participants in what under Penal Code is termed statutory rape.

Another one-fourth of the girls who came under court supervision as sex delinquents were known to be promiscuous in their heterosexual activities. Many were teen-age girls who were known as "chippies" and engaged in sexual experience for the fun of it with no favors expected from the boy. Others were semiprostitutes who traded sex for various favors other than cash payment.

Eight percent of the heterosexually delinquent girls had sexual intercourse with partners to whom they felt a close personal attachment, to whom they were engaged or with whom marriage seemed possible.

An additional 7 percent were teen-age girls who left home and "shacked up" with adults as their mistresses in marriage-like relations.

Another 11 percent were either known to be teen-age prostitutes or were promiscuous and under strong suspicion of prostituting because they were arrested in what looked like "hustling" activities on the streets.

The foregoing paragraphs describe sex offenses committed by girls of the study. A tabulation summarizes the findings.

Of each 100 sexually delinquent girls:

95 participated voluntarily in heterosexual intercourse
24 with one casual acquaintance
23 promiscuously
22 with well-known boy friends
8 with expected marriage partners
7 in marriage-like relations with adults
7 in known prostitution
4 in suspected prostitution
2 had noncoital sex play with males
3 performed other sexually delinquent acts

6. The Majority of Juvenile Sex Offenders Were Placed on Probation for Supervisional and Correctional Services

On behalf of all the 500 offenders in this study official petitions were filed requesting juvenile court action. A special tabulation (Table IV) shows the types of dispositions made by the court at the original hearings on the official petitions.

It was found that 55 percent were put on probation under the supervision of probation officers. Nearly 17 percent were retained in custody pending the location of suitable placements, pending district attorney action against adults contributing to their delinquency, or for security reasons. The remaining 28 percent were cases for which petitions were transferred to other counties, dismissed or otherwise disposed of.

Table IV. Court Action at First Adjudication

Disposition of offenders	*Percent distribution*		
	Both	*Boys*	*Girls*
Total: All dispositions	100.0	100.0	100.0
Placed on probation	55.0	59.0	52.4
In home of parent or parents	40.4	45.5	37.0
In home of relative	4.6	4 0	5 0
In private institution or school	4 4	2.0	6 0
In foster home	2.8	4 0	2.0
In work home	1.4	1.0	1 7
Elsewhere	1.4	2 5	0 7
Not placed on probation	45 0	41.0	47.6
Retained in custody	16 8	11.0	20.6
Petition transferred to another county	9 0	7 5	10.0
Committed to California Youth Authority	6.0	6 0	6 0
Placed in mental hygiene institution	4.8	6 5	3.6
Petition dismissed	4.0	3 0	4.7
Other disposition	4.1	7.0	2.7

7. Girls Outnumbered Boys Among Sex Delinquents Referred for Juvenile Court Action

Among all youths referred to the court as sexually delinquent during the study period, girls outnumbered boys in a ratio of 10 to 8. This means 10 girls for every eight boys, and is especially significant since delinquency rates are generally much higher for boys than for girls. In fact, in nonsexual offenses, boys outnumbered girls nearly five to one.

The higher rate of reported sex delinquencies in girls probably means not a higher total incidence of sexual misconduct among females, but rather reflects the community's double standard of sexual conduct for the sexes A boy can often get by with sexual indiscretions that in his sister would be considered intolerable and would cause her referral. Then, too, boys may be more successful in concealing their sexual misconduct from those whom it would grossly offend.

8. Sexually Delinquent Boys Were Older, on the Average, Than Were Sexually Delinquent Girls

Of the 200 sexually delinquent boys included in this study, 45 percent were aged 17 and older, and 24 percent were aged 18-20 upon referral. Of the 300 sexually delinquent girls, only 20 percent were 17 years old and over and only 3 percent were past 18.

Boys were over-represented both among the oldest sex offenders and among the youngest ones; 9 percent of males, but only 3.7 percent of females were aged 12 years or younger. The boys median age (16 7 years) exceeded by about a year that of the girls. (Table V).

One reason for the larger proportion of older males among these juvenile sex delinquents is that men 18-20 years old were often made wards of the juvenile court for contributing to the sexual delinquency of minor girls. Female offenders 18-20 years old are seldom referred to the juvenile court but are generally dealt with by municipal courts as adult misdemeanants.

9. Among Male Delinquents, Sex Offenders Were Older, on the Average, Than Other Offenders

Only 21.2 percent of all boys who came before the juvenile court on complaints of all types during 1948-50 were 17 years old and over. The comparable percentage for male sex delinquents was 45 percent. Similarly, although 21 5 percent of all male juvenile offenders were aged 13

or younger, only 13.5 percent of the male sex offenders were equally young.

The age distribution of sexually delinquent girls conformed rather closely to that for all delinquent girls. (See Table V).

Table V. Age Distribution of Sexually Delinquent and of All Delinquent Boys and Girls

Age	*Both sexes (%)*		*Boys (%)*		*Girls (%)*	
	Sex offenders	*All offenders*[1]	*Sex offenders*	*All offenders*	*Sex offenders*	*All offenders*
All ages	*100.0*	*100.0*	*100.0*	*100.0*	*100.0*	*100.0*
19–20 years	4.6	1.2	11.5	1.5	--	0.3
18 years	6 8	2.7	12.5	3.0	3.0	1.7
17 years	18.8	16.7	21 0	16.7	17.3	16.7
16 years	23.0	21.0	19.0	20.7	25 7	22 0
15 years	17.4	20.9	12.0	20 2	21 0	23.1
14 years	17.8	17.4	10.5	16.4	22.6	20.6
13 years	5.8	9.9	4.5	9.7	6.7	10.5
12 or less	5.8	10.2	9.0	11 8	3.7	5.1
Median age	16.1	15.6	16 7	15.6	15.8	15.6

[1] Includes all youths referred to the juvenile court on official petitions (2,491) during the three years 1948-1950

10. The Majority of Sexually Delinquent Girls Had Sex Acts With Older Males, While the Majority of Boys Had Heterosexual Acts With Younger Females

It is a significant finding that boy and girl contemporaries seldom were referred to the court because of sexual involvements with each other. Girls referred for heterosexual activities were usually younger than their male partners, and boys referred to the court for similar activities were generally older than their girl partners.

In 240 of the 300 cases of girls, the ages of male partners were reported: Of these male partners (counting the oldest if two or more were involved with the same girl):

10 were same age or younger than the girl
66 were 1 to 3 years older
87 were 4 to 6 years older
30 were 7 to 9 years older
47 were 10 or more years older

One hundred twenty-six of the 200 boys in the study engaged in sex acts with girls whose ages were also reported. Of these female partners:

15—same age or older than the boy
60—1 to 3 years younger
32—4 to 6 years younger
12—7 to 9 years younger
7—10 or more years younger

11. The Majority of Sexually Delinquent Girls Chose Adult Partners for Their Delinquent Acts

Although all girls in this study were under age 18, 62 percent of them chose males 18 years old and over as partners in the delinquent sex acts. Two-fifths were involved with men 21 and over.

Of each 100 sexually delinquent girls, sexual involvements were:

40 with adults aged 21 and over
22 with young adults 18-20
19 with boys under 18
11 with adults of unreported ages
8 no adult contributors identified

Adults were also frequently involved in the sexually delinquent acts of the boys. Such adults included not only the older homosexual partners, but also adult accomplices or accessories in the boys' heterosexual activities.

12. In One-half of the 500 Cases the Sexually Delinquent Acts Involved Directly Only Two Persons (Partners)

In only rare instances were the sexual activities which led to court referral solitary acts like window peeping or contacts with animals. Most frequently two persons were involved in a partner relationship. Other sexual offenses were committed by gangs Of fairly frequent occurrence was the so-called "gang bang" in which a number of boys, each in his turn, had intercourse with a promiscuous girl In some such cases the males used various degrees of coercion or intimidation to gain their ends.

Of each 100 sexually delinquent boys and girls in this study, involvements were:

2 solitary delinquent acts	15 with 4 or 5 others
50 with only 1 other person	3 with 6 or more
23 with 2 or 3 others	7 with an unknown number

13. Police Activity Provided a Major Source of Detection of Sexual Delinquencies Among Girls

In nearly one-fourth (24.7 percent) of the girls in this study their sexual delinquencies were revealed as a result of police or other official investigation of their runaway episodes Another 17 percent were arrested by the police "on view" as they were found frequenting taverns or hotels or were on the streets during late or unusual hours An additional 5.7 percent were girls whose sexual indiscretions were uncovered during investigations following their arrests for nonsexual offenses

Two other main sources of detection were the discovery of illegitimate pregnancies (13 percent) and the discovery of the offensive behavior by parents who referred to the court nonpregnant daughters (18 percent)

It is interesting that only 2 percent of the delinquencies were detected as a result of venereal disease infection Apparently the incidence of pregnancy among the sexually active girls is much higher than that of venereal infection.

SOURCES OF DETECTION OF SEX OFFENSES COMMITTED BY GIRLS

	Percent
Investigations of activities during runaways	24.7
Reports by parents or relatives	18.0
Police "on view" arrests	17.0
Illegitimate pregnancies	13.3
Reports by other citizens	8.0
Investigations following arrests for nonsex offenses	5.7
Venereal disease infections	2.0
Implication by arrested associates	1.7
All other sources	9.6

14. A Rape Charge by His Female Partner Was the Most Frequent Single Source of the Boy's Referral for Sexual Delinquency

One-sixth (16.5 percent) of the boys were brought to court attention as a result of rape charges by their sex partners. This does not mean, however, that 16.5 percent were aggressive rapists. In many instances, the girl made the rape charge as a defense against her own misconduct or out of spite for the partner.

SOURCES OF DETECTION OF SEX OFFENSES COMMITTED BY BOYS

	Percent
Rape charges by female partners	16 5
Reports by child victims	12.5
Reports by other citizens	11.0
Reports by parents of female partners	10.5
Police "on view" arrests	9.0
Illegitimate pregnancies of partners	8.5
Implication by arrested associates	8.5
Investigations of activities during runaways	6 5
Investigations following arrests for nonsex offenses	5.5
Reports by parents or relatives	5.0
Venereal disease infections	2 0
All other sources	4 5

15. Sexually Delinquent Acts by Juveniles Occurred Most Frequently in Private Homes and in Hotel Rooms

Although the majority of the youths had passed the legal age for driving automobiles they committed in cars less than one-tenth of the delinquent acts that brought them to court About 43 percent of all the offensive acts occurred in the delinquent youth's own home, in a companion's home or in a hotel or motel room

A more complete picture of the way in which various types of locations ranked as the scenes of juvenile sex delinquencies is shown in the following tabulations:

Of each 100 sex delinquencies reported in girls, place of occurrence was:

23 hotels or motels
14 companions' homes
10 girls' own homes
10 automobiles
3 public parks or beaches
3 unoccupied buildings
20 multiple places over periods of time
17 elsewhere

Of each 100 sex delinquencies reported in boys, place of occurrence was:

17 companions' homes
16 public parks or beaches
14 boys' own homes
8 hotels or motels
7 automobiles
6 unoccupied buildings
6 streets, alleys, or school property
4 movie theaters
11 multiple places
11 elsewhere

These tabulations show wide boy-girl differences in choice of place for the performance of sexually delinquent activities. Notable is the finding that public parks and beaches provided the scene of the delinquencies for 16 percent of the boys as compared with only 3 percent of the girls Also boys, but not girls in this study, frequently had sex acts in motion picture theaters, on school property and even in streets and alleys.

Another wide difference is the fact that 20 percent of the girls but only 11 percent of the boys committed their delinquent acts in multiple places. This difference arose from the fact that, following detection, more careful inquiries were made about the prior sex activities of the girls than were made about those of the boys

16. The Great Majority of Sexually Delinquent Juveniles Were First Offenders

Only 18 of the 200 boys, or 9 percent, had any reported record of prior sex offense referrals to juvenile authority. Less than one-half of the 18 (9 percent) had been considered sufficiently delinquent to require official court action. On the other hand, almost 40 percent of the 200 boys had previous referrals for official or unofficial action on complaints of nonsex delinquencies.

The situation among the 300 girls was somewhat different, in that 16 percent had previous referral records for sex offense complaints, more than half of whom had required official court action. However, only 22 percent of the girls had previous referrals on complaints for nonsex offenses.

Table VI. Prior Delinquency Histories of Juvenile Sex Offenders

Prior delinquency histories	*Percent distribution*		
	Both	*Boys*	*Girls*
Total	100.0	100.0	100 0
No prior delinquency record	56.2	50.5	60.0
Prior official record	20.6	25 0	17.7
For nonsex offenses	13.8	21.0	9.0
For sex offenses	6.8	4 0	8.7
Prior unofficial record	21.6	23 0	20.6
For nonsex offenses	15 2	18.0	13.3
For sex offenses	6.4	5 0	7.3
Prior record; details not reported	1.6	1 5	1.7

17. The Majority of Sexually Delinquent Youths Were Products of Broken Homes and Unstable Family Lives

This conclusion is supported by such facts as the following (Table VII):

a. Only 40 percent of the boys and only 23 percent of the girls were living with both natural parents at the time of juvenile court referral.

b. One out of every five boys and one out of every three girls either had no parents or were not living with them.

c. About 40 percent of the boys and 45 percent of the girls were living with only one parent in homes frequently including stepparents.

d. A little more than 17 percent of the girls but only 4 percent of the boys were living independently in hotels or rooming houses. Some of the youths had no real homes. Others had run away from home or had been practically ousted from home by rejecting stepparents or parents. It is clear that a teen-age girl's attempt to live independently of responsible parents or guardians in a large city is for her a most hazardous undertaking, morally speaking.

Table VII. Living Arrangements of Delinquents

Residence	*Percent distribution*		
	Both	*Boys*	*Girls*
Total	100.0	100 0	100.0
Living with one or both parents	72.8	80 0	68 0
Both parents	30.0	40.0	23 3
Mother only	19.6	21 0	18.7
Mother and stepfather	16 2	13 0	18 3
Father and stepmother	4 0	3 0	4.7
Father only	3 0	3.0	3 0
Not living with parents	27.2	20.0	32 0
Independently	12 0	4.0	17.3
With relatives	7 6	6 0	8.7
In adoptive or foster homes	3.6	3.0	4.0
In military service	2.8	7.0	--
Other arrangements	1.2	--	2.0

e. Nearly one-fifth (18.8 percent) of the sexually delinquent boys and girls were orphans or half-orphans. In addition, 22.5 percent of the boys and 33.3 percent of the girls were children of divorced parents. Nearly 7 percent of the boys and 11 percent of the girls were illegitimate in that their parents were not married to each other. (Table VIII.)

Table VIII. Marital Status of Parents of Delinquents

Marital status of parents	*Percent distribution*		
	Both	*Boys*	*Girls*
Total	100.0	100.0	100.0
Married and living together	34 8	44.5	28.3
Divorced	29.0	22.5	33.3
Father or mother dead	16 6	15.5	17.3
Both parents dead	2.2	3.0	1.7
Unmarried	9.0	6 5	10.7
Separated	7.6	7 5	7.7
Status unknown	0.8	0.5	1.0

f. Of the 500 sexually delinquent youths, only 48 (about 10 percent) were living in homes for which probation records reported no unfavorable conditions.

18. The Sexually Delinquent Youths Were Predominantly a Migratory Group

Only a little over one-fourth (27 percent) of the delinquents were born in San Francisco, and less than one-half (45 percent) were born in California.

Even more migratory were the parents of the youthful sex offenders. Birthplaces of all but 54 of the 1,000 parents were reported. Only 7.1 percent were native San Franciscans and only 16 percent were native Californians.

Many delinquents and their parents originated in the west-south central states of Texas, Oklahoma, Arkansas, and Louisiana. In fact, 21 percent of the youths and 22 percent of their parents were born in these four states.

It is also noteworthy that 18.5 percent of the parents were born outside the United States, including Canada and Mexico. Nearly 4 percent of the delinquents were themselves foreign-born (Table IX).

These large proportions of migrants and their children are impressive, but lack of up-to-date census figures on the total volume of migration from different sectors prevents determining the full significance of this finding. Full understanding of the relation of migration to rates of sexual delinquency awaits further research.

Table IX. Birthplaces of Sexually Delinquent Youths and Their Parents

Birthplaces	*Percent distribution*			
	All youths	*Boys*	*Girls*	*Parents*
Total	100.0	100 0	100.0	100.0
California	45.0	45.0	45 0	16.0
San Francisco	27.2	29.0	26.0	7.1
Other California counties	17.8	16.0	19.0	8.9
Outside California	55.0	55.0	55.0	84.0
West South Central States	20 8	17.0	23.3	21.8
North Central States	11.4	10.5	12.0	16.4
Other Western States	10.8	12.5	9.7	9.8
Northeastern States	3.2	4.5	2.3	4.8
East South Central States	3.0	2 0	3.7	3.7
South Atlantic States	2.0	2.0	2.0	3.6
Foreign countries	3.8	6.5	2.0	18.5
Birthplaces unknown	---	---	---	5.4

19. Disproportionately Large Numbers of Sexually Delinquent Youths Were Negroes

Although no census enumeration is available, it is doubtful whether more than five or six percent of the youths of San Francisco are Negroes Fully 20 percent of the sexually delinquent juveniles were of this race The rate of delinquency was especially high for Negro girls; 25 percent of the 300 girls as compared with only 12 5 percent of the 200 boys were Negroes.

One should not interpret the high rate of referral of Negro sex delinquents in San Francisco as a reflection of greater delinquent tendencies among members of this racial group. The more plausible explanation is the recency of their migration to this city and the divergent sexual behavior patterns accepted or tolerated in the culture of the communities from which they come.

About one-tenth of the delinquents were of Spanish-American background, though mostly native born.

Notable is the fact that very few Chinese or Japanese youths appeared among the sexual delinquents.

Of each 100 delinquent boys and of each 100 delinquent girls:

71 boys and 62 girls were native-born Anglo-Americans
13 boys and 25 girls were native-born Negroes
8 boys and 9 girls were native-born Spanish-Americans
2 boys and 2 girls were native born, of other descent
6 boys and 2 girls were foreign born

20. As a Group the Sexually Delinquent Youths Were Somewhat Below Par in Intelligence But Showed Wide Individual Differences in Mental Ability

On the basis of intelligence test results reported in their probation records, 436 of the 500 sex delinquents were classified. The average I. Q. of the delinquents was about five points lower than that expected in a normal population of contemporaries Of the 436 with reported intelligence test results, 15 percent were rated bright normal or superior; their I. Q.'s ranged from 110 to 120 and over. On the other hand 33 percent were classified as having dull normal intelligence (I. Q. 80-90) or borderline mental deficiency (I. Q. 70-80). An additional 7 percent had reported I. Q 's below 70 and were considered mentally deficient.

Of each 100 sexually delinquent youths with reported intelligence levels, ratings were:

4 superior in intelligence	22 dull normal
11 bright normal	11 borderline
45 normal	7 mentally deficient

21. Like Delinquent Youths in General, the Young Sex Offenders Came Predominantly From the Lower Social and Economic Levels of the Community

The median reported income of the main breadwinners of the families in which the sexual delinquents lived was only $234 per month. About 7 percent belonged to families with a main income of less than $150 per month. Only 7 percent of delinquents lived in households whose chief income earner received as much as $400 per month.

Of the 500 youths 218 lived in rented homes for which rentals were reported More than one-half of these homes rented for less than $40 a month.

The great majority of fathers and stepfathers of delinquents were laborers—skilled, semiskilled and unskilled. Only a few were drawn from the upper white collar and professional classes of workers.

Of each 100 fathers or stepfathers of the sexually delinquent youths, occupations were classed as:

2 professional	28 semiskilled
2 upper white collar	27 unskilled
14 lower white collar	2 dependents
25 skilled	

22. For Some Youths Early But Stable Marriage Seemed to Offer a Solution for Their Sex Problems

Marital intercourse is, in the average American community, considered the ideal form of human sex relationship. This outlet for sexual tensions is not open to any large segment of teen-aged youth, particularly those in upper social levels.

In the lower economic strata, however, from which the majority of our sexual delinquents come, teen-age marriages are not too uncommon. It is interesting that only a few married youths were referred to the court as sex delinquents. Furthermore, a stable marriage was an important consideration in the eyes of the juvenile court in terminating the delinquent's probation.

Of the 300 males in this study, only 7 percent at the time of their offense were married or had been married. Of the girls 3 percent were married and an additional 6 percent were separated, their marriages had been annulled, or their marital status was unreported.

About 34 percent of the girl delinquents and 18 percent of the boy delinquents got married while they were active wards of the court. For many the marriage seemed a stabilizing influence which contributed to the youths' dismissal from juvenile court supervision.

23. Sex Offense Complaints Against Juveniles Originated in Disproportionately Large Numbers in Certain Local Areas in San Francisco

For purposes of administration and reports, the San Francisco Juvenile Probation Department has divided the city into a number of areas or districts with socioeconomic significance. Identifying the juvenile sex offenders by their residence in these urban areas brought out some interesting and significant results.

So large a proportion of youths in the survey came from a few districts that these may possibly rate as sex delinquency areas. At the same time other large sections of San Francisco with almost no sexually delinquent referrals may be designated as nonoffense areas.

These conclusions are tentative, since no population figures are available by which to compute differential rates of reported sex delinquency among the various areas. It seems certain, however, that the area differences in numbers of sex offenders are not explainable in terms of differences in total population.

Further study must determine the full significance of these differences in geographic distribution of juvenile sex offenders.

Of each 100 sexually delinquent youths:

86 lived in San Francisco in:

- 21 Ellis Polk district
- 16 Mission district
- 16 Bayview district
- 6 Richmond district
- 5 Ingleside district
- 5 Southern district
- 5 Central district
- 3 Potrero district
- 9 five other districts

14 lived elsewhere in:

- 9 some other California county
- 2 other states (transients)
- 3 armed forces of the U. S.

24. Probationary Services Were Preventive or Correctional for Many Sex Delinquents Made Wards of the Court

About 39 percent of the sex delinquency petitions were finally dismissed and probationary services suspended because the wards appeared to be adjusted in the homes of their parents or relatives or were married and established in their own homes.

On the other hand, 34.3 percent of the sex delinquents were dismissed from juvenile court supervision in San Francisco only after they had been committed to the California Youth Authority (10.7 percent) or to a state mental hygiene institution (6.5 percent); had been transferred to a juvenile court in another California county; or were in custody of another local, state or federal penal authority in California (17.1 percent).

The remaining 26.4 percent of the sex delinquency petitions were dismissed after the wards had moved out of the court jurisdiction. About 9 percent moved or were sent home to another California county; 7.7 percent moved or were deported to another state; and 7.2 percent (16.5 percent of males and 1 percent of females) entered the armed services. The whereabouts of 14 wards were unknown at the time of case dismissal.

Table X. Adjustment Status of 402 Sexually Delinquent Youths At the Time Their Cases Were Closed or Placed Off Calendar

Status	*Percent distribution*		
	Both	*Boys*	*Girls*
Total: all closed cases	100.0	100.0	100.0
Presumably adjusted	39.3	36.6	41.1
Living in home of parents or relatives	30.3	32.9	28.5
Married and living in own homes	9.0	3.7	12.6
Presumably not adjusted	34.3	29.9	37.4
Ward of California Youth Authority	10.7	7.9	12.6
Ward of California Mental Hygiene Inst.	6.5	4.3	8.0
Ward of other public authority in Calif	17.1	17.7	16.8
Status unknown: moved away	26.4	33.5	21.5
Moved to other counties in Calif.	9.2	6.7	10.8
Moved to other states	7.7	7.3	8.0
In the U. S. armed services	7.2	16.5	1.0
Elsewhere	2.3	3.0	1.7

Adult Contributors to the Sex Delinquency of Minors

Adults charged with having committed crimes against children are prosecuted in a special branch of the superior court located, as is the juvenile court, in the Youth Guidance Center in San Francisco. Representatives of the district attorney maintain an office at the center for the purpose of prosecuting those adults who contribute to the delinquency of minors. To this office are referred complaints by juvenile probation officers, the police juvenile bureau and parents.

During the four years ending with 1950 the district attorney's office received approximately 1,200 complaints against adults alleged to be contributors to the delinquency of minors. Nearly 8 out of every 10 complaints had to do with some type of sex offense.

Complaints against adults charged with sex offenses against juveniles averaged about 236 per year during the four-year period, but the total number declined during the period. The largest number, 315 complaints, was registered in 1947. In 1948, 1949 and 1950 the numbers were respectively 223, 234 and 174. It is interesting to note that the 174 complaints for 1950 were but little more than one-half the 315 for 1947.[8]

Table XI. Complaints Filed With the District Attorney Against Adult Contributors to the Delinquency of Minors in San Francisco, 1947-1950

	Total complaints	*Sex offenses*	
		Number	*Percent*
Total 4 years	*1198*	*946*	*78.8*
1950	206	174	84.4
1949	306	234	76.4
1948	287	223	78.0
1947	399	315	79.8

Source: Annual Reports, San Francisco Juvenile Court, 1947, 1948, 1949, 1950.

VI. Suggested Problems for Further Research

One of the purposes of survey research is that of locating and defining important problems in need of more basic study. Reflections on the present findings have already indicated several vital problems for more intensive investigation.

1. What Are the Chances That a Juvenile Sex Offender, in the Absence of Effective Correctional Services, Will Turn Up in Later Years As an Adult Sex Criminal?

As pointed out earlier in this report, a reasonable hypothesis is that many of the dangerous sex criminals of tomorrow are to be found among sexually delinquent juvenile court wards of today. The hypothesis, although supported by logic and by some meager findings, requires careful testing by scientific research methods.

If conclusive research verified the truth of this hypothesis, its practical application is obvious. Many serious sex crimes by adults could be prevented by effective dealing with precriminal patterns in their incipient stages among children and youths.

Suggested research project: Select representative groups of juvenile sex offenders and of juvenile nonsex offenders, together with a control group of nonoffenders as of 1940 and check them for police contacts 10 or so years later.

2. What Differentiating Criteria Identify Children and Adolescents As Potential Sex Criminals?

The suggested hypothesis is that certain deviate patterns of attitudes and behaviors on the part of young persons predict sexually criminal behavior in the adult years. Such patterns as the following may characterize the juvenile sex offender who is a heavy risk for the future.

a. He is notably lacking in normal guilt feelings about misconduct even though others consider it serious, disgraceful and shocking.

b. He is overaggressive and unusually hostile in his relations with others.

[8] A special study of the court action against adult contributors to the delinquency of minors is planned for the future.

c. He notably lacks normal feelings of affection for those closest to him.

d. He is constantly self-defeating in his tendency to seek immediate gratification of his desires at the unfair expense of others, and in disregard of his own long-term satisfaction.

Suggested research project: Select a representative group of repeaters among juvenile set offenders for exhaustive study of their established reaction patterns, and check the findings against a control group of non-offenders.

3. What Kinds of Adjustive and Preventive Services Are Most Effective for the Correction of Deviated Patterns Among Potential Sex Criminals?

It is postulated that the incidence of sex crimes by adults could be reduced by correcting deviated patterns of response in children and youth. There are various assumptions as to ways and means of bringing about those corrections. The determination of what constitutes effective, practical treatment and preventive services still awaits research.

Suggested research project: Subject experimental groups of juvenile sex offenders to different types of treatment over a period of years and compare results among the several experimental groups with a control group of untreated sex offenders.

4. To What Extent Do Sex Offenders Progress From the Commission of Minor Offenses to the More Serious Sex Crimes?

There is much support for the theory that repetitive and compulsive sex offenses are symptoms of specific kinds of personality disorders or character defects, rather than a reflection of the learning of increasingly serious activities from the ground up.

Suggested research project: Select an experimental group of young adult sex criminals now in penal or correctional institutions. Obtain from each a complete sex history after the manner of Kinsey to show the extent to which members of the group specialized in the offenses for which they were committed, generalized their sex activities over a range of offenses or progressed from minor to serious offenses

5. To What Extent and in What Specific Ways Are Sex Offenses Related Etiologically to Disorganized Family Life, Including Disturbed Parent-child Relations?

Strong evidence supports the belief that inadequate and unhealthy parent-child relationships characterize the etiologic background of most if not all serious sex offenders. To date, however, no research shows fully the functional connections between specific patterns of parent-child relations and specific patterns of sexual offenses.

Need for research: Intensive and integrated research is needed to test hypotheses as to the possible existence of functional relationships between patterns of family relations and patterns of sex maladjustment. A basic weakness of previous research in this area is the fact that clinical findings are seldom checked against suitable control groups.

6. What Determining Factors Increase Markedly the Rate of Juvenile Sex Offense Referrals in Certain California Counties?

Possible explanations are numerous.

a. County differences in sex offense referral rates may be due to cultural differences and differences in public attitudes toward sex conduct.

b. County differences in sex offense referrals may be due to differences in administrative practices in various counties.

c. County differences may be due to other factors or combinations of factors.

7. Why Do Some Local Areas in San Francisco Have Relatively Large Volumes of Juvenile Sex Referrals While Other Areas in the Same City Have Only a Few or None?

8. How is Juvenile Sex Delinquency Related Functionally to Cultural and Social Class Differences in Sex Mores, Beliefs and Practices in Different Geographical Areas?

Needed research: These last three questions are of the type that require sociological and anthropological field studies in order to find valid answers. It is hoped that such studies may be carried out.

PART B

January, 1952

I. STUDY OF CERTAIN STEROIDS AND ANTIENZYMES IN URINE AND BLOOD OF SEX DEVIATES

General Report

Steroid Laboratory, University of California at Los Angeles
Departments of Medicine, Physiological
Chemistry and Biophysics

1. The Work in General

Preliminary studies of hormonal metabolism, uropepsin excretion and enzyme inhibitor levels have been made the past year on a group of sexual deviate patients at Norwalk State Hospital. The purpose has been to develop the necessary research bases for testing conclusively the assumption that these biochemical factors are related significantly to the patients' difficulties

The uropepsin excretions and enzyme inhibitor levels have fluctuated both from patient to patient and in the same patient from day to day. The fluctuations apparently parallel those observable in the patient's emotional stresses The probability that these substances are indicators of stress has been shown by other investigators, who are carrying on work on schizophrenia and other psychotic states in the Long Beach VA psychiatric unit.

The steroid hormone study has presented problems in reliable and valid measurement. A promising method of measuring individual 17-ketosteroids is now being tested. Like the uropepsin-enzyme inhibitor studies, the steroid data show fairly wide fluctuations among patients.

For these observations to be meaningful, psychiatric and psychologic studies of the patient must be made and correlated with the biochemical findings. When the correlations between the biochemical and emotional factors have been determined, the further direction of work and the possible lines of treatment can be more clearly defined. Possible approaches to treatment have been suggested, but no formal therapy can be recommended until all correlations have been completed and evaluated as to their meaning and significance.

By July, 1952, the biochemical program should be far enough advanced to integrate and utilize the work of the psychiatrist in intensive study of the individual patient.

A small laboratory has been established at Norwalk by U. C. L. A. with the cooperation of the staff and patients The next fiscal year should see considerable expansion of facilities and output of the laboratory.

2. Current Study of Hormonal Metabolism

Two types of hormonal metabolism studies are currently being done. The first consists of experimental work to develop valid methods of partitioning and measuring hormonal substances. The second consists of applied work to determine 17-ketosteroid output in a group of 25 sexual deviates at Norwalk.

Experimental Work

To aid in the partition of urinary estrogens (female sex hormone substances) the group worked out a clinically practical method for separating estrogens by selective adsorption on columns of pulverized rubber The method has been applied to studying hitherto unknown estrogen-like substances and also to partitioning of the different androgens in the 17-ketosteroids.

This complex work of separating the unknown substances from the estrogens is essential, first, in order to establish accurate methods for urinary estrogen measurement, and second, to identify the material and find out whether or not it has a metabolic relationship to the estrogens.

Fractionation of this material on a chromatographic column of vulcanized rubber has been accomplished. The chief fraction thereby obtained is now available in sufficient quantities to allow future studies on both its chemical composition and its biologic activity.

The technique of selectively adsorbing hormonal substances has also been applied to partitioning the different androgens (male sex hormones) in the neutral steroids. Work to date has shown that synthetic mixtures of two of the most abundant urinary steroids, androsterone and etiocholanolone, can readily be separated by chromatographic columns which use rubber powder as the adsorbent. This technique is to be applied soon to more complex urinary substances. It is expected that partition of these steroid substances may give valuable information not shown by the usual assays of total androgens (17-ketosteroids), since the various androgens may be derived from both sexual and adrenal glands.

The rubber column method of extraction developed and currently used, the best of several methods so far tried, is now being compared with a new procedure formerly used only for the extraction of estrogens.

Applied Work

The object of the applied study has been to determine for each sexual deviate in the survey the level of 17-ketosteroid excretion and the diurnal pattern of 17-ketosteroid excretion. These data are available for correlation with the psychiatric status of the patient as evaluated by the psychiatrist.

The procedure has been to study in 25 sexual deviates and in six normal subjects one 24-hour urine specimen and three 24-hour urine specimens collected in 12-hour amounts (day and night) per patient. The total

number of specimens studied has been 175 in sexual deviates and 12 in normals.

3. Current Study of Blood and Urine Enzyme Levels in Sexual Psychopaths

The study of sex psychopaths committed to Norwalk State Hospital was begun in September, 1950. The purpose was to find out whether sex offenders have abnormal blood and urine enzyme and enzyme inhibitor levels. The method was to use the West-Hilliard enzyme tests for the further study of patterns of blood and urine enzyme levels.

Results showed significant and consistent variations in the levels of blood chymotrypsin inhibitors and uropepsin from one individual to another. Psychiatric evaluations accompanied the initial survey.

During the past fiscal year the survey was extended to include 74 sexual psychopaths selected at random from patients at Norwalk. It is planned to correlate these biochemical data with psychiatric findings.

The test developed for study of blood chymotrypsin inhibitor levels is an instrumentalized colorimetric one based on a synthetic substrate. It has proved in preliminary work to be rapid and accurate. Present assays for blood chymotrypsin inhibitor levels are being made by both the West-Hilliard test and by the new procedure.

Results have so far shown that patients fall into two distinct groups. Whether these biochemical groupings can be applied to aid diagnosis and treatment remains to be seen.

In the small laboratory equipped by U. C. L. A. on Ward 26 at Norwalk State Hospital two patients with previous laboratory experience have been trained in the West uropepsin determination technique. Although these determinations have been excluded from reported results, they do furnish valuable supplementary data, since serial uropepsin determinations on individuals under certain rigidly controlled routines have never been attempted. Because of the distance, 32 miles, between U. C. L .A. and Norwalk State Hospital, work in the small laboratory has been the only feasible method of obtaining fresh serial specimens. It should be added that the two patients working in the laboratory are careful, devoted workers.

A better solution would be the establishment of a small, well-equipped and staffed laboratory, and this arrangement has been requested in the new budget figures.

Comparative tables for initial 17-ketosteroid values and uropepsin excretions in 22 sexual deviates at Norwalk State Hospital show that the volume of the uropepsin excretion per hour varies from 206 units for one patient to 2.2 for another. Similarly, 17-ketosteroid values range from 42.6 in the top patient to 4.75 in the lowest one. The normal uropepsin range is 15 to 40 units an hour, while the normal range for 17-ketosteroid values is 10 to 20 mg. per 24 hours.

The following scientific publications describe studies so far done by the research workers in the hormonal research:

Nye, J. F., Friedgood, H. B., Garst, J. B. and Maron, D. M: Photoöxidation of crystalline estrogens in the presence of flavins. Federation Proc. 10: 99, 1951.

Nye, J. F., Maron, D. M., Garst, J. B. and Friedgood, H. B.: Chromatographic separation of estrone, estradiol and estriol. Proc. Soc. Exper. Biol. & Med. 77: 466, 1951.

4. Proposed Plan for Study of Excretion of 17-Ketosteroids in Sexual Deviates July, 1952 Through June, 1953

A. Type of study: Daily excretion in individual patients over a three-month period or more, including:
   (1) Measurement of individual androgens (17-ketosteroids) if fractionation is by that time practical, or
   (2) Total androgen (17-ketosteroids) assays.
   (3) Use of 12-hour or 24-hour urine specimens, depending on results of current study of diurnal patterns.
   (4) Continuous evaluation of patient's changing clinical status, for purpose of correlation with biochemical findings.

B. Number of individuals to be studied:
   (1) A minimum of three sexual deviates and three normal subjects.
   (2) An increased number of individuals if the new extraction method by percolation proves feasible

C. Purpose of study: The purpose of this type of study is to determine possible correlations between the variations in the emotional state of the patient and changes in the chemical activity of the sexual glands, including possible activity of the adrenal glands, as measured by the accurate, reliable determination of urinary ketosteroids.

No study of this type has been previously reported on sexual deviates.

These data will in turn be correlated with those obtained in the enzyme studies on the same patients, and both sets studied for interrelationships between them and the psychiatric and psychologic observations.

It is the hope that these correlated findings may lead to a better understanding of biochemical and physiologic factors which influence certain patients. The new knowledge can then be applied to corrective therapy.

5. Proposed Plan for Study of Blood and Urine Enzyme Levels in Sexual Psychopaths

It is planned to continue during the coming year the studies described, and to coordinate them with the 17-ketosteroid studies and with careful psychiatric evaluations.

The interrelation of the biochemical data with each other and with the proposed psychiatric examinations promises to make the studies of real significance.

Particularly helpful would be the establishment of a laboratory at Norwalk State Hospital, more adequately equipped than the present one, and staffed with trained technicians, one to carry on the enzyme studies, the other to take charge of the steroid work. Such a laboratory would solve the present problems of transportation and intercommunication, and would allow a much greater bulk of materials and data to be collected and correlated in the allotted time.

Such equipping and staffing of the laboratory are included in the budget request for $25,000. In revised form the proposed budget allocates somewhat differently from the original request the various sums to be spent.

Proposed Budget—State of California Department of Mental Hygiene
July 1, 1952 to June 30, 1953

A. SALARIES—PERSONNEL		
1. Psychiatrist (half-time, or Psychiatrist and Psychologist—one-fourth time each)	$4,410 00	
2. Principal Technician—Jessamine Hilliard	5,327.16	
3. Laboratory Technician	3,024.00	
4. Laboratory Technician	3,024.00	
5. Secretary—Ruth Nokken	3,024 00	
6. Laboratory Assistant (Dishwasher, July and August)	150 00*	
7. Research Associate—Josephine B. Garst, July and August	900.00*	
8. Senior Laboratory Technician—Dorothy Maron, July and August	662 00*	
		$20,521 16
B. CONSUMABLE SUPPLIES		
Supply blankets (see attached list)	$2,000 00	
Chemicals and apparatus (see attached list)	1,478.84	
		$3,478 84
C. PERMANENT EQUIPMENT FOR NORWALK		
Klett	$200.00	
Centrifuge	100.00	
Steam generator	525.00	
Miscellaneous	175.00†	
		$1,000 00
		$25,000.00

* To be transferred to another fund They will continue to serve the program, however
† Would psychiatrists require additional equipment or supplies at Norwalk?

I. STUDY OF CERTAIN STEROIDS AND ANTIENZYMES IN URINE AND BLOOD OF SEX DEVIATES

Steroid Laboratory
Departments of Medicine, Physiological Chemistry and Biophysics
University of California at Los Angeles

Summary of Evaluation Report

By A. R. Mangus, Ph D.

This report is based on an evaluation of the U. C. L. A. study of certain steroids and antienzyme substances in the blood and urine of patients committed as sex psychopaths to Norwalk State Hospital. The study has been in progress for more than a year under the general supervision of Dean Stafford L. Warren of the U. C. L. A. Medical School. It was initiated under the terms of the Sexual Deviation Research Act passed by the 1950 Session of the State Legislature

The materials for this report were obtained through conferences and interviews and by reading of published and unpublished reports

The main purpose here is to evaluate the U. C. L. A. research project from the viewpoint of the soundness of the research design or proposed design and organization, and to assess the expected outcomes from this type of investigation. No attempt is made to judge the worth of the laboratory methods and techniques being employed by the project personnel nor the biochemical understandings and principles on which the are based. Such an appraisal requires the competence of a specialist in the biochemi sciences.

Backgrounds for the Project

Examination of available documents indicates that the U. C. L. A. project was conceived on the basis of two general theories. First, that the endocrine system may be seriously disordered in so-called sex psychopaths. Second, that habitual sex offenders may be distinguished by abnormalities in protein metabolism.

The first of these theories was based partly on the recognized principle that the psychosexual behavior of men is influenced by concentrations and balances among androgen and estrogen hormones, and partly on prior research findings. Endocrine research done on schizophrenic subjects by Pincus et al [1,2] had suggested that there are disturbances in estrogen-androgen ratios and also that there is an abnormal variation in the diurnal excretion of 17-ketosteroids in schizophrenic men. These findings were not substantiated, however, by Bowman and his coworkers.[3]

The second theory, postulating a functional relationship between protein metabolism and sexual deviations, was derived largely from findings of Doctor Philip M. West [4] and his research staff, who studied mainly cancer patients. These studies showed in the blood sera of cancer patients abnormal concentrations of certain proteolytic enzymes. Under certain conditions changes in these concentrations correlated with changes in the clinical status of the patient during the course of his disease.

In collecting his data West has also measured three enzyme concentrations, chymotrypsin and rennin in the blood and uropepsin output in urine The first two enzymes are accompanied in the blood by excesses of their inhibitors, in terms of which the chymotrypsin and rennin levels are measured. Uropepsin is determined by extraction from urine Chymotrypsin inhibitor is an element of an enzyme system associated with the rate of protein destruction. Uropepsin is a proteolytic enzyme, the output of which is said to correlate directly with adrenal function [5,6] and is therefore taken as a measure of adrenal activity, according to biochemical opinion.

One finding by West was particularly suggestive. He found that relief from anxiety provided by prefrontal lobotomy to patients for alleviation of intractable pain was often accompanied by reduced chymotrypsin inhibitor concentrations This led to the assumption that emotional conditions alone affect the enzyme systems in the absence of organic diseases such as cancer. Further observations suggested that chymotrypsin inhibitor levels correlate with anxiety in certain types of mental patients

As further background for the sex research project under review, reference must be made to Doctor James S L. Jacobs' research on mental patients at Long Beach VA Hospital. Jacobs, Chief of Psychiatric Service, applying the biochemical methods of West, is making periodic blood and urine determinations on a series of research subjects (patients) in relation to shock therapy and other forms of treatment. Patients participating in one phase of this research belong to three clinical groups—schizophrenics, conversion hysterics and those with acute anxiety states

[1] Pincus, G., et al : Aviation Med., **14**, 173 (1943); J Clin Endocrinol., **5**, 291 (1945); Recent Progress in Hormone Research I, 123 (1946).
[2] Hoskins, R. G., and Pincus, G : Psychosom Med., **11**, 102 (1949)
[3] Simon, A., Bowman, K M., and Holliday, N : J Nerv & Ment Dis., **107**, 358 (1948).
[4] Department of Investigative Medicine, Long Beach VA Hospital, Long Beach, Calif
[5] Mirsky, I. A., Block, S., Oscher, S., and Broh-Kahn, R: H J Clin Investigation, **27**, 818 (1948)
[6] Podare, C J., Broh-Kahn, R. H., and Mirsky, I A : J. Clin Investigation, **27**, 834 (1948)

Enzymatic determinations were made on the patients who had been graded under five degrees of anxiety—absence, slight, moderate, severe and panic.

Studies by Jacobs imply that some emotional disorders are accompanied by changes in protein metabolism and in adrenal activity. They apparently point to the conclusion that anxiety reactions to acute stress are under certain conditions measurable by antichymotrypsin concentration levels. Control group comparisons indicate that certain psychotics are distinguished from normals by the greater intensity of the biochemical reactions under stress.

An examination of Jacobs' results gives the impression that the blood and urine determinations may identify patients in an acute or incipient stage of schizophrenia and those in a state of acute anxiety. In some instances the developmental course of a mental disorder may possibly be charted biochemically as was done by West with regard to cancer. Further studies will be required to find the mechanisms which give rise to the associations found between enzymatic findings and personality factors.

It should be pointed out that the correlations discovered between the variables measured in these studies, though important for other reasons, do not throw light on the problem of the etiology of mental disorders. They were not designed for this purpose. They have no direct bearing on the problem of sex deviations, but provide background information for the sex research and may foreshadow the kinds of outcome to be expected from the U. C. L. A. project.

Working Hypotheses

Two relatively independent problems are being investigated in the U. C. L. A. sex research program. One is concerned with the study of androgenic and estrogenic hormones extracted from urine of male sex deviates. The other is concerned with determinations of antienzyme substances in the blood and with uropepsin output in the urine of sex deviates.

Discussion with research project leaders reveals what is here taken to be the working hypotheses implicit in their efforts The working hypotheses, four in number, are postulated as tentative assumptions to be proved or disproved by the research findings

A. The first hypothesis is that a functional relationship may exist between *protein metabolism* (as measured by antichymotrypsin and antirennin levels in blood sera) and *clinical status* of patients committed as sex psychopaths.

B. A second major working hypothesis is that functional relationships may exist between certain *androgen and estrogen outputs and balances* measurable in urine and *clinical status* of patients committed as sex psychopaths, including some homosexuals.

C. A third hypothesis implies a possible relationship between *adrenal activity* as measured by uropepsin output and *clinical status* of the patients.

D. A fourth hypothesis assumes that if research findings support the preceding assumptions, psychiatry will have valuable biochemical aids for use in diagnosis, prognosis and evaluation of treatment programs with the so-called sex psychopaths.

Research Methods and Techniques

In research, scientifically valid conclusions are generally arrived at only after careful adaptation of empirical methods and techniques to prove or disprove the stated hypotheses. This requires devising and executing satisfactory designs or plans for collecting and analyzing data and for arriving at sound inferences

Any new field of investigation usually necessitates much exploratory work, to find suitable sources of data and adequate methods for dealing with them. In this regard the present study is no exception. Its work to date has been exploratory, and requires further search for sound methods before a final, over-all experimental research plan can be drafted.

The emerging design of this research will require the determination of correlations between variables in two separate areas of investigation. One set of variables consists of the changing titers of steroid and anti-enzyme substances. The other consists of the changing clinical condition of the patients in the study.

One method of investigation is that of estimating the correlation at a given time between biochemical measures and clinical condition in a large number of patients classified into meaningful diagnostic groups. Another method is that of estimating the correlations in a series of individual patients over a period of time. It is evident that the second method correlation determination is required to test the hypotheses, and suitable control groups must be utilized, to obtain conclusive results.

The study thus requires biochemical research to obtain reliable measures of changes in the several phases of body chemistry selected as valid for the investigation. It also requires clinical psychiatric and related research to determine clinical variations in patients. The two lines of investigation provide the dependent and independent variables required for correlation analysis

It is difficult to see how any real light can be thrown on the truth or untruth of the stated hypotheses until reliable and valid empirical data pertaining to both of these variables are collected.

A. *Biochemical research methods* are described elsewhere in the general report of the research and will not be repeated here.

B. *Psychiatric methods.* Biochemical measures will be useful in testing the research hypotheses only when parallel personality evaluations are available for comparisons. These evaluations require the competences and skills of psychiatrists and psychologist in the diagnosis, prognosis and treatment of personality disorders. The present research staff does not include such specialists.

Two lines of personality research are needed. First, patients committed as sex psychopaths should be classified into more meaningful clinical categories. Admittedly, these patients are a heterogeneous group from both clinical and other points of view. In an earlier pilot study Jacobs interviewed 25 patients committed to Norwalk under the sex psychopath law, and diagnosed them as 12 schizophrenics and 13 non-psychotics. The latter group consisted of a variety of clinical types, including mental deficiency and organic brain disease.

This is one example of the diverse nature of sex psychopaths. If they are divided into more homogeneous and significant clinical categories.

then the well known group comparison method can be used in relating biochemical measures to clinical evaluations.

Second, periodic psychiatric evaluation of the clinical status of each patient in the study must be made by a psychiatrist or research team if results are to be conclusive. Clinical evaluations and biochemical determinations should coincide in time to assure valid results.

A major weakness of the research is that the laboratory tests have proceeded without the clinical evaluations which should accompany them.

Accomplishments to Date

Up to the present this research program has been exploratory in nature. The accomplishments are described in detail in an accompanying general report and need not be repeated here.

Helping and Hindering Factors

The research has been developed in a highly favorable biochemical setting. There are, however, several limiting factors which need effective handling if the study is to be carried through to conclusive tests of the hypotheses regarding sexual deviation

A. Most serious is the lack of research staff to make the clinical personality evaluations for correlation with the biochemical findings. Reasoning by analogy from the findings with regard to the correlations between inhibitor concentrations and the clinical status of cancer patients, one assumes that similar relationships may exist between blood and urine determinations and the clinical status of patients committed as sex psychopaths. It should be pointed out that the cancer patients received various kinds of treatment, both surgical and medical. Blood and urine determinations coincided with treatment procedures over a period of time for each patient. Fluctuations in enzyme concentrations could then be correlated with accompanying clinical changes of the patient and related to treatment procedures.

Evidently a similar process will have to be applied to the sex psychopaths if the study is to have value.

B. Another limitation in the research project under review is the wide geographical separation between the patients in the study and the laboratory staff and the facilities for making biochemical determinations The laboratories at U.C.L.A. are about 32 miles away from the experimental group of patients at Norwalk. The limitations include not only the time, effort, expense and inconvenience of transporting specimens by automobile, but also, and more serious, the possible distortion of findings as a result of the transportation

The Norwalk staff has cooperated in an attempt to overcome in part the transportation handicap by setting up a small laboratory in a bathroom in one of the wards where the patients are housed. One of the project leaders has experimented in training certain patients themselves to make the enzymatic determinations. This is recognized as a rather dubious research procedure which may not meet the criteria of scientific evidence, if such findings are used as data.

C. A major limitation of the hormonal phase of the research was found in the lack of accurate methods of determining the quantities of the individual androgens, estrogens and related hormones in urine samples. This

methodological difficulty must be overcome before the study can proceed with collecting and recording of hormonal data related to the basic research problem.

D. A fourth rather obvious limitation relates to research organization This type of investigation requires integrated and coordinated research in order to obtain the empirical observations necessary for testing the stated hypotheses Integrated research in turn requires investigators from different fields of specialized knowledge, with different skills and with different approaches Effective organization is required to integrate such research personnel into a capable working team

It was observed that the two major parts of the biochemical research—the hormonal metabolism and protein metabolism—have not proceeded in close coordination was prevented by the lack of reliable methods available for application in the endocrine area.

A further problem of integration will arise when psychiatric clinical research workers are added A research coordinator or coordinating committee with thorough research methodological training and experience will be needed to make the investigation an effective teamwork project

Expected Outcomes

A final question concerns the possible outcomes that may be reasonably expected from this research project Evaluation in this regard may be made on the basis of two mutually exclusive assumptions First is the assumption that the limitations cited above will be overcome Second is the assumption that it will not be possible to effectively remove the hindrances In case of the second assumption, the results being obtained may have methodological and other values for biochemistry but would probably be rather useless for the stated purposes of this research

More attractive is the assumption that the real hindrances to progress of the project will be successfully overcome In that case the hypotheses may be supported in whole or in part or may be proved false If the research findings do not support the hypotheses the project should not be considered useless, since it will provide new knowledge, possible new research leads and hypotheses Even blind alleys must be explored.

The hypotheses may finally be verified by research findings Even so, the theoretical and practical value of the findings should not be too much exaggerated The problem of the causes and cures of what the law labels sex psychopathy will not have been solved If it is proved that relatively simple blood and urine determinations are for some sex deviated patients under stated conditions related to their clinical status, then psychiatry would have a new and useful tool to apply in diagnosis and prognosis and in evaluation of the effectiveness of various treatment procedures On the biochemical side new vistas for fruitful research will have been opened

A review of these possible outcomes makes clear that the workers on the project may have the good fortune to strike a genuine bonanza in the form of new methods, new sets of facts or new principles not directly related to the stated aims of the study No one can foretell how important a given research will be Romantic views should not be pushed too far, however, for almost all modern research is a method of producing conclusions by empirical techniques rather than a method of exploring a field to see what can be found.

Time Required to Achieve the Research Objectives

The time required to make conclusive tests of the hypotheses of the research program is difficult to estimate. The magnitude of the general problem under investigation, namely, the interrelations of body metabolism and personality function, is so great and its ramifications so diverse that years of research may be required to arrive at final solutions The research staff estimates another year of exploratory work before satisfactory experimental techniques can be produced for finally testing the hypotheses which give purpose to the study

II. SEX CRIMES AGAINST CHILDREN

Setting for the Study

Periodically every community experiences the horror and revulsion which comes with the discovery of a sex crime. Of particular heinous nature is that crime involving a young child, and the clamor for punishment becomes vociferous This attitude is readily understandable not only because of our natural protectiveness toward children but also because of a general revulsion toward the sexually deviated person

The discovery of any serious sex crime always stirs up in people a great deal of anxiety and fears about personal safety, particularly about the safety of women and children Above all, the disclosure of a sex crime against a child raises a clamor for more stringent legislation for the punishment of the offender Along with the resulting new legislation is nevertheless the realization that these offenders cannot all be imprisoned for life and must be eventually released Although the problems of punishment are not to be minimized, of equal or greater importance are those of crime prevention In the efforts to protect children and adults, all possible means should be investigated by which to detect those sexually deviated persons *before* a crime is committed

Thus has developed a public demand to further understand the sex criminal and what makes him behave the way he does To this end research in the field of sex crimes was authorized by the California State Legislature in 1950 Planning for well-rounded research which would focus on physical, psychological and sociological data was begun

Sex crimes against children usually evoke an image of violence—often murder Although violence and even murder do occur in some instances, they are much less frequent than one would think One remembers the crime of violence because of its enormous impact Of greater frequency is the less dramatic attack upon the child, an attack which may range from fondling, to genital manipulation, to mutual masturbation to intercourse

A review of scientific literature in the area of sex crimes shows that particular attention has heretofore centered on the adult offender and very little research has concerned the victim This lack of attention to the victim reflects in part the popular belief that the offender alone is responsible for the crime and that the victim is merely an unwilling partner. Actually there have been only about three or four studies which deal more directly with the victim Dr Karl Abraham [1] in 1906 stated that the child victim of a sex act may secretly enjoy this act. A study

[1] Abraham, Karl Selected Papers London Hogarth Press, 1927

by Bender and Blau [2] in 1937 of 16 children in Bellevue Hospital revealed that six of the children did not resist but invited or initiated sex contacts. A study by Benjamin Apfelberg [3] of 250 nonpsychotic men charged with sex offenses described the men's psychiatric status as less abnormal than that of the minor girls involved in the sex episodes. Rasmussen's [4] follow-up study in Denmark of 54 women who had been child victims of convicted sex offenders found only eight with serious emotional abnormalities in adult life, and in these the early sexual trauma was not judged to be an important factor.

This lack of specific research, as well as the understandable concern for the victims and the effects of the sexual experience upon them, has suggested that a study of sex crimes against young children could achieve no adequate, complete understanding without a thorough psychiatric study of the child and the child's family, along with a full study of the offender.

In the beginning the problem for study began to be formulated as follows:

1. To what extent in the individual case did the child resist sex advances, passively accept them or even initiate or aid the sex contact?
2. Would an increased knowledge of the psychology of such children aid in the over-all prevention of such offenses?
3. What are the similarities and differences between children who have been involved in sex offenses and those who have not?
4. What makes one child permit or submit to sexual activity while another rejects it?
5. Are there significant differences in these children's development?
6. What factors in the family constellation may predispose the child to participate in sexual experience?
7. What effect has this experience had on the child?

The second aspect was the study of the offender. What type of personality does he present? What important influences in his childhood and adult life made him seek this deviate type of behavior?

Scope of Study

The group for study are male and female children under the age of 15 who have had some form of sexual involvement with an adult over the age of 19. This age group was chosen because it was felt unwise at the start to study the older age group with its added factor of developing adolescence and attendant problems. Moreover, a five-year age differential between the victim and the aggressor would avoid situations of sexual play among contemporaries and make for a more clearcut study. The sexual experiences were to include not only intercourse but also manual manipulation, exposure, witnessing of sexual exposure and any other participation in sexual activity by two or more individuals.

Method of Study

The study unit has consisted of two psychiatrists, a psychologist, a psychiatric social worker and a secretary.* By agreement with the district attorneys of the several counties participating, no child was to be

[2] Bender, Lauretta and Blau, Reaction of children to sexual relations with adults Am J. Psychiat 100 762, 1944
[3] Apfelberg, Benjamin, et al A Psychiatric Study of 250 Sex Offenders Am J. Psychiat 100 762, 1944
[4] Rasmussen, A Acta Psychiat et Neurol 9 351-434, 1934
* Respectively Joseph Weiss, M D., full time; Estelle Rogers, M D., half time, Charles Dutton, Miriam R. Darwin and Marie Farley, full time

contacted without prior permission from that office or during the litigation of the case. Only after the verdict was obtained was contact with the child or family permitted

The social worker has made the initial contact with the family, explained the project and enlisted cooperation. A complete social history of the child's development includes physical, emotional and social data about the child, his relationship to parents, siblings and contemporaries, his adjustment in school and the family setup and interactions.

Direct observations of the child victim's behavior in the playroom and additional interviews with relatives, teachers, social agencies or anyone else with pertinent knowledge of the child and family have added to an understanding of the total situation. Whenever possible the children are observed during the court procedures Attempts are also made to get as complete social histories as possible on the parents, in order to understand them and the behavior which has in turn affected their children. Careful information is sought regarding parental attitudes toward sex and the manner in which the child victim was oriented by the parents. Special attention is paid to any areas of tension between parents and the children. Similar social histories have been sought from the offenders.

All material, objective data, as well as the dynamics observed by the interviewers, have been recorded as fully as possible in narrative form. Each child is seen by the psychologist, who gives Rorschach, thematic apperception tests and intelligence tests Whenever possible similar psychological tests have been given to the parents (usually the mother) and to the offenders

Conferences are held regularly on each case while it is in progress, and a final evaluative conference is conducted at the conclusion of each study At that time all material and impressions are summarized in terms of the following outline, in order to have similar information on each case

I. The Sexual Experience:
   - When it took place
   - With whom
   - Circumstances
   - Child's reaction
   - How revealed
   - Parental reaction

II. History:
   - Child's development
   - Child's adjustment to home, school, friends
   - Any unusual physical development or events

III. Family Relationship:
   - Parent—Parent
   - Parent—Child
   - Child —Siblings, etc.

IV. Direct Observations:

Child's reaction to interview
Attitude on leaving mother
Attitude toward interviewer
Behavior in playroom, with content of play
Response to psychological tests

Case Findings

To date 46 children have been studied. Of these, 35 were referred through various district attorney's offices and 11 from different social agencies.

REFERRALS

District attorney	32
Public welfare	5
County hospital	1
Adult probation	1
Juvenile probation	6
Florence Crittenton Home	1
Total	46

It has been our purpose to study as many as possible of all children known to have been sexually molested in Bay Area counties. The social worker, who has the responsibility for case findings, established the following general procedure. As a point of departure the district attorneys of the five Bay Area counties were contacted and their cooperation enlisted. In addition all social agencies dealing with children were contacted individually and in groups. These included case working agencies and also group work, health and law enforcement agencies. Large group meetings of professional people dealing with children were held in Santa Clara, San Mateo and Contra Costa Counties. These meetings stimulated questions on the part of the participants and made them think about the way such victims were being handled.

It has been our contention that for every case brought to the attention of the district attorney's office, there are several cases in which no recourse is sought either from law enforcement or social agencies. Despite concerted efforts to find such cases we have so far not been very successful. Our observations, therefore, concern mainly the limited situations in which families sought the law enforcement agency, and thus reflect the types of families and of persons who appeal to courts to help.

Before beginning the analysis of the material obtained it is important to point out that although the law is the same for all counties, the actual practice in the prosecution of cases coming under Section 288 of the Penal Code varies. In some counties the practice is to try to prosecute every case possible, bringing it either before the court or for a jury trial. In other counties the practice seems to favor urging the defendant to plead guilty to sexual psychopathy. Thus he is committed to Mendocino State Hospital for an observation period of at least 90 days and later may be returned to the community and placed on probation. The second, more expeditious practice avoids the cost to the county of a jury trial.

The reason for the divergent practice is not altogether clear and may relate to a number of factors which might bear further study. It is important for this aspect of the research, since in cases of an actual trial

in which the child has had to appear on the witness stand and be cross-examined, the parents have greater reluctance to agree to participation in the research. They do not wish the child to consider the experience again. On the other hand when no trial takes place the parents have some feeling of not knowing what happened, of being left out. These reactions, though somewhat contradictory, do point up the impression that the parents may seek something more from the action than punishment of the offender. This point will be elaborated in considering the emotional makeup of the parents.

General Description

Here one must point out that this is not a statistical study, in that it does not primarily deal with large numbers of victims. Rather the research centers on studying as intensively as possible all possible cases. Evaluation of data has considered similarities as well as differences. Some general observations of the group follow:

In the 46 cases the age and sex distributions were:

	Sex	
Age	*Female*	*Male*
14	4	–
13	3	–
12	1	4
11	5	1
10	5	1
9	4	–
8	6	1
7	3	–
6	3	1
5	2	1
4½	1	–
	37	9

In each of five families of the total number, two children were molested by the same person, and in one case two cousins whose families lived in the same apartment building.

The nature of the offenses varied from actual intercourse to exposure of genitals.

Vaginal intercourse	4
Vaginal intercourse resulting in pregnancy	4
Fingering and fondling of genitals	20
Anal intercourse	4
Fellatio	2
Mutual masturbation and exposure	12
	46

Of equal significance are the offenders participating in these acts:

Neighbor	14	
Family friend	9	
Stranger	7	
Uncle	3	
Stepfather	6	
Foster father	3	
Father	3	(One case of accusation; no proof)
Brother	1	
	46	

The foregoing tabulation bears out a fact that early began to impress the research group, namely, that contrary to what might be expected these children were in general not molested by total strangers. Not only did most of the children know the offender, but in almost all instances so did the family; and in 16 cases the relationship was a much closer one. The question arose why the parents did not suspect anything unusual.

The children's school records showed few or no difficulties with either the attendance bureau or the child guidance department. A few children had been truanting, but not excessively so. However, almost all the children evinced general lack of interest and did only fair to poor school work. Our study fully corroborates the observations of Bender and Blau, who found that the child's greater than usual preoccupation with sex hindered his school advancement.

It is noteworthy that in only a few instances was the school aware of the child's sex experience, and then usually because the child had to miss school on account of court appearances. In but two cases did the defense attorney get into contact with the school, in order to evaluate the child's character, and, in one of the two, put the teacher on the witness stand. (In the latter case the offender was found not guilty.) Not one of the 46 children was so dull intellectually as to warrant the statement that he did not know what was happening.

Careful attention to other forms of behavious revealed some rather significant facts. Although as a group the 46 children did not show extraordinary neurotic symptoms, the more intensive the study of the total situation, the more significant problems emerged.

LENGTH OF INDIVIDUAL CASE STUDY

Cases studied for as long as deemed necessary	17
Child withdrawn from interview	9
Child never interviewed (parent's refusal)	5
Child never interviewed—left town	1
Cases still in process	14
Total	46

Even in the cases studied incompletely, it was possible by the method of interviewing elsewhere described, to gather basic information and to form some impressions.

In the total of 46 children such disorders as stealing, tics, sleeping disturbances, eating difficulties or toilet training problems were not outstanding, but in the group studied more intensively they almost always came to light. While many of the children had occasionally taken money from their parents, four of the more closely studied group had histories of stealing. Almost all of the children bit their finger nails. About one-third of the total group reported frightening dreams and sleep disturbances, and the more closely studied group gave the contents of frightening dreams such as fear of being hurt by men (E. M.); being bitten by spiders (A. M.) and of world destruction (B. C.). Some of the mothers, when giving the social history, reported the victim as harder to

know than the other siblings. One quality mentioned by enough mothers to warrant comment was the degree of friendliness and the markedly outgoing personality on the part of the children. This characteristic was usually given as an excuse for the attraction which the child may have exercised.

Additional data for the entire group show their religious affiliations and racial groups:

Catholic	21	White	41
Protestant	15	Negro	3
Jewish	4	Part Indian	1
Latter Day Saints	1	Chinese	1
Seventh Day Adventist	1		
Unknown	4		
	46		46

Direct Observations

The children, particularly the younger ones were interviewed in the playroom, which is equipped with toys representative of everyday situations. This method of reaching the younger child has been developed by psychiatrists in their treatment of children's disorders. The technique is equally useful in research because the basic life situations can be recreated and the child's reactions to them observed.

It is impossible to present a composite picture of the 38 children intensively studied, but on the whole they were physically well cared for and generally well developed We saw no undernourished or undersized children. The outstanding quality noted in most of them was their unusual friendliness With almost no difficulty the children would leave their mothers and follow the therapist into the playroom, nor did they seemingly need much persuasion to remain there.

Of the children seen to date the majority were seductive and flirtatious, while about eight or nine were apprehensive. Most of them were eager to win the interviewer's approval. They seemed hungry for affection and showed this longing by being reluctant to terminate the hour and anxious to return. Many also sought material gifts such as candy or toys to take home from the playroom Much of the play could be characterized as dramatization with a good deal of mobility suggesting the child's inability to bear tension.

Contrary to parental statements that the child had forgotten about the sex incident by the time we saw her, almost all of the children referred to it at some time or other. One 10 year old girl (L. W.) became very flirtatious with the psychiatrist (a male) and said, "You know what a fanny is? You know what a butt is?" She then had to go to the bathroom, and later she admitted that she had certain thoughts which made it necessary for her to relieve herself. A 13 year old girl (A. M.) told the male psychiatrist, "I know I've seen you before because I never forget a face. Did I meet you on Market Street in one of the bars? I'm sure I did."

One four and a half year old (A. F.) sat with her dress up and her legs apart, telling with great relish of the way in which the neighbor had fondled her. A girl of eight (V. M.), who told a fantastically vivid story of sexual activity which she was supposed to have witnessed next door, was very flirtatious with the male psychiatrist, but refused to see him

the following week because she said he asked her dirty questions. Of course none of this was true.

One boy aged 12 (M. M.) hid a box of plasticine over his genital area inside his pants. Pretending that the plasticine was now in his body he protruded his belly and said, "You wouldn't cut me open to get at it, would you?" He would also put toys in his pocket and say to the male therapist, "If you want it reach for it."

A great deal of the play was centered around sleeping arrangements and with putting one doll on top of another, to a point that impressed us with the unusual degree of sexual precociousness One five-year-old girl put the mother and father dolls in bed, then erected a barrier of furniture in front of them, meantime commenting, "Now nobody can see." Another girl of ten was preoccupied in the playroom with sleeping arrangements; first she put the father doll on top of the mother and vice versa until she experienced an urge to urinate, which we learned was her way of relieving tension A girl of eight immediately put two pairs of male and female dolls in bed, designated one pair as herself and her boy friend, the other as her girl friend and the latter's boy friend, then corrected herself and said that the dolls were married, meantime watching the therapist for any reaction.

Although the children dramatically revealed to us their unusual concern about sex they were at the same time uneasy about it, knowing that there was something wrong in their awareness and feeling guilty about it. When we wondered why these children had not been able to share the experiences with their parents, we found that most of them had tried to tell their parents. This point is one of the first indications of differences in parental reactions. Although many children in one way or another tried to tell their parents about the sex experiences, some parents seemed unable or unwilling to hear.

Closer attention to the sexual incident itself and the precipitating factors disclosed some interesting correlations As shown in the tabulation on the relationship of offender to victim, it is well to recall that the majority of offenders were neighbors and friends known to the family. Further investigation revealed that in but eight cases was there only one sex experience, about which the family was informed immediately and took action. At the other extreme was a case in which the relationship lasted for a period of eight years, the first experience having taken place when the girl was three years old. In four cases the child had a relationship with more than one adult. At least 10 of the 46 children were paid money, and in some cases a substantial sum. Many more were given candy and comic books about the source of which the parents had little curiosity.

Closer scrutiny of the eight children who immediately told, as opposed to the 38 who did not, showed these differences:

The group of eight had:

One contact.
With a stranger.
Reported it immediately.
Received no gift or remuneration.
Were shy or apprehensive in the playroom.

Whereas the other 38 had:

More than one experience.
Knew the offender over a period of time.
Kept it a secret for a period ranging from weeks to years.
Received some reward in the form of candy, money, comic books, etc.
Were outgoing and rather aggressive in the playroom.

Two types of cases thus become clear—the accidental and nonaccidental victims, of whom the second was the larger group. Further understanding would depend upon study of the families from which the children came.

Family

It is well known that the earliest influences upon children come from the family. The child looks to the parents for standards and guidance in social behavior generally, as well as specifically in what is right and wrong. Psychiatrists have described this process as the development of identification, the superego in the child, more popularly labeled "as the twig is bent." Of course other forces influence an individual's concepts and standards—education (school), religion (church), economics (employment), social groups. But the child learns his first and basic concepts by observing parental behavior and by family interaction with the parents and siblings A good family relationship in which the child experiences affection and consistent behavior from the parents goes toward the formation of a good character. Conversely, a disturbed relationship makes for bad character formation and values for the child.

Applying similar study methods to the families (parents) as to the child victim resulted in these impressive factors:

1. High degree of family instability in the 38 nonaccidental victims:
   Divorces.
   Separations.
   Placement of children outside the home.

2. High degree of unhappy marriages with parents using the child as a pawn between them:
   Looking to child as fulfillment of their own needs.
   Disagreement regarding sexual information to be given child, with attendant confusion for child.

3. Emotionally disturbed parents, unable to give the child affectionate ties and consistent standards:
   Several psychotic parents with state hospital commitments.
   Some highly neurotic.
   Most had their own unresolved problems about sex, and therefore
      1. Overstimulated the child directly.
      2. Overstimulated the child indirectly.

4. Parents unable to heed child's confidences and information about sex and other important experiences.

5. Higher degree of family instability in the eight accidental victims.

It should of course be emphasized that the family problems, however important in themselves, must all be related to their effect upon the child

victim. Almost all the children came from wage earning families of marginal to good socio-economic status. The occupations ranged from corporation bookkeeper to laborer. Two fathers were self employed, another was a student at a local college. Only three families were receiving public assistance of any kind. Six of the group were "only children," and but two children came from such large families as to make physical neglect possible, although actually this was never the case.

The most outstanding impression of this group of families was the high degree of family instability which led to a breakdown of the marriage, often with placement outside the home for the child. In 17 of the 46 cases the parents were married and living together; in 29 cases they had some type of separation. An interesting tabulation shows the various placements and situations of the children:

Family intact	12
Father in armed forces (family with relatives)	5
Stepfather in home	7
Parents divorced, remarried, separated	2
Parents separated	1
Desertion by father	1
Father in jail, mother's boy friend in home	1
Foster home	6
Relatives' homes	4
Boarding school	2
Unknown	5
	46

A second forcible impression was the high number of unhappy marriages. In such cases the child, usually caught in the middle and emotionally pulled by each parent, does not know with which parent to side. The child wants to bring the parents together and establish harmony. Thus we see an eight-year-old girl (M. K.) being groomed by the father as another Shirley Temple, really in a sense supplanting her mother. The father's own history is one of a great deal of emotional deprivation. His marital relationship is very poor; since the very difficult birth of this child his wife has refused to have intercourse with him. He blames his present unhappy life onto his own unhappy childhood and his rejection by his mother, who placed him in an orphanage. The anger begun in childhood has persisted through his adult life. This emotionally sick man sees in his daughter a striking resemblance to his mother in physical appearance, behavior, attitudes. Being rejected by his wife and feeling inwardly humiliated by this, he turns to his daughter for love and esteem as he had once turned to his mother.

But consider the resulting emotional predicament for his eight-year-old daughter. The mother would often ask the child, "Why do you always like to go with your father instead of me?" The child knew her mother had suffered at the time of her birth and now worked to support her. She had heard her father say, "I'm willing to take a few punches so that my little girl can have a daddy." Young though she is, this child knows that to give to each parent the exclusive love he wishes would involve disloyalty to the other, so that she is almost always in a state of anxiety and guilt.

The mother has also criticized the father for kissing the child erotically. The child, hearing this, although she senses the mother's disapproval, becomes aware of her own femininity, and seizes on it as a means of

retaining a feeling of adequacy, but at the same time feels uncomfortable. When a male boarder brought into the home by the father suggests sex play and offers money, his attentions seem more acceptable, less forbidden than those of her father. Because she has heard her mother accused of promiscuity, what she is doing seems no different and at the same time plays into the father's pride in her feminine attractiveness.

It is noteworthy that the father, as stated above, introduced the man into the home; that although the offender was an unsavory character, often drunk, the father never questioned his daughter's association with him, nor wondered why this man should give her large sums of money. When a prostitute finally brought the affair to his attention he was rabid in demanding punishment.

This case is unusual and extraordinary in degree but not in type. It is quoted at length because it so dramatically shows the same process which we saw operating in many cases. To repeat, the child when caught in this type of dilemma feels almost safer to turn to an outsider offering attention and affection than to try to work out an emotional adjustment at home. All children solve the problem of growing up by identifying with the parents and incorporating both the ideals and the prohibitions of each. But when the reality situation is fraught with recriminations which center about the child, he feels pushed into seeking any relationship that seems less emotionally conflicting.

A case illustrating how parental disagreement about her training affected the child is that of a 5½ year old girl. The father felt that she should be brought up without a sense of shame of her body, and he often walked around nude, encouraging her to do the same. The mother disapproved and argued that the child had to conform to social standards. This disagreement the child sensed and it made her angry with the parents. Her extreme friendliness attracted her little girl friend's father, who sexually molested her twice. In one sense our victim's father condoned the relationship by encouraging this quality in his daughter. Therefore, in her relationship with her girl friend's father she was on her father's side, and knew that she was angering her mother. In another way she was showing up her father and proving that her mother was right, because he had not foreseen that her friendliness would lead to her sexual experience. He had further failed to respond to her statement, "M's daddy hurt my wee wee." When the incident was discovered by the mother, the father felt so guilty he could think only of having the offender punished.

Another example is an eight-year-old girl who told such a fantastic tale of having witnessed perversions next door that all who heard her were skeptical. Her parents, also, disagreed about sex information; the mother felt the children should receive it, the father was opposed. The child, characterized as very flirtatious, played one parent off against the other, and by inventing the fantasy she was able to get more than usual information from her mother. At the same time her device allowed the father to criticize the mother and say that the sex information had only served to overstimulate the girl.

We found that a good many parents were themselves so emotionally disturbed as to be unable to be consistent or affectionate with their children. We had some six cases in which one of the parents was psychotic

and had had a period of state hospital commitment. Of four cases of severe neuroses, one woman could not go out alone or leave the house; another had severe stomach pains upon going down town; a third never could forgive her child for an injury sustained at the child's birth.

Most of these parents had their own problems related to their sexual adjustments. Both directly and indirectly they overstimulated their children. Three children witnessed parental intercourse until they were about six or seven. Two boys until they were seven years old slept with their mothers. Many children saw husbands come and go, to be replaced by other men. One mother took her six-year-old daughter to night clubs or encouraged her to come into the living room scantily dressed and do a strip-tease act for guests. She also in the child's hearing repeatedly discussed sexual matters so her child would "grow up without any fears." Another mother, a former nun, displayed her own intense interest in sex by continually warning her daughter of the dangers of going out with servicemen, yet at the same time would permit some of them to stay in her home overnight.

These children sensed that sex was a problem to their parents Therefore, in the growing up process, because of their identification with the parents' poor adjustments, the children could not confide their own sex problems Even when they did mention sex difficulties, the parents usually did not hear. The children responded to and often sought out the attention of the offenders because the latter represented consideration and affection that was relatively uncomplicated. Nor had their parents instilled in them any standards that would make them, when approached, avoid the offender. By their very example some of the parents had led the way.

For instance, when some of the children brought home gifts, the parents paid no attention nor asked the child to account for them. If the child did try to tell the parents, his words fell on deaf ears. One girl tried for almost a year to tell her mother that her stepfather was molesting her, but the mother was so caught up in her own problems of sexual adjustment to the second marriage that she could not comprehend what she heard. Finally, when her other child also called the affair to her attention, and when there was a possibility that the girl might be involved with the school janitor, she forced herself to take action She had hesitated to do so previously because it meant imprisonment of the husband and possible termination of the second marriage. In our careful workup of this case we learned that the mother, too, had had a similar experience of childhood molestation, which had been repressed from her memory. Only after a number of sessions with the psychiatrist did she recall this episode and see how in essence her own former life experiences were influencing not only her marital adjustment but also the way she was bringing up her child.

Again, this is no atypical situation; it differs from most of the others in degree only. This does not mean that most mothers also had had early sexual experiences, but it does mean that by and large they are and have been disturbed people in need of help. This point will be elaborated later.

Since we have noted eight cases which we had termed "accidental victims," we looked at the family situations to see how they fitted into our categories. In this group we found all the families intact, although four

of the fathers had been away in military service during the victim's infancy. Despite the mother's return to employment, nevertheless the child had not been placed out of the home; rather, families had consolidated, with grandparents stepping into the home. These parents had more harmonious marriages, were happier with each other and therefore did not look to their children for the satisfactions which they missed in each other. This does not mean that there were no disagreements or even quarrels, but that as a whole the parents had a mutual regard for each other. They were better integrated people and had therefore more adequate personalities. Their own childhood experiences had been less damaging, and they came to marriage and parenthood better able to handle their own problems and those of their children, who in turn could share with the parents such events as a sexual attack and receive the understanding they sought.

The intention in discussing these cases is not to present an extreme picture. Not all disturbed parental relationships result in overt sexual experiences for the child. But it is generally accepted that the more disturbed the parents are personally, the more disturbed are their relationships with their children, and the less the children can confide in them about all behavior, including sexual matters. For this reason the children of the first group, with very poor parental relationships, more easily become participating victims when a sexual overture is made.

In numerous situations our interviews with the mother have enabled her to see some of the elements operating and to seek help. This means taking the mother on for psychiatric treatment which of course is time consuming because the personal problems are of long standing. Since our project is one of research the number of cases accepted for treatment has of necessity been limited; however, our experience has pointed up the need for therapy, and further research plans should provide personnel and facilities for a study of treatment.

Psychological Tests

The psychological tests furnish objective material which can be handled in quantitative and qualitative ways and subjected to independent ratings, thus aiding the over-all scientific investigation of the victim, the family and the offender. In general, the results of the tests indicate promising avenues of exploration and either parallel or point up many findings of the psychiatric interviews.

Of the 46 children, 31 were given Rorschach and 21 had Thematic Apperception Tests Of the nine offenders six had Rorschach and five had TAT tests The Blackie test, sentence completion test and draw a person test were used singly or in combinations in 17 children to gain supplementary information or to check certain material obtained in the basic tests. Intelligence test data were usually available from schools or other sources, and new tests were often not given. The psychologist has also given time to interviewing parents, children and offenders; and under supervision of the psychiatrists has seen several parents and children for treatment.

The literature on psychological testing has little material relevant to this study. The few reports of test studies on juvenile thieves and other delinquents are based on very small samples and are frequently contradictory. In taking up our test results, one should remember that the tests

demonstrate certain patterns of behavior and conflict in the child, and at times may suggest the causes of these patterns.

The 19 girl participating victims of sex offenders form the largest group tested to date; in general these 19 girls showed poor adjustment. In three cases there were signs indicating the possibility of schizophrenic trends Without conforming to any single personality type, they were basically a passive-dependent group. An important trend in all these girls was their preoccupation with sexual activity as a means of obtaining love and attention. Specifically they expressed either directly or indirectly considerable interest in male and female genitals, seeing more such objects as sticks, big tails, bones, valleys (now commonly regarded as sexual symbols) in the Rorschach blots than do the majority of girl subjects. Another tendency related to their sexual preoccupation was a feeling of guilt and shame about their interest in sexual matters.

With possibly two exceptions the 19 girls showed definite signs of poor control over their emotions. They attempted to handle this problem in several ways One portion were basically shy, afraid to show feeling, retreating into an unhealthy fantasy life. Another portion tended to react in an overly spontaneous, impetuous manner, and to be carried away by their feelings. Neither method seemed successful in establishing satisfying emotional attachments to others.

The 19 participating victims as a group were angry, frustrated persons, who, because they felt they lacked love and acceptance, directed their anger toward parents and others. They showed feelings of being lonely, isolated, worthless Some of the test material indicated that an attention-getting device was to make a parent or guardian angry at the child, who equated anger with love.

As a group the girls lacked confidence and were uncertain how to behave with others. They took refuge in sexual behavior which they had learned is one way of getting along with men. Despite their feelings of guilt about their sexual activity, their inadequate concepts of right and wrong and their strong needs for emotional gratification permitted them to go ahead. Their low tolerance for frustration was another factor. In the test material they tended to view any frustrations by parents as rejections of them, to which they reacted at once by running away, getting mad and fighting back or seeking such substitute gratifications as sexual activity. These gratifications meant reassurance to them and acceptance by someone, at least.

Although no child was tested before the incident, the material in interviews with children and parents indicated that these girls had had undue sexual preoccupations before the sexual experience with the offender. No correlation appeared between the degree of disturbance in the girl and the frequency or type of sexual experience; for example, two girls who had been fondled a couple of times or so appeared to be seriously maladjusted, while two others who had had sexual intercourse several times were seemingly much less disturbed persons.

The seven girls who were classified as accidental victims more nearly approximated the usual sample of children in their tests. Some were relatively normal, a few were definitely disturbed emotionally. As a group they showed fairly good control over their emotional reactions, contrary to the nonaccidental group, and they reacted less directly and violently

to frustration Of the seven girls, three were more direct in their expression of their feelings, were able to express their shyness and reluctance to submit to interviews and tests, and needed less reassurance and acceptance by the psychologist than did the group of participating victims. Their more natural expression of feelings contrasted to the flirtatiousness in general of the participating victims. Two of the girls did show some preoccupation with sexual material, but not with the same intensity and pervasive interest as in the participant group.

The main body of the paper has tabulated the five participant boy victims without discussing them in detail. Here it can be said that they showed the emotional development of much younger children and had preschizophrenic traits. They had no well-developed sense of right and wrong or of what society expects; they were concerned with indulging their own wishes at any cost, and like the participating girls they had poor tolerance for frustration They were greatly preoccupied with male genitalia and showed a need to prove themselves boys, not girls. In every boy the predominant figure in his life was his mother, whom he tended to resemble, while the father was either an ineffectual figure or absent. Apparently their passive, feminine role with adult men and their identification with the mother made these boys doubt their own masculinity

One general point about all the children is that intelligence was not a factor in their problems. The test scores ranged from 72 to 120, with the average at just about 100

The six offenders were emotionally immature men, and diagnostically they could be lumped as psychopathic personalities. Without understanding of why they acted as they did, they had poor control over their impulses in general as well as toward little girls in particular. Like the participant victims they were preoccupied with sexual material in the Rorschach tests Despite their inadequate sense of right and wrong, they showed strong feelings of guilt and wanted to be punished for their sexual activity. In one offender the test responses indicated that he wanted literally to be castrated for what he had done. In an interview with the psychiatrist he later made the specific statement. As a group the men were feminine-like and felt inadequate sexually. The married men equated their wives with mothers and themselves with little boys Essentially they were a non-violent group who did not fit the popular conception of a sex criminal.

To date too few parents have been tested to warrant any generalizations Psychotic tendencies were seen in three, in one case a father, in another, a mother were borderline schizophrenics; a second mother was a manic depressive. As a group parents resisted taking tests; they felt they had not contributed to the child's difficulty and therefore tests of them would have no value in understanding the child's case. Plans have been made to cope with this resistance and to test parents along with the child and the offender.

Further plans also include testing of a normal and of a neurotic group of children who have not participated in sexual activities, have not been victims of accidental sexual encounters with adults and are matched in other factors with the victims described here. Through this use of two control groups it is hoped to find out whether the child sex

victims in the victim classes described differ from normals and neurotics in a number of ways.

Treatment

Some therapy has been done in conjunction with the research on child victims. Indeed, the orientation adopted toward all persons seen for evaluations has been therapeutic in that helpful superficial interpretations are made when possible, and any approach is avoided which may make the individual feel anxious or under pressure. The chance for specific treatment has been offered to those children and parents who wish it and who in our opinion may derive some benefit. In many cases the motivation for treatment has been the individual's realization of available help for personal difficulties that have troubled him for some time. In a few cases the parent became interested in psychotherapy for himself although the child was not seen after the evaluation interviews.

To date, therapy has been given to 12 cases seen at the juvenile court. Eight additional referred cases are described later. The number of therapeutic sessions has ranged from 7 to 35. A short outline of patients seen for varying periods and the results of treatment follow.

I. Family units—2
   a. Father, mother and daughter, aged eight, seen in 12 sessions each Improvement: husband and wife began to get along better, and child's anxiety resulting from the sexual incidents was somewhat relieved.
   b. Mother and daughter, aged eight, seen five times each. Child's bedwetting and negativistic behavior have been special problems; results of therapy not yet evaluated.

II. Parent only—2
   a. Father, seen about 20 times, still in treatment. Improvement: to some degree he has overcome a severe sense of shame regarding sex, and gets along better with wife, children and own father.
   b. Mother, treated in 15 sessions. Improvement: in that she became more self-confident, less troubled by feelings of inferiority.

III. Child only—5
   a. Girl, aged nine, so far, 12 sessions. Problems of mild rebelliousness and physical complaints like skin itching and blurred vision without organic basis. As yet, no definitive improvement.
   b. Girl, aged 11, sister of case one, also 12 sessions Grossly similar complaints; patient too has developed interest in treatment. No definitive results as yet.
   c. Boy of 12, to date 20 sessions. Problems are running away, truancy, sexual acts with adult man. Results: an improved family situation makes it difficult to evaluate the role of therapy; no recurrence of runaways, better relation with mother.
   d. Boy, aged 12, seen in 15 sessions. Attendance irregular; no improvement noted.
   e. Girl of 14, pregnant, seven interviews; main problem one of intense shame regarding pregnancy; some improvement in emotional state noted.

In addition to the juvenile court cases, eight adolescent and adult male sex offenders referred by Langley Porter Clinic have been seen by one of the psychiatrists. The purpose has been to evaluate the effects of brief psycho-therapy in varied types of sex offenses. Therapy in these cases of adolescents and young men has also afforded some clues to the causes of the common sex offenses seen in older men. A brief resume of the eight cases follows:

1. Boy, 15, exhibitionism. discontinued therapy after four sessions; unimproved.

2. Boy, 16, exhibitionism: 16 weekly sessions, to date, with parents seen concurrently by psychiatric social workers; treatment mainly supportive, with no recurrence of exhibitionism.

3. Boy, 14, exhibitionism: 28 weekly sessions; no recurrence, satisfactory results.

4. Boy, 14, homosexuality: to date, 20 weekly sessions; moderate improvement—increased self-confidence and reduced impulsive sex behavior.

5. Boy, 14, homosexuality: 16 sessions so far, with no recurrence of behavior for which he was put on probation—exposing himself in public latrines with purpose of picking up adult men.

6. Young man, 22, sex play with small girls: treated three times weekly for three months as inpatient; left hospital, unimproved, against medical advice.

7. Young man, 22, sex offense against little girls: eight sessions at irregular intervals after discharge from state hospital; no recurrence of offense, case closed at patient's request.

8. Young man, 24, transvestism (dressing in clothes of opposite sex): supportive treatment, eight weekly sessions. At patient's wish, questions of transvestism, possibility of hormonal treatment to make himself more like a woman and other topics discussed. Patient left city; condition essentially unchanged.

Effect on Children

Whenever possible the child victims were observed during the court procedure. Although most of the victims were really young children, their poise on the witness stand was remarkable. In a few cases of persistent cross-examination and objections by attorneys the child became confused and lost composure, but by and large the child's appearance in court did not seem to be a frightening experience nor to harm the child.

As to the effect of the sexual experience on the child, we had expected to find many of the children more visibly upset, as manifested by outward signs of unusual behavior. However, this has not been so. In our observation about one third of the total group had neurotic symptoms prior to the sexual experience, and in some instances these became worse. Our study has not gone on long enough to determine whether the sexual experience in and of itself was seriously harmful to the child. It is certain that, contrary to what the parents have said, the children have not forgotten the incident. What they have done is to suppress the experience; but except in a longer period of treatment and study the extent of personality damage which has occurred cannot be definitely ascertained.

Offenders

In the three-fold approach to the study of sex crimes against children, numerically the smallest group examined directly has been the offenders. In a number of counties the offender was already sentenced and out of the community before the situation was referred to us. This procedure has been mentioned earlier in regard to variable practices in the several Bay area counties. We have so far studied only nine offenders. This small sampling indicates that a fuller exploration of the offender would be fruitful for correlation with the material obtained from the victim.

Based on the limited material, the following facts are of interest: six of the nine men were under age 50; the age range was 33 to 67. Only one in the group was a high school graduate and most had very limited education. Of the nine men, eight were in the marginal group economically. Four were married and living with their wives; one had never married; the remaining three had been married for very short periods of time. Five men had children of their own. Of this group one man molested his stepdaughter and one man fondled a foster child who had been in his home for three years.

Four men had previous offenses, usually arrests on a charge of misdemeanor, with probation. The others had had no previous contact with the law. None of the men could give a reason for his actions. It is significant that although in their interviews with us they all maintained their innocence, none of them had asked for a jury trial. Two had pled not guilty to the court but were found guilty. All had received jail or Mendocino State Hospital sentences ranging up to a year and probation up to 20 years.

As a group these men during the interviews behaved in a helpless manner. They cried repeatedly, stated they did not know why they molested the child, reiterated that they meant no harm to the child. They impressed us as weak characters who threw themselves on the mercy of the court.

Clinically they were passive individuals overly attached to their own mothers. They were unable to be forceful. Most of them had been unable to attract women on a masculine, mature basis or to maintain a consistent relationship with a woman. In two instances although the offenders had what appeared to be a well established marriage, the wives were really mother figures, taking the initiative, managing the family affairs and treating the husband as if he were a child, to the point of doling out carfare and spending money. In their relationship with the child victims the men seemed to seek a substitutive sexual and emotional gratification. Although they were not psychotic in the sense of being out of touch with reality, they nevertheless were confused, ineffectual.

We have had occasion to observe in the court room some 20 additional offenders; although they could not be studied, they seemed in many ways to conform to the above description. Again most of the latter group pleaded not guilty, but showed little energy or forcefulness. The few cases of active defense were pushed by the defendant's family.

Although research upon the offender has been in general more widespread, nevertheless a continuing study of that group in conjunction with the study of the child victim will enable us to evaluate the total situation.

Summary

This research with its emphasis on the study of the child victim and family as well as the offender has been going on for one year. Assembling personnel, setting up the mechanics of the study and implementing them took a certain amount of that time. The actual study has proceeded for about 10 months.

Although numerically the number of child victims and offenders studied is not extensive, the results are psychologically impressive. Among the more important conclusions is the fact that in almost five-sixths of the cases studied the child victim was a participating member in the sexual act. These children seem to be conditioned by emotional lacks in their own home life into seeking, or at least not avoiding, a relationship with a friendly, passive adult who makes fewer demands on them than do their parents. Although they realize that there is something wrong in this relationship, and try to bring it to the attention of their parents, the latter are personally so preoccupied with their own emotional problems that they do not hear what the child is saying.

The parents in this group are seriously disturbed individuals, many of whose problems stem from their own disrupted childhood. This lack of security they bring to a marriage which is marked by violent quarrels and disruptions. Separations and divorces result, often leading to the placement of the child out of the home. The more disturbed the parents the less able they are to meet the emotional and affectional needs of their children. Preoccupation with their own problems prevents them from helping their children develop strengths within the personality to withstand unwholesome overtures from others. In essence this loss makes the children seek out adult relationships that are initially less complicating and materially more satisfying. Such child victims we have characterized as nonaccidental or participating.

In about one-sixth of our cases (the accidental cases) the above summary did not apply. These children behaved less seductively with the interviewer, were less outgoing, had only one experience with a total stranger, reported it immediately to the family. We also found that their families and parents were better integrated individuals with less severe personal problems. The relationship between the parents and children was a closer one and thus the children could confide in them more readily and be understood.

In evaluating parental behavior, more mothers than fathers have been seen, since the father is less readily accessible for interviews.

The offenders seemed to be older, weak individuals who looked to the child for the sexual as well as affectional gratification which they could not get on an adult level from an adult female. They meant no harm to the child.

The seven questions proposed earlier for study may now be reviewed. Some of them the body of this report has answered in part, either directly or indirectly, but it is well to take them up explicitly.

First, as to the individual child's degree of participation, it is clear that only one-sixth of the children to some degree resisted or opposed the sexual experience. In each of these cases there occurred but one sexual incident, enacted with a stranger and reported at once to the parents in definite words. The other five-sixths either passively accepted, participated in or to some extent invited the incident. In this series no child of

his own accord reported explicitly to his parents either the sexual overture or the actual contact before discovery made explanations necessary; nor did the child in any case run away, scream or call for help. True, the child often made glancing allusions to the incident but never told the story plainly. These children therefore did not actively resist the advances. Moreover, in 38 children multiple sexual incidents occurred over a period ranging from weeks to years. To the extent that the child returned to the offender and sought the experience he became an active participant.

The degree of participation is more difficult to establish. Acceptance of adult attentions as and when they were offered, without the child's going deliberately to the offender's home or store, was labeled passive acceptance, and was seen in about 18 of the 38 cases. The remaining 20 participated to a more active extent.

The second question raised the point of over-all prevention of such offenses. One cannot say, in our present state of knowledge, that increased understanding of the psychology of these children would help prevent such sex experiences. In the accidental cases which comprise one-sixth of our cases, apparently nothing could have prevented the sex episode. In the remaining five-sixths there is evidence to show that the passive group of children were compliant, friendly; readily accepted what people wanted to do; and were therefore easy, willing victims of sex overtures There is no simple way to handle such children. Their personalities and traits are not per se undesirable, and one would not wish to make the children oversuspicious and distrustful. The remaining group have some wish to participate and may invite or even at times initiate the sexual contact. Perhaps in a few cases these children may be screened out early and treated intensively before matters have progressed to overt and repeated sexual experiences. Certainly the more one learns about the motivations of these children, the greater the possibility of reaching and treating the child before his emotional needs make him an easy prey to sexual advances.

The next question dealt with comparisons between children who have and have not been victims of sex offenses. Thus far no study of a control group has been possible, so that one cannot describe similarities and differences between those children involved in sex offenses and those not involved. This is a good subject for future investigation.

The third question, why one child permits or submits to sexual activity which another rejects is a difficult one, and is closely related to the next two, regarding significant differences in the children's development and factors in the family constellations.

As we have shown, some children will readily agree to anything and are thus equally ready victims to sexual proposals. In many cases the adult made the first move, usually a timid advance He became bolder as the child seemingly encouraged him. In many cases the child's seductive, flirtatious behavior acted as encouragement or even invitation. In some cases the adult said the child began the advances, whereas the child reported the opposite.

A few of the 38 children had been extremely deprived emotionally, and sought affection of any kind from any source. In one case a psychopathic mother would abuse the child and order it out of the house. In the more

frequent, subtler cases described in this paper the child felt neglected by the parents. Parental placement of the child outside the home gave several children severe feelings of rejection. The mother's unresolved jealousies sometimes made her prefer or seem to prefer a son above a daughter, for example, or to blame the child for suffering caused in childbirth. These and other universal problems of the family life made some of the children especially hungry for adult affection, and therefore the children behaved in a seductive manner, seeking affection outside the home, and more willingly accepting overtures from adults.

Further, in this group of 38 children, certain emotional lacks within the children resulted directly from inadequate parental handling. Often the parents, beset by their own problems, were incapable of helping either by example or precept to instill feelings of worth and self respect in the child. Conflict between the parents in their ways of dealing with the child's sexual impulses has been described. Parental attitudes have been noted that contribute to the child's feelings of deprivation and resulting defiance.

Frequently the parent's own unresolved neurotic conflicts affect the child. An example is the father who, ashamed of his shame about sexual expressions, went to the other extreme of undue freedom. Such parents are in no position to deal firmly with the child's sexual impulses. While one parent encourages, the other parent prohibits sexual expressions, with such inconsistency that the child never knows what to expect. The child senses that the parents cannot hold him responsible for sexual activities.

In one or two cases of severe neglect and deprivation the child had gone to the offender for the love and affection he missed at home. In one case described earlier, the mother, though tacitly aware of her daughter's relation to the stepfather, was unwilling to hear the child's timid confession, so eager was she not to lose her second husband.

In the eight accidental victims the children were of healthier emotional development. Nothing in their personal development nor in the family constellation seemingly focused them on getting satisfaction out of a sexual incident. Here it is not implied that the parents of these children had no severe neurotic conflicts which affected the child. Whatever the conflicts, they were not of the kind to direct the child into the types of sexual behavior seen in the other group. These children acted differently in that they cried, confessed to the mother and thought that something bad had been done.

In the eight accidental victims greater family stability and integration, with apparently a closer tie between parents and children, allowed the child to confide at once his fear and guilt about the sexual incident. However, no one conclusion must be emphasized, and the study has not continued long enough to answer any of the above questions fully or conclusively.

The final question concerned the effect of the sexual experience upon the child. Some parents reported intensified or reactivated neurotic symptoms, especially bad dreams and sleep disturbances. The child often acquired a sense of shame and began to go off by himself afterward. The little girls had feelings of being hurt or hurting the adult. The sexual experiences seemed to intensify feelings of guilt toward the mother or father, as has been indicated. True, in many cases the parents noticed few

or no changes in the child, but there were doubtless many hidden ones, as close study did bring out. The children's sexual preoccupation seemed to increase, their interest in normal childhood activities to decrease. As stated earlier although the parents said that the child had forgotten the incident, almost all the children at one time or another mentioned it to the interviewer. Perhaps the parents because of their own guilt needed to deny any bad effects upon the child. In any case the attitude was one of hush-up, no talk about the incident, everything to be forgotten and as it was before.

In the instances of the nonaccidental victims the child seemed to reflect the degree of parental concern and guilt. If the parent took the episode casually the child seemed to forget it easily and to go on about his usual interest and activities.

In order to evaluate clearly all possible effects and, indeed, to answer the above question more definitely, one would have to see these 46 children later in careful follow up studies.

Future Projects

1. This is only a beginning study. The conclusions which we have reached are valid for this group but they should be tested out for at least another year on a larger group, and a control group set up.

2. The methodology is now well enough established so that it can be applied to the adolescent age group, and next year these might well be included and studied in the same manner.

3. A further effort should be directed to the offender and perhaps a way of reaching more of them would be to work through Mendocino State Hospital.

4. Another group of cases deserving careful investigation is that of the young adolescent male homosexual. Treatment promises most in this group both in results and in clues for causes of homosexuality.

5 Time and resources should be made available for the treatment of both victims and parents in order to evaluate the types of disturbances and personality types that lend themselves and respond best to treatment. Such a study might point out ways whereby to anticipate which children are susceptible to sexual overtures

III. Complete Anatomical, Physiological, Endocrine, Psychological and Psychiatric Studies of: A. Certain Homosexuals; B. Effects of Castration in Sex Deviates (At Langley Porter Clinic)

Because investigators in the Endocrine Clinic, Division of Medicine, University of California School of Medicine, have recently demonstrated some important effects of sex hormonal substances upon measurable brain functions, I became interested in the possible application of these techniques to male sex offenders. A little later it was arranged to find laboratory space in Langley Porter Clinic for Doctor Gilbert S Gordan, the chief investigator, and his assistants.

At present a major deficiency in medical knowledge is the question whether or not differences exist in anatomy, physiology, biochemistry and metabolism between normal subjects and those with psychiatric disorders. Numerous investigators both in this Country and abroad have described hormonal imbalances as one characteristic of certain psychiatric disturbances. For example, the Gluecks in their extensive studies

of juvenile delinquents have found stature and body build a significant factor. M. Bleuler noted a temporary rise in aggressiveness and sexual drive in men or women following large doses of hormones of the opposite sex. However, considerable controversy surrounds this whole subject.

It has therefore seemed wise to set up a plan for experimental work which I believe promises important results for the sex research study. The background studies for this work will be described later. The two main objectives for the projected endocrine study are to determine:

1. Do the men committed under the State's sexual psychopath laws show any endocrine abnormality? That is, do these men have abnormal amounts of male or female sex hormones, or in other ways do sex hormone imbalances exist?

2. What is the brain metabolism in so-called sex psychopaths? This means:

a. Is the brain metabolism abnormal to begin with?

b. Does it react in a normal way to the administration of sex hormones of each type—male, female and adrenal?

c. How does castration affect these patients and their brain metabolism?

d. How does hormonal administration following castration affect brain metabolism and the general clinical condition, including psychological attitudes and behavior patterns?

In addition to the well established endocrine studies described above, we are now in position to do a unique and highly promising type of study which may well reveal the intimate relationship between hormones and brain. The following section explains the background studies which have paved the way for the present experimental work.

Background Studies

In animal experimentation Doctor Gordan and co-workers found that brains of untreated castrate rats and of rats treated with certain hormones showed rapid rates of oxygen consumption. Oxygen, one of the brain's most important needs, is a ready indicator of brain metabolism Respiration of castrate animals could be restored to normal levels by administration of various hormones. It thus appeared that steriods with a chemical similarity to testosterone and adrenal cortical hormones have the braking potentiality which the sex hormones normally exert upon brain metabolism.

Studies of brain metabolism, which require considerable experience, were next applied to man. Examination of eunuchoids (men born with testosterone deficiency) showed exactly the same defects in brain metabolism as did the castrate male immature rats. These defects consist in statistically significant increases in rates of oxygen and glucose uptake by the brain.

The next step, to study patients with low secretion of the pituitary gland and also adult male castrates, is now in full swing. Some trends have appeared, but require further studies, for conclusive results

The Kety-Schmidt technique, a new method with which Dr. Gordan has now had considerable experience, makes it possible to measure the rate of brain blood flow, and to calculate differences between amounts of foodstuffs brought to the brain by arterial blood and from it by venous

flow. Specifically, it is now possible to quantify the following food substances which earlier work had indicated as potential contributors to the residues from human brain metabolism:

1 oxygen; 2 carbon dioxide; 3 glucose; 4 galactose; 5 pyruvate; 6 lactate; 7 alanine; 8 glycine; 9 glutamic acid; 10 glutamine.

Inasmuch as the above foodstuffs do not account for the entire amount of oxygen used by the brain, techniques have now been set up to measure other possible contributors to brain metabolism, especially acetoacetic acid.

The research has established the following findings:

1. The rate of cerebral blood flow in normal subjects and in some patients with psychiatric and with glandular disorders.

2. The amounts of materials (called substrates if the brain actually uses them) delivered by artery to the brain.

3. The amounts of materials or substrates leaving the brain by venous route.

4. Calculations of the rate at which the brain takes up or liberates the above listed foodstuffs, not only in normal subjects but in various organic, endocrine and mental diseases

Research thus far has demonstrated that clinical endocrine deficiencies are associated with disturbances of brain metabolism Brains of the small group of castrate men so far examined have both a sluggish rate of oxygen consumption and an increased rate of glucose disappearance. thereby showing a major metabolic defect in the brains of these men who do not burn glucose completely Preadolescent eunuchoids, however, have a rapid rate of oxygen and glucose utilization by the brain; observations which exactly parallel those seen in the castrate immature male rat. Why the congenital testicular deficiency (of preadolescent eunuchoids) should have a pattern only partially similar to the acquired testicular deficiency (of adult castrates) is a problem which this study may help to explain. The evidence is clear for hormonal, specifically steroidal, control of brain metabolism, and further investigation may well locate possible sites for such brain control.

Careful plans have also been made to make other clinical and psychological measurements. For example, physical measurements and body build will be described according to the Kretschmer-Sheldon classification. Doctor Otto E. Guttentag is prepared, using improved methods, to somatotype, that is, record body types, for patients.

An extensive psychiatric history and mental examination will include such personal interviews as are deemed necessary. The psychological tests include Bellevue-Wechsler, Rorschach, Thematic Apperception, Minnesota Multiphasic Inventory and several others

The following program has been set up for hormonal and cerebral metabolic studies of the patient.

A. Before castration
   1. Clinical examination
      a. by psychiatrist (Dr. Karl M. Bowman and staff)
      b. by endocrinologist (Dr. Gilbert S. Gordan and staff)
      c. somatotyping (Dr. Otto E. Guttentag)

2. Photographic records of precastration state—body contour; sexual hair; closeups of genitalia.
3. 17-ketosteroid assays (excretion of male sex hormones) and response to chorionic gonadotrophin.
4. Pituitary gonad-stimulating hormone assays on 24-hour urines of each subject.
5. Sperm count.
6. Cerebral blood flow and cerebral metabolic rate; with control level followed by administration of sodium estrone sulfate, testosterone and ACTH or desoxycorticosterone glucoside. Also measures of all such substrates as pyruvate, lactate, acetoacetate, glutamic acid, glutamine, etc.
7. Measures of adrenocortical reactivity to ACTH.

B. Evaluation of castration treatment procedures
1. Endocrine, metabolic and psychiatric surveys
Repeat tests 1-7 above at three and six-month intervals
2. Repeat all psychological tests at same intervals, including evaluations of both social and sexual behavior. Behavior is to be evaluated after castration, with or without subsequent hormonal therapy.

C. Administration in selected cases of substitutive or suppressive hormonal therapy, to determine effect upon clinical condition and social and sexual behavior.

It is also planned to apply the same methods of endocrine, metabolic, anatomic, physiologic and psychological investigation to two study groups of homosexuals. As noted by many observers, the group of male homosexuals who definitely prefer sex relations with the same sex have a small subgroup often called "Queens." This subgroup consider themselves female and even seek plastic surgery to make themselves into women. They have other apparent differences from the main subgroup of male homosexuals who practice only homosexual relations. The two subgroups would be run through all of the above series of examinations, however without the follow-up studies planned in the castrate group. These comparisons should show any important differences which may exist between the two subgroups. It is probable that psychological differences are marked, but little or no scientific data are available concerning possible physical differences.

Recently Tappan pointed to the use of castration as a method of therapy in certain cases in those European countries that have paid special attention to the problem of the sex psychopath. Castration has been used more or less in such European countries as Denmark, Sweden, Norway, Finland, Holland, Germany, Switzerland, Greenland, and Iceland. Extensive use of the treatment in some of these countries has brought fairly strong, critical endorsement. Whether it is applicable for use in this country remains to be determined.

In the United States Hawke reported results of a nine-year research study of 300 cases of castration at a Kansas state training school. Castration was performed as a treatment for excessive masturbation and perverted sexual acts in mentally deficient males. Hamilton, of the Long

Island College of Medicine, and other research men made extensive biochemical examinations. According to Hawke's studies, the patients became less disturbing and were able either to be paroled or to be employed at the institution. Doses of testosterone given for several weeks to castrate test cases resulted in the return of antisocial tendencies. When testosterone was discontinued the subject became stabilized again and caused no further disturbances. Hamilton and many other investigators found that castrates have fewer degenerative diseases than do noncastrates. For example, of those who had been castrated 50 or more years, six times as many were living as in the noncastrate group. Results further showed that the castrate did not tend to become obese or bald, nor did sexual incapacitation necessarily follow castration.

Judge Turrentine of San Diego County has informed us that behavior disorders have been well controlled by castration in about 70 men convicted and followed in his court.

These extreme claims of Tappan for certain European countries and of Hawke for Kansas training school inmates should be checked as to their validity. The present study would offer an excellent chance to determine these and other controversial points concerning the whole problem of castration as therapy.

A considerable number of men who by agreement with the courts are to have castration treatment are now available. Our research workers are prepared to evaluate the effects of castration as a treatment for sexually deviated persons who voluntarily request it. These studies, outlined in detail above, consist of comparing the behavior, psychic, endocrine and metabolic status of these men before and after castration

As described, the research studies will precede and follow castration treatment, with periodic rechecks to evaluate the procedure Patients will be followed as to both clinical condition and sexual behavior for several years in order to determine the effects not only upon sex drives and behavior, but also upon all social adjustments, including work adjustments.

We now have competent research workers, under Doctor Gordan's direction, and have set aside adequate laboratory space in the Langley Porter Clinic, in order to coordinate all examinations and tests. Refined, completed techniques, with the exception of one or two still being tested, are available for use in obtaining data. The collection and analysis of these facts will add greatly to important knowledge about brain processes. It will also give us needed information on the results of castration, about which very few scientific facts are known.

Doctor Gordan estimates that about five years and from 40 to 50 patients are sufficient to provide full answers to these important questions. It is also likely that the first year's work will indicate whether pilot studies are promising, and whether other channels of investigation, as yet unforeseen, may open up.

IV. Survey of Scientific Literature on Sexual Deviations and Sexual Offenses

The review of literature on sex offenses has proceeded, with some necessary interruptions for editorial work and preparation of reports and for leave of absence. The work consists of reviewing and abstracting pertinent

scientific books and articles, and so far has mainly covered material published in the past 8 or 10 years. It began with the years 1950-51, and has worked back through about 1944-45, with the aim to include the last 20 years or so. Abstracts and reports are available for consultation by project workers. By next year it should be possible to finish the review and get the material into shape for publication.

The review, including as much as possible of literature abroad, points out current thinking about the main problems, areas of research and results of therapy in the field of sex offenses. As indicated in last year's report, trends are toward treatment of offenders, most commonly individual and group psychotherapy. Psychodrama, occupational and educational therapy and vocational rehabilitation are discussed. A few reports describe psychoanalytic treatment of sex offenders. Causes of sex offenses and structure of the offender's personality come in for discussion.

Some interesting research is being done on juvenile delinquency, with the idea of being able to predict main areas of conflict and possible delinquency. Here the work of Sheldon and Eleanor Glueck merits careful attention. They describe methods to sift out delinquents in the making and indicate paths to prevention. Their book, "Unraveling Juvenile Delinquency," published in 1950, has attracted wide attention and considerable controversy. Follow-up studies continue to appear.

Physical treatment has included administration of sex hormones and studies of hormonal metabolism, castration, brain surgery, shock therapy. Studies of body build, contours and development continue to appear.

Several workers are investigating more accurate methods of determining the various sex hormonal substances, as an aid to study the secretions and excretions in sexually normal and abnormal individuals. Ford and Beach's "Patterns of Sexual Behavior" is outstanding in the exploration of biologic and anthropologic bases for normal and abnormal sexual behavior in men.

The literature on homosexuality reveals an extremely complicated problem, present in many cultures from earliest times. Studies by Kallmann point to an inherited or early acquired abnormality of the central nervous system in some types of homosexuality. There is also some evidence indicating that sex hormones may possibly at least qualitatively influence such sexual deviations as homosexual behavior. Sheldon's studies find no pronounced structural body differences, but do indicate definite characteristics of face, hands, skin, gestures, expressions and voice.

Sheldon suggests that comparison of nondelinquent, nontroublesome homosexuals with homosexual delinquents would be a valuable study. Since military experience has seen a close connection at times between homosexuality and criminality, a study of any causal connections and of possible differences between benign and malignant types of homosexuality might be worthwhile. Silverman suggests that brain wave and other neurologic studies of homosexuals and their relatives would be useful. Kallmann's findings in one-egg and two-egg male twins, one or both of whom are homosexual, add great interest to hereditary aspects of the problem.

Of great importance is the relatively small group of homosexuals who regard themselves as females and even demand plastic surgery. This class, colloquially called "queens," offers an extremely interesting field for investigation, and research upon it has been previously recommended.

One or two publications review special and other legislation about sex offenses and point out the wide variations among the states as to classification of minor and serious crimes and their penalties. "Sex and the Law," a new book by Judge Morris Ploscowe of the New York City Magistrates Court, covers the subject thoroughly and recommends many needed, practical revisions of existing laws.

Besides the few isolated early studies on the role of the child victim in sex offenses, recent literature shows a growing awareness that characteristics of the victim which make him or her an object of sexual molestation are quite as important as the causal mechanisms of the offender. The consulting psychiatrist to the St. Louis Police Force reports that discussions of the victim's role in cases of sexual molestation greatly increased the attention of police officers, whose interest in crime prevention is deep. It is a matter of pride that our research on the child victim is the first direct, concerted approach to this most important aspect of sex offenses.

The literature shows a fairly consistent demand for states to authorize and provide diagnostic and treatment centers for sex offenders. Much evidence has accumulated that existing institutions and facilities are not suited to such investigation. Karpman, a longstanding authority, summarizes this viewpoint in the June 23, 1951, issue of the Journal of the American Medical Association.

Within the limited funds, some volumes have been added to our small collection of a working library on sex offenses. There are a good many useful books which should be bought as soon as funds are available. Of books obtained in the past year or so the following seem to have some importance or value:

Sexual Deviations: Causes and Treatment

Boss, M : Meaning and Content of Sexual Perversions. N. Y., Grune & Stratton, 1949.

Comfort, A.: Sex Behavior in Society. N. Y., Viking, 1950.

Cory, D. W.: The Homosexual in America. N. Y., Greenberg, 1951.

East, N.: Society and The Criminal. Springfield, C. C. Thomas, 1951.

Ford, C. S. and Beach, F. A.: Patterns of Sexual Behavior. N. Y., Harper, 1951.

Guttmacher, M. S.: Sex Offenses. N. Y., Norton, 1951.

London, L. S. and Capiro, F. S.: Sexual Deviations. Wash., D. C., Linacre Press, 1950.

Rickles, N.: Exhibitionism. Phila., Lippincott, 1950.

Juvenile Problems:

Ellingston, J. R.: Protecting Our Children From Criminal Careers. N. Y., Prentice-Hall, 1948.

Glueck, Sheldon and Eleanor: Unraveling Juvenile Delinquency. N. Y., Commonweath Fund, 1950.

Lawton, S. U. and Archer, J.: Sexual Conduct of the Teen-ager. N. Y., Greenberg, 1951.
Powers, E. and Witmer, H.: An Experiment in the Prevention of Delinquency. N. Y., Columbia U. Press, 1951.

Legal Aspects:

Ploscowe, M.: Sex and the Law. N. Y., Prentice-Hall, 1951.
Sherwin, R. V.: Sex and the Statutory Law. N. Y., Oceana, 1949.
Sussman, F. B.: Law of Juvenile Delinquency. N. Y., Oceana, 1950.

An editorial comment, "The Spectral Epidemic of Sex Offenses," in the February, 1952, issue of *The American Journal of Psychiatry,* attempts to explain why "public indignation about sex crime has precipitously increased," authough sex crimes have not markedly increased. The author notes that the California Report of the Brown Committee found no epidemic of sex crimes in the Country. He cautions that the "intense growing concern about sex offenses" may result in impulsive public action and legislation, whereas the need is for more realistic integration of sex mores and sex conduct, and for continued "investigation and treatment of socially dangerous sex aberrations."

V. Research on Homosexuality Being Carried Out at the Student Health Service, University of California, Berkeley

The present research deals with the psychological factors in homosexuality, as found in the personal and familial history of male sexual inverts.

Current Work

During the last year a wealth of very relevant data (electrical recordings of intensive therapy sessions by experienced clinicians) has been collected. 275 hour-long recordings (psychological interviews from homosexual and nonhomosexual patients) are by now available. Financial limitations, however, have made it impractical to secure stenographic transcription of more than one-fifth of these records so as to make them available for analysis. A variety of psychological tests has also been collected from the same patients; although, again, only preliminary inspection of these data has been financially possible. Partial analysis of the interview data *has* been undertaken, however, and a preliminary article, if possible, stating impressions and hypotheses will be offered for publication this year.

The collection of the substantial amount of verbatim data referred to above, as well as its partial analysis and discussion, has been accomplished with a total of about 15 hours per week of professional time and an equal number of hours of secretarial time, using electrical equipment that is less than adequate.

Plans for Future

Future plans for the research include:

a. Careful transcription and correction of the remainder of the recordings.

b. Analysis and comparison of homosexuals *versus* nonhomosexuals with reference to certain personal and familial characteristics, and

c. Analysis of the psychological tests. This plan will be implemented in practice, if sufficient research funds are available by increasing the professional and stenographic staff in order to carry out steps a, b and c, and by improving present transcription equipment

SAXTON T. POPE, M.D., Director
Department of Psychological Medicine
HAROLD RENAUD, Ph.D.
Clinical Psychologist

PART C

REQUESTED BUDGET FOR 1952-1953

In the following proposed budget the necessary amount for each project is enumerated in order.

1. Sociological Survey	
1 Research sociologist (also to act as administrator for entire sex research)	$12,000
1 Intermediate stenographer-clerk	2,640
1 Research associate	6,000
2 Research assistants at $3,600	7,200
Travel expenses	2,400
Office equipment, supplies, postage and so forth	1,000
Total	$31,240
2. Study of Certain Steroids and Antienzymes in Urine and Blood of Sexual Deviates (Contract with University of California School of Medicine at Los Angeles)	
Research associate	$5,400
Research associate	4,800
Principal laboratory technician	4,920
Senior laboratory technician	3,600
Secretary-stenographer	2,760
Laboratory assistant (part time)	500
	$21,980
Permanent equipment	1,520
Consumable supplies	1,500
Total	$25,000
3. Complete Anatomical, Physiological, Endocrine, Psychological and Psychiatric Studies of:	
A. Certain Homosexuals;	
B. The Effects of Castration in Sex Deviates (To be carried out at Langley Porter Clinic)	
Permanent equipment	$6,000
Reconstruction of laboratory	4,000
Supplies	2,000
General assistance	2,000
1 Endocrinologist	3,000
2 Senior technicians	8,000
1 Laboratory technician	3,600
1 Intermediate stenographer-clerk	2,640
1 Research fellow	4,200
Total	$35,440

4. Psychologic and Psychiatric Study of the Juvenile Victim and His Immediate Environment (To be carried out at the San Francisco Juvenile Court and Youth Guidance Center)	
2 Psychiatrists	$16,224
1 Senior clinical psychologist	4,980
1 Psychiatric social worker	5,555
1 Intermediate stenographer-clerk	2,640
Permanent equipment, supplies, postage, travel and miscellaneous	2,000
Total	$31,399
5. Abstract of the Literature	
1 Research worker	$5,240
Books and magazines	1,500
Total	$6,740
6. General Reporting Executive and Administrative Set-Up	
1 Senior clerk	$2,772
Permanent equipment, office supplies, postage and miscellaneous	2,000
Total	$4,772
7. Therapy of Homosexuals	
1 Intermediate stenographer-clerk	$2,520
1 Half-time psychologist	1,800
Recording instrument	200
Supplies	200
Total	$4,720
8. Contingency Fund	$10,000
Grand Total	$149,311

REQUESTED BUDGET FOR 1953-1954

In the following proposed budget the necessary amount for each project is enumerated in order.

1. Sociological Survey	
1 Research sociologist (also to act as administrator for entire sex research)	$12,000
1 Intermediate stenographer-clerk	2,640
1 Research associate	6,000
2 Research assistants at $3,600	7,200
Travel expenses	2,400
Office equipment, supplies, postage and so forth	1,000
Total	$31,240
2. Study of Certain Steroids and Antienzymes in Urine and Blood of Sexual Deviates (Contract with University of California School of Medicine at Los Angeles)	
Research associate	$5,400
Research associate	4,800
Principal laboratory technician	4,920
Senior laboratory technician	3,600
Secretary-stenographer	2,760
Laboratory assistant (part time)	500
Total	$21,980
Permanent equipment	1,520
Consumable supplies	1,500
Total	$25,000

3. Complete Anatomical, Physiological, Endocrine, Psychological and Psychiatric Studies of:	
A. Certain Homosexuals;	
B. The Effects of Castration in Sex Deviates	
(To be carried out at Langley Porter Clinic)	
Permanent equipment	$3,000
Supplies	2,000
General assistance	2,000
1 Endocrinologist	3,000
2 Senior technicians	8,000
1 Laboratory technician	3,600
1 Intermediate stenographer-clerk	2,640
1 Research fellow	4,200
Total	$28,440
4. Psychologic and Psychiatric Study of the Juvenile Victim and His Immediate Environment (To be carried out at the San Francisco Juvenile Court and Youth Guidance Center)	
2 Psychiatrists	$16,224
1 Senior clinical psychologist	4,980
1 Psychiatric social worker	2,640
1 Intermediate stenographer-clerk	2,640
Permanent equipment, supplies, postage, travel, and miscellaneous	2,000
Total	$31,399
5. Abstract of the Literature	
1 Research worker	$5,240
Books and magazines	1,500
Total	$6,740
6. General Reporting Executive and Administrative Setup	
1 Senior clerk	$2,772
Permanent equipment, office supplies, postage, and miscellaneous	2,000
Total	$4,772
7. Therapy of Homosexuals	
1 Intermediate stenographer-clerk	$2,520
1 Half-time psychologist	1,800
Supplies	200
Total	$4,520
8. Contingency Fund	$10,000
Grand Total	$142,111

REQUESTED BUDGET FOR 1954-1955

In the following proposed budget the necessary amount for each project is enumerated in order.

1. Sociological Survey	
This should be completed and no additional funds needed. Work on publication and final results would be carried out under Item 5	
2. Study of Certain Steroids and Antienzymes in Urine and Blood of Sexual Deviates (Contract With University of California School of Medicine at Los Angeles)	
Research associate	$5,400
Research associate	4,800
Principal laboratory technician	4,920
Senior laboratory technician	3,600
Secretary-stenographer	2,760
Laboratory assistant (part time)	500
Total	$21,980
Permanent equipment	1,520
Consumable supplies	1,500
Total	$25,000

3. Complete Anatomical, Physiological, Endocrine, Psychological and Psychiatric Studies of: A. Certain Homosexuals; B. The Effects of Castration in Sex Deviates (to Be Carried out at Langley Porter Clinic)	
Permanent equipment	$3,000
Supplies	2,000
General assistance	2,000
1 Endocrinologist	3,000
2 Senior technicians	8,000
1 Laboratory technician	3,600
1 Intermediate stenographer-clerk	2,640
1 Research fellow	4,200
Total	$28,440
4. Psychologic and Psychiatric Study of the Juvenile Victim and His Immediate Environment (To be carried out at the San Francisco Juvenile Court and Youth Guidance Center)	
2 Psychiatrists	$16,224
1 Senior clinical psychologist	4,980
1 Psychiatric social worker	5,555
1 Intermediate stenographer-clerk	2,640
Permanent equipment, supplies, postage, travel, and miscellaneous	2,000
Total	$31,399
5. Abstract of the Literature	
1 Research worker	$5,240
1 Intermediate stenographer-clerk	2,640
Books and magazines	500
Total	$8,380
6. General Reporting Executive and Administrative Setup	
1 Senior clerk	$2,772
Permanent equipment, office supplies, postage and miscellaneous	2,000
Total	$4,772
7. Therapy of Homosexuals	
1 Intermediate stenographer-clerk	$2,520
1 Half-time psychologist	1,800
Supplies	200
Total	$4,520
8. Contingency Fund	$10,000
Grand Total	$112,511

REQUESTED BUDGET FOR 1955-1956

1. Sociological Survey
   Completed
2. Study of Certain Steroids and Antienzymes in Urine and Blood of Sexual Deviates (Contract with University of California School of Medicine at Los Angeles)
   This research should be discontinued.
3. Completed Anatomical, Physiological, Endocrine, Psychological and Psychiatric Studies of:
   A. Certain Homosexuals;
   B. The effects of Castration in Sex Deviates (To be carried out at Langley Porter Clinic)
   Items under this research should be changed to the permanent budget of the Langley Porter Clinic, which should provide for permanent endocrine and laboratory studies in mental disease. It should, however, be discontinued as a part of the specific Sex Research, although undoubtedly some of the work of this laboratory would continue on studies of certain types of sex deviates.

4. Psychologic and Psychiatric Study of the Juvenile Victim and His Immediate Environment. (To be carried out at San Francisco Juvenile Court and Youth Guidance Center)

This work should have finished the primary research function by this time and any question of its continuance should be on the basis of a permanent setup, which would be largely a service function with some research features.

5. Abstract of the Literature

1 Research worker	$5,240
1 Intermediate stenographer-clerk	2,640
Books and magazines	500
Total	$8,380

This item will be necessary for an additional year to carry on the publication of the final results of the research study.

6. General Reporting Executive and Administrative Setup

1 Senior clerk	$2,772
Office supplies, postage and miscellaneous	1,000
Fund to finance publication of results	5,000
Total	$8,772

7. Therapy of Homosexuals

This study should be completed as a piece of research by this time.

8. Contingency Fund	$5,000
Grand Total	$22,152

PART D

CONCLUSION

The work in progress and plans for the future in the Sexual Deviation Research have been described in detail throughout the preceding pages.

In conclusion, the need for a long term research must again be emphasized. According to the original suggestions made early in 1950 to the Subcommittee on Sex Crimes and thoroughly discussed, a five-year period was felt to be the minimum time in which worthwhile plans could be organized, projects set up and research carried out.

To be sure, we have no idea that any 5-year or 10-year study will exhaust the study of sex deviations and offenses or find many solutions to the age-old problems of sex crimes. However, within the five-year period, our specific program covers a definite field of investigation and should therefore end up with some definite answers to the problems posed for research. Our work in progress continues to go forward, and in one or two cases a particular section has already been completed.

For these reasons tentative budgets have been drawn up for the remaining three years of the proposed research, and in addition a sum has been estimated for an extra or sixth year in which to collect and gather up all outlying material and information, prepare it for publication and close up the program.

Copies of these tentative budgets have been included in this report. There is no thought that the present Legislature can bind itself to any commitments for the years beyond that of 1952-53. However, in considering next year's requested budget, the Legislature may indeed like to know that we administrators of the research have no idea of just going on forever. Definite projects have been outlined, the course of work has been estimated and definite limits have been assigned.

Perusal of these proposed budgets, beginning with that requested for next year, the third of the study, shows a gradual reduction in the total amounts:

Year	*Requested Budget*
1952-53	$149,311
1953-54	142,111
1954-55	112,511
1955-56	22,152

A comparison of these figures shows a $7,000 reduction in the requested amount for 1953-54 and a $30,000 decline in the last year of the research proper. The sum of a little over $20,000 has been estimated as a deactivation fund for the sixth, or extra year, in which to clean up all odds and ends and to close out this part of the California contribution to sexual deviation research.

ADDENDUM

The following letter was received February 25, 1952, and is given in its entirety since it contains important information about the working of the castration law in Sweden.

Stockholm, 5th February, 1952

DEAR SIR,

"Your letter of 28th December 1951 to the Swedish Ministry of Justice concerning the Swedish law on castration has been handed over to the Royal Medical Board and I have the honor to inform you the following.

"The 1944 law on castration stipulates in substance:

The Royal Medical Board may authorize castration

a) if there is reason to assume that the subject, due to his sexual instinct, would commit a crime entailing serious danger or damage to another person, i.e. for the purpose of crime prevention.

b) if the subject, due to the perverseness or abnormal strength of his sexual instinct experiences serious psychical suffering or other serious discomfort, i.e. for humanitarian reasons.

"The consent of the subject is required. Persons unable to give legally valid consent, due to mental derangement, may however be castrated without their consent.

"A person may not be castrated before completing 23 years of age, except for particularly cogent reasons.

"Castration may be authorized only by the Royal Medical Board, except under the following conditions: A written certificate by two doctors is sufficient if the operation is required for the humanitarian reasons indicated in b) above and if the subject has completed 23 years of age, is capable of giving his legally valid consent and is not committed to a prison, mental hospital or similar establishment.

"The present law is not applicable to operations necessitated by physical disease.

"During a period of 4½ years, from the time when the law came into force on July 1, 1944, to December 31, 1948, the medical board received 126 reports of castrations performed according to law. The board had

authorized castration in 124 cases; in the remaining 2 cases two doctors had issued a certificate In 65 of the cases castration had been authorized for the purpose of crime prevention, in 44 cases for this purpose as well as for humanitarian reasons; the two indications were considered equally strong, and either of them justified granting of the application. In 17 (15 + 2) cases the operation was performed for humanitarian reasons. One hundred of the castrated persons had committed sexual crimes, viz.: fornication with children under age 34; homosexual actions 28; rape 15; exhibitionism 14; and incest 9. Of the remaining 26, 13 had showed sexual aggressiveness and 13 were suffering from abnormally strong libido. The psychical abnormal and pathological conditions of the 126 cases are as follows: oligophrenia 88, psychopathia 21, schizophrenia 6, chronic encephalitis 5, psychoinfantilism 4, and dementia 2.

"In 1949 and 1950 the board received 42 reports of castrations performed. Thirty-nine of the operations were authorized by the board, and the remaining 3 by two doctors. In 18 of the cases castration had been authorized for the purpose of crime prevention, in 19 cases for this purpose and humanitarian reasons as well, and in the remaining 5 cases (2 + 3) for humanitarian reasons only. One of the last-mentioned cases was a woman. This material has not been treated.

"In the beginning of 1949 we made a revision of 66 cases who had undergone follow-up examination; at least 3 years had elapsed after the operation. Of these 66 persons, 8 had been castrated before the law came into force; of these same 66 persons 13 still had libido and 9 potentia coëundi. Those who had preserved their libido were oligophrenes (5 of 48 examined persons) and psychopaths (8 of 11 examined). Of those with potentia coëundi 3 were oligophrenes and 6 psychopaths. There was no case of recidivism among the 66 followed-up cases."

Your very truly,

(s) KARL LOBERG
(t) KARL LOBERG
Medical Counsellor

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Smith asked for, and was granted, unanimous consent that the above report be ordered printed as a separate document, and that 500 copies be ordered printed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 2 p.m.—

Subcommittee on Education, in Room 4202. Subject: Earthquake Safety.

Tomorrow, March 5th, at 8 a.m.—

Rules, in Room 3186.

ADJOURNMENT

At 11.36 a.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 11.30 a.m., Wednesday, March 5, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 5, 1952

The Assembly met at 11 30 a.m
Hon. Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

Quorum present.

MOTION

Mr. Hahn moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Clarke seconded the motion

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

We pray unto Thee O God for wisdom to know the right, for patience to persevere in it, and for devotion to implement it with sincerity and truth. May these virtues of character always be rooted in our hearts and help us come closer to the goal toward which human history is moving.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Condon, by unanimous consent.

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

Mr. Waters, by unanimous consent.

Mr. Babbage, by unanimous consent.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Lindsay, by unanimous consent.

ANNOUNCEMENT

Mr. Smith announced that he is holding a bill at his desk relating to sex offenses and that any member desiring to be a co-author should affix his signature to the bill as soon as possible.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1952

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

Assembly Joint Resolution No. 3

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 3

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

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

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

Assembly Bill No. 12: By Mr. McCollister—An act to amend Sections 148, 188, 341, 397, 562, and 647 of the Military and Veterans Code and to add Section 322 to the Military and Veterans Code, relating to emergency services for the California National Guard and California National Guard Reserve, rules, regulations and orders published during emergencies, workmen's compensation benefits for the state military forces, toll exemption over state-owned bridges, participation in rifle competition and reimbursement for necessary travel expenses, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs

Assembly Bill No. 13: By Mr. McCollister—An act to amend Sections 9, 16, 160, 253, 320, 321, 455, 559, 566, 610, and 641 of the Military and

Veterans Code and to add Section 643.2 to the Military and Veterans Code, relating to the Uniform Code of Military Justice, the administration of oaths, command of the California National Guard, appointment of noncommissioned officers, determination of longevity and state service, the California National Guard Reserve and enlistment and service therein, restoration to employment after military service, Good Conduct Medal and Medal of Valor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT

Mr. Luckel asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 3, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 3

Assembly Joint Resolution No. 3—Relative to closing the United States-Mexico border to unescorted minors.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 14: By Mr. McCollister—An act to amend the title to Chapter 3, Part 2, Division 2 of the Military and Veterans Code and to amend Sections 51, 120, 213, 215, 422, 550, 554, 562, 565, 640, 643.1, and 648 of the Military and Veterans Code, relating to the change of name of the California National Guard Reserve to California Guard, to disability and death benefits for the state military forces and to the wearing of decorations by the California Guard, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 15: By Messrs. Smith, Beck, Tomlinson, Rosenthal, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Connolly, Dills, Doyle, Erwin, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, McFall, McGee, Meyers, Morris, Parker, Porter, Shaw, Stanley, and Stewart—An act to amend Sections 264, 286, 288a, 311 and 647a of the Penal Code, relating to sex crimes.

Referred to Committee on Judiciary.

Assembly Bill No. 16: By Messrs. Smith, Beck, Tomlinson, Rosenthal, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Connolly, Dills,

Doyle, Erwin, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, McFall, McGee, Meyers, Morris, Parker, Porter, Shaw, Stanley, and Stewart—An act to amend Sections 5501, 5503, 5505, 5511, 5512, and 5517 of, and to add Sections 5500.5, 5501.5, 5503.5, 5512.3, 5519, 5520, and 5521 to, the Welfare and Institutions Code, to amend and renumber Section 5502 of the Welfare and Institutions Code to be Section 5511.7, and to amend Section 27706 of the Government Code, to provide for the prevention of sex offenses by revising the procedure for the commitment of sexual psychopaths.

Referred to Committee on Judiciary

Assembly Bill No. 17: By Messrs. Smith, Beck, Tomlinson, Rosenthal, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Connolly, Dills, Doyle, Erwin, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, McFall, McGee, Meyers, Morris, Parker, Porter, Shaw, Stanley, and Stewart—An act to provide for the prevention of sex offenses by adding Chapter 4.6 to Part 1 of Division 6 of the Welfare and Institutions Code, relating to castration of sex deviates.

Referred to Committee on Judiciary.

Assembly Bill No. 18: By Mr. Connolly—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Finance and Insurance

REQUEST FOR UNANIMOUS CONSENT THAT AN ACT TO ADD DIVISION FIFTH TO THE CIVIL CODE, TO BE KNOWN AS THE UNIVERSAL COMMERCIAL CODE, BE PRINTED AS SEPARATE DOCUMENT

Mr. Brown asked for, and was granted, unanimous consent that an act to add Division Fifth to the Civil Code, to be known as the Uniform Commercial Code, be ordered printed, as a separate document, and that 500 copies be ordered printed

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

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

Assembly Bill No. 19: By Mr. Connolly—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined

Referred to Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT THAT SECOND PARTIAL REPORT BE PRINTED IN JOURNAL

Mr. Silliman asked for, and was granted, unanimous consent that a Second Partial Report of the Assembly Interim Committee on Governmental Reorganization (House Resolution No. 203, 1951), be ordered printed in the Journal, in 10-point type, as follows:

RECORDS MANAGEMENT

for the

STATE OF CALIFORNIA

Second Partial Report of

ASSEMBLY INTERIM COMMITTEE ON
GOVERNMENTAL REORGANIZATION

H. R. 203 — 1951



MEMBERS OF COMMITTEE

JAMES W. SILLIMAN, *Chairman*
ARTHUR W. COATS, JR.
JOHN B. COOKE
JONATHAN J. HOLLIBAUGH
ROBERT C. KIRKWOOD
GLENARD P. LIPSCOMB, *Vice Chairman*
HAROLD K LEVERING
WILLIAM BYRON RUMFORD
MARVIN SHERWIN
H. ALLEN SMITH
VINCENT THOMAS

H. E. BACHTOLD, *Executive Secretary*

PREFACE

Pursuant to H. R. 222, 1949, the Assembly Interim Committee on Governmental Reorganization presented its First Partial Report to the 1951 General Session of the California Legislature. This report examined the structural aspects of the State Government. Subsequently a special report of the committee, "The Pay Roll System of the State of California," was presented to the 1951 General Session.

The Second Partial Report, "Records Management for the State of California," is herewith presented to the 1952 Budget Session, pursuant to H. R. 203, 1951.

Additional reports will be presented to the 1953 General Session of the California Legislature.

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 3, 1952

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: In accordance with House Resolution 203, adopted June 22, 1951, the Assembly Interim Committee on Governmental Reorganization submits its Second Partial Report, "A Records Management Program for the State of California."

The subcommittee was assigned the task of recommending legislation which would provide the Executive Branch of the State Government with an efficient and well-coordinated records management program. The committee has unanimously adopted the findings and recommendations of the subcommittee.

The committee wishes to express its appreciation to the advisory committee, which so ably prepared this report without cost to the State.

Respectfully submitted,

JAMES W. SILLIMAN, *Chairman*
GLENARD P. LIPSCOMB, *Vice Chairman*
ARTHUR W. COATS, JR.
JOHN B. COOKE
JONATHAN J. HOLLIBAUGH
ROBERT C. KIRKWOOD
HAROLD K. LEVERING
WILLIAM BYRON RUMFORD
MARVIN SHERWIN
H. ALLEN SMITH
VINCENT THOMAS

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 3, 1952

Hon. James W. Silliman, Chairman
Assembly Interim Committee on Governmental Reorganization
State Capitol, Sacramento, California

At your request this subcommittee has undertaken an examination of the records management program of the Executive Branch of the State Government. In its examination the subcommittee has had the assistance of industry and the Federal and State Governments through the media of an advisory group consisting of: M R. Sullivan, President, Pacific Telephone & Telegraph Co.; James B. Black, President, Pacific Gas & Electric Co.; T. S. Petersen, President, Standard Oil Company of California; Robert B. Bradford, Regional Director, General Services Administration, Federal Government; James S Dean, Director, Department of Finance, State of California.

Each of the advisory group selected a records management expert from his own organization to work as an advisory committee to the subcommittee. The advisory committee members are as follows: J D Bayless, Chairman, General Services Administration, Federal Government; W. H. Topham, Secretary, Pacific Telephone & Telegraph Co.; Francis J. Carr, Pacific Gas & Electric Co.; Pierce H. Fazel, Department of Finance, State of California; V. H. Roman, Standard Oil Company of California

The subcommittee feels that the legislation recommended in this report will result in saving the State many thousands of dollars annually in filing equipment and building space, in addition to improving administrative efficiency.

Respectfully submitted,

WILLIAM BYRON RUMFORD, *Chairman*
MARVIN SHERWIN
JAMES W. SILLIMAN

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 3, 1952

Hon. William Byron Rumford, Chairman
Subcommittee on Records Management
Assembly Interim Committee on Governmental Reorganization
California Legislature, State Capitol

DEAR MR. RUMFORD: Attached hereto is the report prepared by the Advisory Committee on Records Management, covering findings and recommendations resulting from our survey of the records management program of the State of California.

The committee will be very pleased to discuss any phase of this report with you or any of the Members of the Assembly Interim Committee on Governmental Reorganization.

Respectfully submitted,

J. D. BAYLESS, *Chairman*
W. H. TOPHAM, *Secretary*
FRANCIS J. CARR
PIERCE H. FAZEL
V. H. ROMAN

SECTION ONE

THE PROBLEM

To make a study and recommend a records management program for the State of California.

SECTION TWO

SUMMARY

A. *Findings*

1. Existing state statutes relating to records are inconsistent and inadequate. They do not provide for a central records management organization and a comprehensive records management program for the State Government

2. Inactive records are being maintained in office space and other agency space in expensive metal filing cabinets.

3. Low cost economical records storage centers have not been established at strategic locations in the State for the maintenance of the various agencies' semiactive and inactive records which are not required for current use.

4. The Central Record Depository is maintained to receive and preserve the permanent archives and other records of the State. It is under the jurisdiction and supervision of the Secretary of State. Principal findings are:

a. The selection of records having historical significance is presently the responsibility of Dr. J. N. Bowman, employed on a contract basis as Historian in the Office of the Secretary of State.

b. Storage costs at the depository are increased through the purchase and use of metal transfer cases in which to store records.

c. Funds totaling $19,676 have been requested for the fiscal year ending in 1953 to laminate certain documents in custody of the depository.

5. Disposition schedules have not been developed for all state records. Records are not maintained, in most cases, in such a way that authorized disposal instructions can be easily applied. Follow ups and inspections are not made, in most instances, to see that disposal instructions are applied promptly and records removed from agency space and equipment.

6. No accurate information exists regarding the volume, types and locations of all state records for use in making provisions for the efficient and economical management of records.

7. Adequate steps have not been taken to control the purchase of filing equipment and supplies and to make the best utilization of filing equipment now on hand.

8. Observations of existing conditions in those state agencies visited by the committee point up the need for detailed studies of record making and record keeping practices to improve current procedures and reduce costs.

9. The control of correspondence, forms and reports; the improvement of paperwork procedures, mail and file operations; and the application of microphotography to records are important areas of records management where savings can be effected.

B. *Recommendations*

1. That the proposed records management act included as Section 4 of this report be submitted to the State Legislature for enactment This act provides for:

a. The establishment of a state archives and records management program in a Department of General Services;

b. The transfer of the present State Archives from the Office of the Secretary of State to the Department of General Services; and,

c. The establishment of a State Records Council as an advisory group to assist in carrying out the provisions of the act

2 That the Department of General Services, as a first step, conduct a detailed inventory of all state records, the inventory to be used as follows:

a. To determine those records that can be removed from agency space and equipment through destruction or transfer to a records center;

b. To determine where records centers should be located in the State, based on savings that will accrue through the transfer of records from agencies to the centers to release floor space and filing equipment;

3. That records centers be established based on findings resulting from the records inventory, and that all records which do not have to be retained in agency space and equipment be transferred to the records centers immediately and maintained there until final disposition;

4. That the permanent archives of the State be maintained in a suitable building with adequate dust, humidity and temperature control; that a good quality cardboard carton and steel shelving be used for the storage of additional archival material in lieu of metal transfer cases now in use, to reduce the cost of maintenance; that the permanent archives of the State be physically separated and maintained as a complete unit apart from records of a nonpermanent nature; and that no funds be approved for the lamination of documents pending a detailed study by records specialists to determine whether the lamination process is justified;

5 That disposition schedules covering all state records be developed by the Department of General Services and approved by (1) the agency whose records are involved; (2) the Department of Finance, and (3) the Attorney General;

6. That current records be filed in such order as to facilitate disposing of them when time limits expire, and that adequate controls be established to ensure the prompt application of disposition schedules;

7. That measures be instituted to control the purchase of additional filing equipment, and to provide for the more effective utilization of equipment now in state agencies;

8. That microfilming by all state agencies and the acquisition of equipment for this purpose be under the jurisdiction of the Department of General Services; and,

9. That following the first phase of the program, which is the retirement and storage of records, the Department of General Services assume the current records management functions included in the act by conducting detailed studies of record making and record keeping practices of agencies involving such areas as correspondence management, forms and reports control, paperwork procedures, and mail and file operations.

SECTION THREE

REPORT OF THE ADVISORY COMMITTEE

Purpose and Scope of Study

This study was undertaken for the purpose of recommending a records management program for the California State Government. It is to be emphasized that the study did not consist of a detailed analysis of state agencies to obtain complete factual information on existing conditions in all aspects of records management, but was limited to a study of records retirement and disposal and the utilization of filing equipment for the maintenance of records. In these areas of records management, immediate savings are possible through the proper disposition of records by releasing office space and filing equipment for more efficient use.

Generally, the methods employed in conducting the study consisted of reviewing available reference material, collecting pertinent data, and visiting selected state agencies in Sacramento, Los Angeles and San Francisco to observe conditions and to discuss the maintenance and disposition of inactive records with key officials.

State Records Legislation

Existing general California laws covering the keeping, preservation and destruction of records are contained in Sections 11092, 1220-1229, 12260-12263, 12465, 26201-26202, 26205 and 3409 of the Government Code. These sections provide for the following:

1. Authorize the head of any state agency, with the approval of the Department of Finance, to dispose of any records no longer required;

2. Authorize the Secretary of State to be custodian of the public archives of the State;

3. Establish the Central Record Depository in the Office of the Secretary of State for the receipt and custody of all records required or permitted by law to be filed or deposited in that office. The Secretary of State may also, with the approval of the Department of Finance, contract with qualified persons to establish a uniform filing system to be followed by all state agencies filing with the Secretary of State. In addition, the Secretary of State may, after consultation with the heads of interested state agencies, determine the period during which certain records are to be preserved, whether they shall be microfilmed prior to their destruction or whether they shall be microfilmed for the purpose of making a duplicate record.

4. Authorize the Controller to destroy reports from county and city officials and individuals which have been in custody five years. Claims upon which warrants have been issued, cancelled warrants, and other records involving state expenditures may be destroyed if they are in excess of 10 years old, providing they have been microfilmed. Microfilming may be avoided in such instances if the Controller and Director of Finance consider it unnecessary.

5. Authorize the board of supervisors to destroy certain duplicate county records and those over five years old; and,

6. Authorize the head of a city department, with the consent of the city legislative body and city attorney, to destroy certain records under his charge. Other records are designated for indefinite retention.

Based on certain sections of the code, the Department of Finance in cooperation with the Secretary of State has issued Circular Letter No P50-28 which contains information on the destruction of records, the selection of records for archival material, and the storage of records in the Central Record Depository. This circular also outlines general rules on record retention periods, the procedure for destroying records, and the procedure for depositing records in the Central Record Depository.

Central Record Depository

The Central Record Depository came into being in 1947 and was established for the purpose of housing and preserving the archives of the State as well as other records. By archives is meant state records having historical or research value, or possessing other values which would warrant indefinite or permanent retention.

The depository has approximately 24,000 cubic feet of records on hand contained in some 20,000 metal transfer cases. Total floor space available for the storage of records is 22,000 square feet. Only a small amount of space remains for the storage of additional records.

Figures that were obtained on the cost of operating the depository, indicate that approximately $26,000 annually is spent for personnel; other operating costs amount to approximately $16,000 per year. During fiscal years ending in 1949 through 1951 a total of $197,458 was spent for filing equipment. The total operating cost to date divided by the cubic feet of records on hand reflects an annual maintenance cost of over $2 per cubic foot on the basis of amortizing the filing equipment over a 10-year period. The use of less expensive filing equipment such as cardboard cartons and shelving would materially reduce the cost of maintenance.

The Department of Finance Circular Letter No. P50-28 states that the Central Record Depository has "limited space for filing records which any agency may wish to deposit as an extension of its own files." This means that agencies may deposit records of a nonpermanent nature in the depository if space is available. It was generally observed that very little inactive material of a nonpermanent nature has been sent to the Central Record Depository.

Claims of the Controller stored in the depository are being screened to dispose of overage copies, and to segregate samples which are being retained permanently. The retention period on these claims has recently been reduced from 15 years to 10 years. Sample copies of the claims are being microfilmed.

Records Retirement and Disposition

The State Government of California has made a beginning in the field of records retirement as evidenced by records legislation and the establishment of the Central Record Depository.

Figures were not available on the total volume and types of records on hand in all state agencies nor on the volume of records disposed of during previous years.

Records retirement covers such areas of records management as inventorying, scheduling, and disposition of records. A sound records retirement program usually consists of the following elements:

1. Periodic inventories of records to determine volume and types of records on hand;

2. Disposition schedules designating records that are to be retained permanently, records that are to be microfilmed, records that are to be destroyed after the lapse of specified periods of time, and records that are to be transferred periodically to a records depository for either destruction at some predetermined future date or for retention on a permanent or indefinite basis; and,

3. Controls to assure the application of disposition schedules.

Microfilming

Although information on all microfilming projects carried on by state agencies was not obtained by the committee, it was observed that the Central Record Depository was microfilming selected samples of claims of the Controller, and the Department of Public Health was filming original vital statistics certificates.

Microfilming is considered a tool of records management and is applied to records as follows:

1. To reduce the bulk of records to save space and equipment. A microfilm file requires up to 98 percent less space and equipment than its original paper counterpart.

2. To duplicate records to save clerical time as compared to type-copying records;

3. To preserve records and provide security. Vital records can be secured against loss by fire and other recognized hazards by making and depositing a microfilm copy in a location other than the original records. Original records subject to deterioration by frequent use can be preserved by utilizing a microfilm copy for reference purposes.

Records specialists are in a position to analyze requests for microfilming of records to determine whether the application of microphotography is the proper solution for their preservation.

Conditions in Agencies

It is the general observation of the committee that the State Government lacks an intensive and comprehensive records retirement program. Records retirement, at present, is largely a matter for each individual state agency to handle in its own way. In the disposition of state records, agencies are guided by existing state records legislation, procedures of the Department of Finance covering the destruction of records, and procedures of the Secretary of State providing for the transfer of records to the Central Record Depository. There is no central staff organization in the State responsible for the functions of records management, that is, to coordinate records activities of the various state agencies; to furnish technical guidance and assistance; and to issue regulations, standards and procedures for effecting improvements and economies.

The need for adequate state records legislation and the establishment of a sound records management program directed by a central staff organization is apparent after observing conditions existing in some of the agencies visited by the committee.

Large concentrations of records were maintained in prime office space and expensive metal filing equipment. A cursory examination of such records indicated that some were eligible for disposal in accordance with existing instructions while others could have been removed, as inactive, to more economical storage.

From statistical data gathered during the study, inactive records of 17 state agencies were being maintained in office space totaling 22,792 square feet.

In some instances, the committee observed that agencies had established inactive record storage areas in basements and similar storage places. Records in these locations were contained in excellent metal filing cabinets and other types of filing equipment. One agency was interested in disposing of inactive records but did not know exactly how to handle the problem. In this case, technical guidance and assistance from a specialist in records management was needed.

There was evidence of the maintenance of duplicate records, which should be studied in detail to eliminate as much duplication as possible. As one example, each agency establishes a personnel folder on individuals employed. If an individual is separated from a state agency and later is hired by another state agency, a new personnel folder is established. This means that one individual can have as many as four or five separate personnel folders depending on how many state agencies employed him. It costs the State considerable money to establish and maintain such duplicate records in terms of space, equipment, supplies and personnel time.

In those state agencies which handle a large volume of forms, correspondence and other documents, it was noted that there is a real need for paper work studies in order to eliminate as much paper work as possible and to simplify and improve present procedures for handling and filing records. For example, in one department, 95,000 reports are received each month. The present method of fastening and filing these returns in folders, containing applications, correspondence and other data is time consuming and costly in terms of personnel time expended A detailed study of this operation would undoubtedly result in devising a better method, thus saving considerable personnel time.

In some of the state agencies visited by the committee there was poor utilization of filing cabinets. It was evident that space and filing cabinets could be released for re-use if records eligible for destruction were disposed of, and other inactive records were removed to a records center. In addition, metal filing cabinets were being utilized for the storage of blank forms, office supplies and similar material.

From information available during the study, a total of approximately $187,000 was spent by 20 state agencies for filing equipment during the fiscal year ending in 1950, and approximately $269,000 during the fiscal year ending in 1951. This does not include $197,458 spent for filing equipment for the Central Record Depository during fiscal years ending in 1949, 1950 and 1951.

It is apparent that no adequate system exists in the State Government to control the procurement of additional filing cabinets and to utilize properly those on hand. Through systematic examination by record specialists of requests for filing space, supplies and equipment, the need for additional items can usually be eliminated or greatly reduced.

In the committee's opinion, if all inactive or otherwise disposable records were removed from metal filing cabinets now on hand in state agencies, the number of cabinets made available for re-use would take care of the State's requirements for at least three years.

A central records management staff organization with sufficient authority would serve to establish procedures to guide agencies in requesting filing equipment and supplies; assist them in selecting items best suited to their needs; and ensure that, as far as practicable, maximum economy is achieved.

Conclusions and Recommendations

The growth of the State Government of California has resulted in the creation of a large volume of records with attendant problems of maintenance, servicing and disposition. The problem of managing the State's records is of sufficient magnitude to warrant the continuous attention of records specialists. Records management is considered a specialized field of administration, and should be placed at a high enough level in the State Government to get the over-all state records management job accomplished.

From the brief study of the State's records problem made by the committee, it is concluded that too many records are being created, too many records are being kept, too many records are housed expensively, and too many records are kept inefficiently. These conditions exist despite what the State has accomplished in the retirement and disposition of its records.

There is a need in the State for new records legislation and the establishment of a centralized records management organization to develop, coordinate, and supervise records management activities throughout the State Government.

A proposed records management act for the State of California is included as Section Four of this report. The act establishes a records management program in the Department of General Services and sets forth the records responsibilities of this department and those of agency heads. It also provides for the establishment of an effective system of records management for the State.

Initially, the emphasis should be placed on records retirement and the control and utilization of filing equipment.

It is recommended as a first step that the department conduct a comprehensive inventory of all state records which would provide, generally, for the following information:

1. Detailed descriptions of each series of records on hand and inclusive dates; the volume of each series in cubic feet and whether the series are duplicated elsewhere;

2. The name and location of each state agency maintaining the series of records listed in the inventory;

3. A notation as to the disposal authority covering each series of records, if any; and,

4. The square feet of office and storage space utilized by active and inactive records in each agency, and the number and types of filing equipment used for the active and inactive records.

Such an inventory would assist the Department of General Services to determine the records not presently covered by disposal schedules; the records that should be considered for permanent retention; the records that could be removed to more economical storage; and the records centers (economical storage) which should be established and maintained by the State to house and service records not required to be kept in agency space.

It may be advisable to establish an adequate and suitable records center in Sacramento, with possible annexes in Los Angeles and San Francisco, depending on the volume of records maintained and accumulated by agencies in these three locations and the potential savings in agency space and equipment which could be effected. The possibility of the state records centers serving city and county agencies should be investigated. It is believed that a state records center at Sacramento with annexes, if established in Los Angeles and San Francisco, could store and service city and county records received from agencies in designated areas.

The permanent archives of the State should continue to be housed in Sacramento. These archives should be adequately protected from fire, theft, deterioration and other recognized hazards. It is recommended that the permanent archives of the State be maintained physically apart from other records of the State and given the protection necessary to maintain them on a permanent basis. In the future, it is recommended that a good quality cardboard carton and steel shelving be utilized in the storage of archives material in lieu of the present metal transfer cases which are expensive and are not considered necessary. In the preservation of archives the control of dust, temperature and humidity are important factors in preventing deterioration of records.

Records centers provide a place for the storage, servicing, security, and disposal of nonpermanent inactive state records which must be kept until retention periods expire, but need not be retained in agency space and filing equipment. As stated previously, the committee observed that some state agencies were maintaining considerable quantities of inactive records in office and storage space in expensive metal filing equipment Priority should be given to clearing out all such records by applying authorized disposal schedules and by transfers to records centers to free space and filing equipment for more efficient use.

The principal reasons why records centers can maintain inactive records more economically than agencies are determined by: (a) space and maintenance and (b) filing equipment. The average cost of space and maintenance in agency buildings is considerably more than in a records center housed in a warehouse-type structure. Similarly, filing cabinets utilized by agencies to house records cost considerably more than shelving and cardboard boxes in records centers. For example, eight four-drawer filing cabinets cost approximately $680 and take up some 56 square feet of office space. The contents of these eight cabinets can be stored in 56 cardboard boxes on wooden shelving, costing a total of approximately $33 and utilizing not over 20 square feet of warehouse space.

The selection of records of historical value for the state archives is presently a responsibility of Dr. J. N. Bowman, who is employed on a contract basis as Historian in the Office of the Secretary of State. The location, appraisal, and selection of records of historical value for the State Archives as well as the development of disposition schedules covering all state records should be a responsibility of the Department of General Services. The committee feels, however, that in order to safeguard the interest of all agencies in determining the retention periods of records, disposition schedules should have the approval of agency heads whose records are involved, and the Department of Finance and Attorney General to protect any financial or legal interests of the State.

The Secretary of State has requested funds totaling $19,676 in the fiscal year ending in 1953 for the lamination of certain records in custody of the Central Record Depository broken down as follows:

1 junior chemist	$3,540
Supplies for laminating process	1,500
Travel expenses for chemist to receive operating instructions	500
Laminating machine	14,136
Total	$19,676

As lamination of documents is an expensive process, a detailed study should be undertaken to determine whether the lamination process to preserve documents is justified by the historical significance of the records. As an example, one item that it is proposed be laminated is 204,300 legislative bills for the period 1849 to 1869.

Several important factors should be considered in the rehabilitation of records. These are:

1. Physical characteristics of the records. For example, documents bearing wax seals cannot be laminated without a harmful effect on the sealing wax due to the heat required in the lamination process. Likewise, parchment is not amenable to lamination.

2. Condition, activity and value of the records. Do the records actually need rehabilitation and are they of enduring value? Perhaps some other rehabilitation process such as microphotographic reproduction, if the records are actively used, could be employed. In this case a film copy could be used in lieu of the original records.

It is recommended that no funds for lamination be granted until a detained study by records specialists is completed which would justify such an outlay of funds.

The proposed records management act further provides for the establishment of a State Records Council to advise the Department of General Services in carrying out the provisions of the act.

As stated previously, it is the recommendation of the committee that the Department of General Services concern itself, initially, with records retirement, storage and disposition, and the control and utilization of filing equipment. Other areas of records management which are included in the act such as correspondence management, the control of forms, reports and administrative issuances, paper work procedures, microphotography, and mail and file operations should be programmed after the records retirement, storage and disposition problems have been brought under control, as substantial savings to the State Government can result from activities in these areas.

SECTION FOUR

PROPOSED CALIFORNIA RECORDS ACT

An act to repeal Sections 11092, 12465, 26201, 26202, 26205, 34090 and Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2, of the Government Code, and to add Chapter 3 to Part 10, Division 3, Title 2 of the Government Code, relating to the care, custody, preservation, and disposition of public records.

The People of the State of California do enact as follows:

SECTION 1. Sections 11092, 12465, 26201, 26202, 26205, 34090 and Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2, of the Government Code are repealed.

SEC. 2. Chapter 3 is added to Part 10, Division 3, Title 2 of the Government Code to read:

CHAPTER 3. STATE ARCHIVES AND RECORDS MANAGEMENT

Article 1. General

15775. This chapter shall be known and may be cited as the California Records Act.

15776. As used in this chapter:

(a) "Department" means the Department of General Services.

(b) "Director" means the Director of General Services.

(c) "Archivist" means the Archivist of the State of California as provided in Section 15779.

(d) "Archives of the State of California" means those official records that have been determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the State, and have been accepted by the director for deposit in his custody.

(e) "Record" or "records" means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made, produced, executed or received by any agency of the State in pursuance of state law or in connection with the transaction of public business and preserved or appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the State, or because of the informational data contained therein. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of the term "record" or "records" as used in this chapter.

(f) "Agency" means any executive department, division, office, board, bureau or commission of the State Government

including the legislative and judicial branch of the State Government.

15777. The State Archives and the State Record Depository in the office of the Secretary of State are hereby abolished; all functions, records, books, papers, offices, equipment, supplies, and other property of, and the use of all money appropriated for, the State Archives and the State Record Depository are hereby transferred to the Department of General Services. All functions of the Secretary of State relating to the State Record Depository are hereby transferred to the Director of General Services.

15778. All employees of the State Archives and the State Record Depository shall continue to serve as employees of the Department of General Services in the same or equivalent capacities in which they have been serving in the abolished agencies.

15779. The Director of General Services shall select and appoint in accordance with the State Civil Service Act an Archivist of the State of California.

15780. The provisions of any general or special law to the extent that they are inconsistent or contrary to the provisions of this chapter are superseded by the provisions of this chapter.

Article 2. State Records Council

15800. The director shall establish a State Records Council, and shall advise and consult with the council with a view of obtaining its advice and assistance in carrying out the provisions of this chapter. The council shall include the Archivist of the State of California, who shall serve as chairman; the Director of the Department of Finance, or an alternate designated by him; the Attorney General, or an alternate designated by him; and the Legislative Auditor, or an alternate designated by him. When the action of, or study undertaken by the council will directly affect particular agencies, the council shall be augmented for the purpose of such action or study by representatives of such agencies as the director shall designate. The representative of any such agency shall be designated by the head of the agency.

15801. Members of the State Records Council shall serve without compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their duties as members of the council. The council shall meet at least once annually.

Article 3. Archives of the State of California

15810. The Archives of the State of California shall be administered by the Department of General Services.

15811. The director, whenever it appears to him to be in the public interest, is authorized to accept for deposit in the Archives of the State of California the records of any state

agency, including the Legislature and the state courts, that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the State of California.

15812. The director shall be responsible for the custody, use and withdrawal of records transferred to his custody.

(a) Whenever any records the use of which is subject to statutory limitations and restrictions are so transferred, permissive and restrictive statutory provisions with respect to the examination and use of such records applicable to the head of the agency from which the records were transferred or to the employees of that agency shall thereafter be applicable to the director, the Archivist and to the employees of the department respectively.

(b) Whenever the head of any agency shall specify in writing restrictions that appear to him to be necessary or desirable in the public interest, on the use or examination of records being considered for transfer from his custody to the Archives of the State of California, the director shall impose such restrictions on the records so transferred and shall not remove or relax such restrictions without the concurrence in writing of the head of the agency from which the material was transferred.

(c) Statutory and other restrictions referred to in this section shall not remain in force or effect after the records have been in existence for 50 years unless the director shall determine with respect to specific bodies of records that such restrictions shall remain in force for a longer period.

(d) Restrictions on the use or examination of records deposited with the Archives of the State of California shall continue in force regardless of the expiration of the tenure of office of the official who imposed them but may be removed or relaxed by the director with the concurrence in writing of the head of the agency from which records had been transferred, or, if the existence of such agency shall have been terminated, then with the concurrence in writing of his successor in function, if any.

15813. The director shall make provisions for the preservation, arrangement, repair and rehabilitation, duplication and reproduction, including microcopy publications, description, servicing and exhibition of records transferred to his custody as may be needful or appropriate, including the preparation and publication of inventories, indexes, catalogs, and other finding aids or guides facilitating their use.

15814. The director may accept for deposit in the Archives of the State of California:

(a) The personal papers and other personal historical documentary materials of the present Governor of the State of California, his predecessors and successors, heads of executive departments, and such other officials of the State as the director may designate.

(b) Motion picture films, still pictures and sound recordings from private sources that are appropriate for preservation by

the State as evidence of its history, organization, functions, policies, decisions, procedures and transactions.

(c) Title to material so deposited under this section shall pass to and vest in the State of California

15815. The Archives of the State of California shall have an official seal which shall be judicially noticed. The director may make or reproduce and furnish authenticated or unauthenticated copies of any of the documentary, photographic or other archives or records in his custody the public examination of which is not prohibited by restrictions imposed in accordance with Section 15812 or protected by copyright and may charge therefor a fee sufficient to cover the cost or expense thereof. When any such copy or reproduction, furnished under this section, is authenticated by the official seal and certified by the director, or in his name by his authorized representative, such copy or reproduction shall be admitted in evidence equally with the original from which it was made.

15816. Any official of the State who is authorized to make certifications or determinations on the basis of records in his custody is hereby authorized to make certifications or determinations on the basis of records that have been transferred by him or his predecessors to the custody of the director.

Article 4. Records Management. The Director

15825. The director is authorized:

(a) To make surveys of state records and records management and disposal practices and to obtain reports thereon from agencies.

(b) To issue regulations establishing procedures and implementing requirements of this chapter.

(c) To promote, in cooperation with other agencies, improved records management practices in such agencies.

(d) To report to the Legislature from time to time the results of such activities.

15826. The director shall make provision for the economical and efficient management of records of state agencies:

(a) By analyzing, developing, promoting, coordinating and promulgating standards, procedures and techniques designed to improve the management of records, to insure the maintenance and security of records deemed appropriate for preservation, and to facilitate the segregation and disposal of records of temporary value.

(b) By promoting the efficient and economical utilization of space, equipment and supplies needed for the purpose of creating, maintaining, storing and servicing records.

15827. The director shall establish standards for the selective retention of records of continuing value and assist agencies in applying such standards to records in their custody.

15828. The director is authorized to inspect the records of any agency, as well as to make surveys of records management and records disposal practices in such agencies and shall be

given the full cooperation of officials and employees and agencies in such inspections and surveys. Records, the use of which is restricted by or pursuant to law or for reasons of public interest, shall be inspected or surveyed in accordance with regulations promulgated by the director, subject to the approval of the head of the custodial agency.

15829. The director is authorized to establish, maintain and operate records centers for the storage, processing and servicing of records for state agencies pending their deposit with the Archives of the State of California or their disposition in any other manner authorized by law; and to establish, maintain and operate centralized microfilming services for agencies.

Article 5. Records Management, Other Agencies

15840. The head of each agency shall cause to be made and preserved records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the State and of persons directly affected by the agency's activities.

15841. The head of each agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. Such program shall, among other things, provide for:

(a) Effective controls over the creation, maintenance and use of records in the conduct of current business.

(b) Cooperation with the director in applying standards, procedures and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation and facilitate the segregation and disposal of records of temporary value.

(c) Compliance with the provisions of this chapter and the regulations issued thereunder.

15842. The head of each agency shall cooperate with the director in determining records within the agency which should be transferred to records centers in order to conserve floor space and filing equipment. Inactive record storage areas shall not be established or maintained by agencies unless approved by the director.

15843. The head of each agency shall establish such safeguards against the removal or loss of records as he shall determine to be necessary and as may be required by regulations of the director.

Article 6. Disposal of Records

15850. The director shall issue regulations, not inconsistent with this chapter, which shall be binding on all agencies, establishing:

(a) Procedures for compiling and submitting to the director lists and schedules of records proposed for disposal.

(b) Procedures for the disposition of records authorized for disposal.

(c) Standards for the reproduction of records by photographic or microphotographic processes with the view to the disposal of the original records.

15851 The head of each state agency shall submit to the director, in accordance with regulations issued pursuant to Section 15850.

(a) Lists of records in the custody of the agency that are not needed by it in the transaction of its current business and that do not appear to have sufficient administrative, legal, or fiscal value to warrant their further preservation by the State.

(b) Schedules proposing the disposal after the lapse of specified periods of time or after the occurrence of specified events of records of a specified form or character that either have accumulated in the custody of the agency or that may accumulate therein at any time after the submission of such schedules and that apparently will not, after the lapse of the period specified or the occurrence of the event specified, have sufficient administrative, legal or fiscal value to warrant their further preservation

15852 After determining that the records proposed for disposal have no value to other agencies of the State and have no research or historical value, the director shall submit such lists and schedules, with his recommendations, to the Attorney General, and to the Director of the Department of Finance for their approval of action proposed Upon receipt of their concurrence, the director shall approve the disposal list or schedule and authorize the disposal of the records concerned.

15853 The director may submit disposal lists and schedules of records that have been deposited in his custody in accordance with Article 3 of this chapter, after having determined that the records concerned do not have sufficient value to warrant their continued preservation by the State together with his recommendations to the Attorney General, and to the Director of the Department of Finance for their approval. The director shall not submit lists and schedules for the disposal of records of any existing agency of the State that are in his custody without having first obtained the written consent of the head of such agency.

15854. The director may submit to the Attorney General, the Director of the Department of Finance and the head or heads of any agency or agencies that may have an interest in such records schedules proposing the disposal, after the lapse of specified periods of time or the occurrence of specified events, of records of a specified form or character common to several or all agencies that either have accumulated or may accumulate in such agencies and that will not, after the lapse of the periods specified or the occurrence of the events specified, have sufficient administrative, legal, fiscal, research or other value to warrant their preservation by the State. Prior to submitting

such schedules for approval, the director shall obtain the recommendations of the State Records Council on the action proposed. Such schedules when approved as provided in this section and promulgated by the director, shall be permissive rather than mandatory

15855. Whenever the director and the head of the agency that has custody of them shall jointly determine that any records in the custody of any agency are a continuing menace to human health or life or to property, the director shall cause such menace to be eliminated immediately by whatever means he may deem necessary.

15856. Photographs or microphotographs of any records made in compliance with the regulations promulgated as provided in Section 15850 shall have the same force and effect as the originals thereof would have and shall be treated as originals for the purpose of their admissibility in evidence Properly certified or authenticated copies of such photographs or microphotographs shall be admitted in evidence equally with the original photographs or microphotographs.

15857. No official records of any agency of the State may be alienated, destroyed or otherwise disposed of except in accordance with the provisions of this chapter.

Article 7. Disposal of County, City and County, and City Records

15870 Any elected or appointed officer of any county, city and county, and city within the State of California may destroy or otherwise dispose of any or all records, papers or documents kept or accumulated by him in the transaction of public business providing he:

(a) Advises the director, in writing, of the nature of the record.

(b) Certifies to the director that such record no longer has sufficient administrative, legal, fiscal, research or other value to warrant its continued preservation.

(c) Receives the written consent of the director to the destruction or other disposal of such record.

15871 The consent of the director as provided in Section 15870 shall be given only in accordance with regulations established by him after consultation with state departments and agencies having an interest in such records

15872. Any records proposed for disposal to the disposal of which the director does not consent may be deposited by the official concerned in the Archives of the State of California, providing the Archivist determines they have sufficient value to warrant such preservation, or in a records center established and maintained by the director.

15873 The provisions of this article shall not apply to the records of any state department, division, board, office, bureau, commission or other agency.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 1.30 p.m.—
School Allocation Board, in office of Director of Finance.

At 2.30 p.m.—
Conservation, Planning, and Public Works, in Lounge.

At 8 p.m.—
Municipal and County Government, in Room 4164.

Today Upon Adjournment—
Military Affairs, in Lounge.

Tomorrow, Thursday, March 6th, at 9 a.m.—
Capitol Committee, in Senate Rules Room.

Next Monday, March 10th, Tuesday, March 11th, and Thursday, March 13th, at 2 p.m.—
Ways and Means, in Room 4202.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Gladys F. Berger, Paul Biggins, Anne Grimes, Helen Jarrett, Victor Larcher, and Marian Weaver, teachers, and the following pupils of the Covington school: Bob Aparton, Judy Atterbury, Diane Baldwin, Susan Barthold, Jim Barber, Loretta Bell, Eugene Bettencourt, Mike Black, Leon Bridges, Linda Bureau, Al Burkhalter, Ernest Burkhart, Tom Burness, David Burnham, Sue Cargle, Frank Carr, Ronald Casella, Doris Cates, Bob Chamberlain, David Chambers, Colleen Christensen, Chuck Clifton, Russel Clousing, Anna Marie Contreras, Sonia Cook, Phyllis Cormack, June Coulombe, Shirley Cox, Joanne Craner, Carole Crawford, Carol Crow, Peter Curry, Roland Davey, Geraldine Deal, Terry De Bevoise, Jim Dempsey, Jo De Frees, Bernard Dreesman, Donald Duarte, Jerry Duarte, Duane Duner, Jay Dungan, Carol Edison, Joan Edgemond, Joe Edwards, Alida Emery, George Estill, Stuart Farwell, Bill Freeman, Jim Furuichi, Ronald Galli, Gary Gamel, Harlene Glandt, Yvonne Gardner, Gail Giberson, Albert Gregory, Ronald Gronwall, Wilma Groves, Grace Gross, Sally Haines, Linda Hall, Jim Hall, Donny Heaton, Mead Hemmeter, Tom Hendrix, Sandra Hird, Mary Lou Hoover, Eric Isaeson, Peter James, Orisa Johnson, Ronald Johns, Sandra Kalaveras, Carol Kay, Terry Keeney, Paul King, Kathleen Kinney, Norman Kirsch, Diane Klimpel, Lucille Krousch, Ivan Kyles, Alan Lane, Eddie Laughlin, Winona Lesan, Burt Libkits, Louis Licata, Teddy Lorenz, Dick Lucchetti, Leona Lund, Richard Macedo, Vera Malloy, Roy Masterson, Joanna Massicsek, Wayne Matasci, Martha McAvoy, John McCrea, Bob McKeeman, Herbert Meyr, Joan Miller, David Mitchell, Betty Moore, Floyd Moorehead, Amelia Morris, Ray Murakami, Miles Murray, Edna Nakano, Betty Lou Newell, Leon Noon, Rick Ogden, Zita Overman, Peter Picksla, Tom Pisano, Jim Pisano, Cecil Prack, Dolhena Pratt, Mike Pratt, Joe Proctor, Ann Quigg, Al Rayfield, Bobby Reagan,

Patsy Reagan, Burton Rees, Gerald Richter, David Robinson, Sal San Fillipo, Joyce Sartain, Janice Shera, Frances Shriber, Bonnie Simrell, Sam Skropanich, Marilyn Spohr, Connie Stanley, Richard Stark, Carl Steinmann, Fred Stieler, John Sublett, Paul Suzuki, John Sweeney, Dorine Testa, Freda Tharp, Beverly Thiesse, Curtis Thomson, Dale Thurman, Carol Tillman, Alan Tippet, Nancy Tobin, Rose Trovillian, Lulu Walker, Leonard Walker, Wayne Walker, Barbara Wallace, Al Warrington, Danny Winters, Carolyn Wood, John Zeller, and Marvin Ziemer.

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Ralph Beale of Eagle Rock.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Frank Kuhn, Jack Robinson, and Paul Butler of Los Angeles.

ADJOURNMENT

At 11.52 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.20 a.m., Thursday, March 6, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 6, 1952

The Assembly met at 9.20 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—70.

Quorum present.

MOTION

Mr. McCollister moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Lyon seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

We pray unto Thee O God that the energy and faith of the representatives of our government may never weaken nor falter. May their duties never become irksome, their tasks never turn into halfhearted toil. May they experience moments of joy when they look upon their achievements and truly say: Behold it is good.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Stewart, by unanimous consent.

Mr. Morris, by unanimous consent.

Mr. Condon, by unanimous consent.

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

Mr. Clarke, by unanimous consent.

Mr. Babbage, by unanimous consent.

Mr. Grant, by unanimous consent.

Mr. Hinckley, by unanimous consent.

Mr. Waters, by unanimous consent.

Mr. Coats, by unanimous consent.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

IMPERIAL COUNTY BAR ASSOCIATION
EL CENTRO, CALIFORNIA, March 4, 1952

Hon. Sam L. Collins, Speaker of Assembly
State Capitol Building, Sacramento, California

DEAR SIR: Enclosed you will find a copy of a resolution regarding Communist lawyers which was duly passed by the Imperial County Bar Association at a regular meeting, February 1, 1952.

Please call this to the attention of the Assembly.

Very truly yours,

MOBLEY M. MILAM, Secretary
Courthouse, El Centro

RESOLUTION REGARDING LAWYERS WHO ARE COMMUNISTS

WHEREAS, There are several lawyers in the State of California who are Communists; and

WHEREAS, A lawyer admitted to practice law in this State cannot legally, ethically, nor professionally be both a lawyer in this State and a Communist, because the lawyer is required to take, and does take, an oath to support the Constitution of the United States, of the State of California, and the laws of both the United States and this State; and

WHEREAS, A Communist is an agent of a foreign nation, to wit, Soviet Russia, and as such agent is duty bound to exert his utmost efforts and his entire time to the overthrow of the Government of the United States of America by force and violence and by unlawful means, takes an oath to violate the Constitution of the United States and to teach and advocate the overthrow of the Government of the United States by force; and

WHEREAS, A person cannot consistently nor logically be both a lawyer and a Communist in this State; and

WHEREAS, This association realizing how insidiously and innocuously Communists can and do appear and work, this association feels that at this late date direful inroads have been made into our national security by the activities of Communists; and

WHEREAS, Definite and unfaltering steps are necessary to publicize to the people of the United States that, but few lawyers are affiliated or associated with the cause of Communism or any cause inimical to the continuation of the constitutional form of government of the United States. Now, therefore, be it

Resolved, That action be instituted before the State Bar Association to discipline all lawyers in this State who are Communists, that the State Bar of California be and it is hereby requested to take such action as is necessary to assist in obtaining such action as may be necessary. Be it further

Resolved, That the Internal Security Subcommittee of the Senate Judiciary Committee be and it is hereby commended for its courageous and loyal stand in conducting the investigation into the connections of lawyers in this State with Communism. Be it further

Resolved, That Bar Associations of other counties in this State be and they are hereby urged, in the spirit of an everlasting United States of America following the tradition of our heritage, adopt a resolution in substance the same as this. Be it further

Resolved, That the secretary of this association be and he is hereby authorized and directed to send a copy of this resolution forthwith to the Internal Security Subcommittee of the Senate Judiciary Committee, to the Senate Fact-Finding Committee on Un-American Activities of California, to the Bar Association of each county of this State, to the State Bar of California, to the Governor of this State, to the Senate of this State, to the Assembly of this State, to the board of supervisors of this county, to each representative of the press in Imperial County. Be it further

Resolved, That each member of the Bar Association of Imperial County, State of California, subscribe this resolution in order that the people may know our position in the cause before us.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1952

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

Assembly Bill No. 8
Assembly Bill No. 9

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

DICKEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 8—An act to declare that a certain portion of Stockton Slough (Channel) situated in the City of Stockton, County of San Joaquin is no longer necessary for navigation of fisheries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 9—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigation of Stockton Slough.

Bill read second time, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 5, 1952

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

Senate Bill No. 2

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 2—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any persons, and providing for filing of a petition with respect thereto.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1952

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

Assembly 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 Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT) (RESUMED)

Assembly Bill No. 7—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, 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 Military Affairs:

Amendment No. 1

On page 2, line 4, of the printed bill, and ahead of the word "percent", insert "1.74".

Amendment No. 2

On page 2, line 10, of the printed bill, and ahead of the word "percent", insert "1.74".

Amendments read, and adopted.

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

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

The following resolutions were offered:

Assembly Constitutional Amendment No. 1: By Messrs. Dunn, Geddes, McCollister, Dolwig, and Burkhalter—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1½ to Article XVI thereof, relating to the issuance of bonds to provide funds for the aiding of veterans in the acquisition of, or payments for, farms and homes.

Referred to Committee on Rules.

Assembly Joint Resolution No. 6: By Messrs. Burkhalter, McGee, Smith, Beck, Cooke, Dolwig, Dunn, and McCollister—Relative to the reopening of Birmingham General Hospital.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 5, 1952

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

Assembly Concurrent Resolution No. 1

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

Above resolution ordered enrolled.

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

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

Assembly Bill No. 20: By Messrs. Burkhalter, Doyle, Beck, Elliott, McCarthy, Meyers, Munnell, Porter, Shaw, and Thomas—An act to add

Chapter 13.5 to Part 10 of Division 2 of, and to add Section 17053.6 to, the Revenue and Taxation Code, relating to credits for state income tax purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 21: By Messrs. Burkhalter, Brady, Beck, George D. Collins, Dills, Elliott, Hawkins, Henderson, McCarthy, Meyers, Munnell, Rosenthal, Shaw, and Thomas—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to reduction of sales and use tax rates, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1952

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

Assembly Bill No. 8
Assembly Bill No. 9

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Next Monday, March 10th, at 8 p.m.—

Finance and Insurance, in Room 3184. Subject: Assembly Bills Nos. 18 and 19.

Next Thursday, March 13th, at 8.30 a.m.—

Rules, in Lounge. Subject: Assembly Joint Resolution No. 2.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to the following legislative-taxation committees, California Manufacturers Association: W. L. Neely, L. F. Cummings, Paul S. Farr, Guy M. Harrington, Wm. C. James, E. F. Marquardsen, J. F. Pannell, C. A. Penberthy, J. E. Phillips, A. J. Romero, W. B. Sanders, W. F. Schlotter, W. H. Steele, T. C. Moroney, J. H. Pengilly, A. K. Beckley, Robert R. Colter, A. J. Fabris, Lawrence A. Harvey, George E. Naylon, Jr., B. A. Olsen, S. W. Shepard, and Chas. Weeks; and guests: W. A. DeRidder, Michael Felice, and Wm. Matthews.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Frank Male, Sr., Frank and Johnnie Male of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Gurich of San Francisco.

ADJOURNMENT

At 9.33 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10.40 a.m., Monday, March 10, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 10, 1952

The Assembly met at 10.40 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

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

Quorum present.

MOTION

Mr. McCollister moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Lyon seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God, teach us always to look upon justice as our friend and ally; to make secure our life and property; to bring us peace and joy; and to reward with victory of the spirit those who labor for the unity of mankind under the sovereignty of God.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Sam L. Collins, the Assembly then gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Clarke, by unanimous consent.

Mr. Condon, by unanimous consent.

Mr. Crowley, by unanimous consent.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 10

Resolved by the Assembly of the State of California, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of all bills, resolutions, and Histories of the 1952 First Extraordinary Session; to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection This list is to be limited to five (5) names each, and shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as the Attorney General, Legislative Counsel Bureau, and the Governor's office That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing five (5) copies of said bills, resolutions and Histories to be mailed to the State Commander of the American Legion, or to such parties as he shall name; and be it further

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of fifteen dollars ($15) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event unless otherwise authorized, shall be over twenty-five hundred (2,500).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 10, at this time, without reference to committee or file.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1952

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

Assembly Bill No. 7

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1952

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

Assembly Concurrent Resolution No. 1—Relative to the passing of Harold F. Sawallisch;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixth day of March, 1952, at 2 p m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 22: By Mr. Sam L. Collins—An act to add Chapter 9.1 to Division 3 of the Business and Professions Code, relating to construction salesmen and providing for their licensing and regulation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 23: By Mr. Sam L. Collins—An act to amend Section 28480 of the Health and Safety Code, relating to olive oil.

Referred to Committee on Public Health.

Assembly Bill No. 24: By Messrs. Brown, Burke, Beck, Shaw, Babbage, Belotti, Berry, Brady, Burkhalter, Chapel, Coats, Collier, Sam L. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—An act to amend Section 1170 of the Probate Code, relating to the termination of joint tenancies upon the death of one joint tenant, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 25: By Messrs. Dunn and Dickey—An act to add Section 30609 to the Streets and Highways Code, relating to the use of tolls received from the use and operation of the San Francisco-Oakland Bay Bridge or proceeds from sales of bonds secured by such tolls.

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

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 8—An act to declare that a certain portion of Stockton Slough (Channel) situated in the City of Stockton, County of San Joaquin, is no longer necessary for navigation of fisheries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent that Name Be Placed Upon Roll Call on Assembly Bill No. 8

Mr. Gaffney asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 8, and that he be recorded as voting "aye."

Assembly Bill No. 9—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigation of Stockton Slough.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Mr. Lindsay:

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

Letter of Transmittal

AMADOR COUNTY
JACKSON, CALIFORNIA, March 5, 1952

Hon. Francis Lindsay
Assemblyman, Sixth District
State Capitol, Sacramento, California

DEAR MR. LINDSAY: I am enclosing copies of resolution passed by the Amador County Grand Jury recommending salary increases for the board of supervisors, district attorney, and myself as county auditor

Anything you may be able to do in this matter will be greatly appreciated as I believe our county was one of the few for which raises were not granted during the last session.

Thanking you for this and past courtesies, and with very best wishes, I am,

Sincerely,

LEOTTA M. HUBERTY
County Clerk and Auditor

Resolution

Be It Resolved, That the Amador County Grand Jury recommends that the salary of the County Auditor for the County of Amador be increased from $1,500 per year to $2,700 per year.

J. WESLEY SIBOLE, Foreman

DATED: March 3, 1952

Resolution

Be It Resolved, That the Amador County Grand Jury recommends that the salary of each Supervisor of the County of Amador be increased from $1,800 to $3,600 per annum, for his services as supervisor.

DATED: March 3, 1952.

J. WESLEY SIBOLE, Foreman

Resolution

Be It Resolved, That the Amador County Grand Jury recommends that the salary of the District Attorney for the County of Amador be increased from $2,400 to $4,200 per year.

DATED: March 3, 1952.

J. WESLEY SIBOLE, Foreman

RESOLUTIONS

The following resolutions were offered:

By Messrs. Maloney, Geddes, Sherwin, Connolly, McCarthy, Brady, George D. Collins, Gaffney, Berry, and Meyers:

House Resolution No. 11

WHEREAS, The *San Francisco Chronicle* for the second time has furnished its readers with a Political Primer for Americans, which sets forth the facts as to the election laws and customs in the several states; and

WHEREAS, Earl C. Behrens, Political Editor of the Chronicle, has again rendered to the readers of that journal, and to the Members of this Legislature, signal service in the preparation of the Political Primer for Americans; *now, therefore, be it*

Resolved by the Assembly of the State of California, That we congratulate both the author of the article and the paper, the *San Francisco Chronicle*, for the preparation of these articles; be it further

Resolved, That the Chief Clerk of the Assembly be instructed to send copies of this resolution to Earl C. Behrens and to George T. Cameron, Publisher of the *San Francisco Chronicle*.

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

By Mrs. Niehouse and Mr. Luckel:

House Resolution No. 12

Relating to congratulating Maureen Connolly

WHEREAS, It has come to the attention of this legislative body that once again the athletic prowess of a young Californian has proven superior to that developed in other areas of this great Nation, we take this opportunity to single out for commendation and congratulation Maureen Connolly, the 17 year old San Diego girl who won the National Women's Singles Tennis Championship.

At the age of 14 years, Maureen Connolly was the youngest girl ever to win the National Junior Tennis Championship; at 15, the youngest ever to be ranked among the "First Ten" in the grownup category of women's tennis. Among the titles held by her prior to winning the National Women's Singles Tennis Championship at Forest Hills, New York, last year, she held the Southern California Women's Championship, and the Women's Pennsylvania and Eastern States Championship. In the annual *Associated Press* poll of sportswriters, Maureen Connolly was voted the top "Female Athlete of 1951"

WHEREAS, The people of this great State and especially the people of San Diego are extremely proud of the accomplishments of Maureen Connolly; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend and congratulate Maureen Connolly on her achievements in the sport of tennis; and be it further

Resolved, That the Clerk of the Assembly transmit suitable copies of this resolution to Maureen Connolly, and to her parents.

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

By Mrs. Niehouse and Mr. Luckel:

House Resolution No. 13

Relative to congratulating Florence Chadwick

WHEREAS, The people of the State of California are immensely proud of the international fame and admiration conferred on Florence Chadwick; and

WHEREAS, Florence Chadwick rocketed to fame on September 11th of last year when she waded ashore near Sangatte, France, to become the first woman ever to swim the English Channel both ways. She reached France in the near-record time of 16 hours, 14 minutes, missing her landing point at Cape Griz Nez by five miles in a dense fog. In August of the previous year this attractive San Diego stenographer crossed from France to England in 13 hours, 20 minutes, to break the record for women set in 1926 by Gertrude Ederle.

In her successful bid to conquer the channel from England to France, the plucky San Diegan overcame almost impenetrable fog and recurrent attacks of nausea caused by inhaling exhaust fumes from one of the boats which accompanied her. An indication of the difficulty surmounted in her west-to-east crossing may be gained from the fact that she is the first woman ever to conquer the channel by swimming it both ways.

WHEREAS, The people of the State and especially of her home town, San Diego, wish to make formal recognition of this tremendous achievement requiring a high degree of physical and mental stamina; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend and congratulate Florence Chadwick on the achievement which won her international fame and good will and brought this honor to her State and native city; and be it further

Resolved, That the Clerk of the Assembly transmit suitable copies of this resolution to Florence Chadwick, and to her parents.

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

By Mr. Sam L. Collins:

House Resolution No. 14

Relative to the standing committees of the 1952 (First Extraordinary) Session

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

1. The standing committees of the 1952 (First Extraordinary) Session shall each have the same number of members as the corresponding standing committees of the 1951 Regular Session.

2. The membership of each such committee shall be the same as the membership of the corresponding committee immediately prior to the convening of this session.

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

ANNOUNCEMENT

Mr. Smith announced a dinner meeting to be given tonight at the Hotel Senator at 6.30 p.m., by the California Business Women's Council, honoring Members of the Legislature.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3383 BE REPRINTED

Mr. Dickey asked for, and was granted, unanimous consent that the Chief Clerk be authorized to order Assembly Bill No. 3383, printed last session, to be reprinted, and that 500 copies be ordered printed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Ways and Means, in Room 4202.
Interim Committee on Fairs and Expositions, in Lounge Room.
Education (Executive Committee), in Room 3184.

At 8 p.m.—

Finance and Insurance, in Room 3184.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. H. McSpadden of Glendale, Mrs. Charlotte Owens of Burbank, Mrs. Rosalind Bates of Los Angeles, and Mrs. Zane Grey of Altadena.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Rose Teale, teacher, and the following pupils of the Bret Harte school: Barbara Allsberry, Nancy Barnhill, Alice Bowman, Ruth Bowman, Geraldine Cain, Joanne Cesco, Patsy Fuller, Sally Gohun, Jeanette Green, Vernetta Jacobson, Rosa Jimenez, Beverly Joseph, Lois Kent, Dottie King, Margaret Kountz, LeEtta Mork, Patty Owens, Madeline Perry, Carole Rapport, Lucille Seishas, Raymond

Alvarez, Lane Ditteburner, Barney Goldsmith, Chester Gonsalves, Jimmie Johnston, Richard Koski, Richard Kountz, Kenneth Krause, Anthony Ramos, Donald Robinson, Robert Souza, James Spencer, Jack Stafford, Frank Taylor, George Taylor, James Tyler, and Robert Wyatt.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Boy Scout Robert Russell of Sacramento.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to R. Notley and Mrs. Hazel Madsen, teachers, and the following pupils of the Bret Harte School: Freddie Borrero, Gary Burns, Jerry Carlson, Terry Christensen, Le Roy Guille, Darrell Hayes, Donald Hunter, Cecil Johnson, John Jones, Hugh Lepore, Ronald Machado, Richard Nunes, Lawrence Richie, Robert Riggio, Everett Robertson, Luther Dale Spain, Cleo Stewart, Lynn Tannock, John Williams, Marjorie Bailey, Janice Barteau, Betty Burgess, Gladys Coats, Eleanor Goulart, Doris Hansen, Helen Hayes, Karen Jepsen, Nellie Lopez, Nancy Morgan, Marvell Patterson, Patria Pietre, Hazel Scarbrough, Judith Shepler, Ido Sira, Jeanette Van Aken, and Edna White.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Engelund and Victor Lobree, teachers, and the following pupils of the Bohannon School: Marlene Austin, Barbara Baker, Donald Barstow, Don Conklin, Ethel Dickson, Charles Graves, Toni Greager, Leonard Gunter, Darlene Hatton, Richard Hill, James Hofer, Dan Hoppe, Greg Husar, Geneva Hunt, Russell Hutchison, Elsie Jablonski, Greg Jimenez, Marilyn Johnson, Carol Jope, Judy Kest, Tom Larson, Ralph Laudenslager, Gerald Lawrence, Carol Lawson, Don Leonard, Jim Livingston, Pat Manges, Don Main, Frances Merritt, Drydon McIntosh, Franklin Sally, Tom Sawyer, Dwain Taylor, Bonnie TenEyck, and Greg Uranga.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to J. W. Bill Bothn of Arvin.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Sibyl Burke and Mrs. Sibyl Clements of Los Angeles.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Howard H. Walshols of Los Angeles.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Robert La Follette of Huntington Park.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lee Burson of Sacramento.

ADJOURNMENT

At 11.20 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10.15 a.m., Tuesday, March 11, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 11, 1952

The Assembly met at 10.15 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

Request for Unanimous Consent That Names of Members Be Placed Upon Morning Roll Call

Mr. Dickey asked for, and was granted, unanimous consent that the names of members in conference with the Governor, at this time, be placed upon the morning roll call as follows: Messrs. Dunn, Waters, and Sherwin.

MOTION

Mr. Hawkins moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Lyon seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

What makes a nation great O Lord? Its huge buildings pointing heavenward? Its vast multitudes living within its walls? Its palaces and riches and wide domains? Thou knowest well O Lord that these are but the empty husk. Through Thy seers and prophets Thou hast taught us that a nation's true greatness lies in the great deeds of its glorious men, in the splendor of its moral goals, and in the sacred promptings of its unconquerable heart. May this always be the true greatness of our Nation that we all love.—AMEN.

READING OF JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Crowley, by unanimous consent.

Mr. Clarke, by unanimous consent

Mr. Coats, by unanimous consent.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, by unanimous consent.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 26: By Mr. Grant—An act to add Chapter 13, comprising Sections 7800 to 7974, inclusive, to Division 3 of the Business and Professions Code, relating to the servicing of radio and television receiving sets and electronic record players.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEE

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1952

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 18
Assembly Bill No. 19

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

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 18—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 11, of the printed bill, after "authorities", strike out the comma, and insert "and".

Amendment No. 2

On page 2, line 12, of said bill, after "authorities", strike out the comma, and insert a period; and strike out the balance of the line.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 19—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 9, of the printed bill, after "parking authorities", strike out the comma, and insert "and".

Amendment No. 2

On page 2, line 9, of said bill, after "housing authorities", strike out the comma, and insert a period; and strike out the balance of line 9.

Amendment No. 3

On page 2 of said bill, strike out all of line 10.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 10, 1952

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

Senate Bill No. 3

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 3—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

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

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

Assembly Bill No. 27: By Messrs. Lipscomb, Doyle, Stewart, Levering, Burke, Burkhalter, Chapel, Collier, Conrad, Elliott, Evans, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Kilpatrick, Klocksiem,

Lanterman, Lyon, McGee, McMillan, Morris, Porter, Rosenthal, Smith, Thomas, and Waters—An act to add Section 6.5 to an act entitled "An act to provide for the expansion of publicly supported higher education by the establishment of a state college in the City of Los Angeles; and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the System of Publicly Supported Higher Education," approved April 25, 1949 (Chapter 86, Statutes of 1949), relating to the Los Angeles State College of Applied Arts and Sciences.

Referred to Committee on Education.

COMMUNICATIONS

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA, SACRAMENTO 14

INTER-DEPARTMENTAL COMMUNICATION

To: Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento

DATE: March 10, 1952

SUBJECT: Reports on Property Tax Assessment—Sutter and Yuba Counties

From: State Board of Equalization
Dixwell L. Pierce, Secretary

In furtherance of my letter of March 3, 1952, sent pursuant to Section 15645 of the Government Code, I am transmitting herewith for filing with the Assembly copies of two additional surveys completed under Sections 15640 and following of the Government Code since the March 3d communication was written.

The property tax administration reports to which this letter relates concern Sutter and Yuba Counties. When included among the others sent previously they account for 45 of the 58 counties.

As explained in our earlier communication, reports as to the remaining 13 counties are in process and most of these should be available for distribution before the close of the current fiscal year.

DIXWELL L. PIERCE

Above transmitted copies of surveys ordered referred to the Committee on Revenue and Taxation.

By Speaker Sam L. Collins:

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

Letter of Transmittal

CALIFORNIA LEGISLATURE

SENATE, SACRAMENTO, CALIFORNIA, March 11, 1952

The President of the Senate
The Speaker of the Assembly
California Legislature
Sacramento, California

By direction of the Joint Committee on Water Problems, created pursuant to Senate Concurrent Resolution No. 80, Resolutions Chapter 223, Statutes of 1951, I transmit to you the enclosed resolution which the committee adopted at its meeting March 10, 1952.

J. HOWARD WILLIAMS, Chairman

Joint Committee on Water Problems

Resolution

WHEREAS, The desirability of a comprehensive and coordinated plan for the conservation and distribution of the water resources of this State has long been recognized as essential to its agricultural and general economic development; and

WHEREAS, Commencing in 1850 the Legislature of the State of California, in recognition of that need, made appropriations for studies of California's water resources, particularly in the Sacramento and San Joaquin Valleys; and

WHEREAS, Millions of dollars have been expended by the State in conducting these studies; and

WHEREAS, Almost continuously for more than 25 years the Legislature through the investigations, studies and hearings of its committees, has sought to expedite the solution of California's water problems; and

WHEREAS, As a result of these studies, detailed information and proposals for the comprehensive development of the water resources of this State have been made, as evidenced by the reports of the State Engineer, the Division of Water Resources, and the Department of Public Works; and

WHEREAS, In order to carry out definite and concrete plans for the development of said water resources within the Sacramento and San Joaquin Valleys of California and other areas that might be served, in 1933 the Legislature adopted and the people approved the act creating the Water Project Authority of the State of California with specific power and duty to construct, operate and maintain the project and to collect all rates, charges and revenues therefrom, and in said act it was and is provided "the public interests, welfare, convenience, and necessity require construction, in the manner provided in this part, of a system of works for the conservation, development, storage, distribution, and utilization of water, with incidental generation, transmission and distribution of electric power, which system of works is designated as the Central Valley Project and is specifically approved and authorized"; and

WHEREAS, In 1941 the Legislature adopted an over-all plan for the conservation, development and utilization of the water resources of the State known and designated as the "State Water Plan"; and

WHEREAS, The Legislature directed the Department of Finance to make and file applications for the appropriation of all unappropriated water within the State that was or might be required in the development and completion of the whole or any part of a general or coordinated plan looking toward the development, utilization or conservation of the water resources of the State, and the department, pursuant to said legislative authorization and direction, did, in 1927 and 1928 and in a few instances thereafter, make and file with the State Engineer applications to appropriate such unappropriated water of most of the major streams within the central valleys and a few streams in adjacent areas, which applications are now pending before the State Engineer; and

WHEREAS, In those applications, the source from which said water is to be taken and the areas which are to be served by the waters so appropriated were and are designated; and

WHEREAS, In conjunction with the construction of works used and to be used in connection with federal reclamation projects, the United States has requested and procured assignments of several of these applications and has filed numerous applications on its own behalf the water so applied for to be used in furtherance of those projects which applications are now pending before the State Engineer for the issuing of permits thereon; and

WHEREAS, It is now and has been the fundamental and underlying water law of this State and most of the 17 western states, that the right to the use of water is appurtenant to the land to be served, being permanent in nature to the extent of beneficial use; and

WHEREAS, Section 8 of the Reclamation Act of 1902 (Act of Congress of June 17, 1902) provided and still provides that the Secretary of the Interior in carrying out the provisions of the Reclamation Act, shall proceed in conformity with the laws of the State relating to the control, appropriation, use, or distribution of water and the right to the use of water shall be appurtenant to the land irrigated; and

WHEREAS, Since 1913 the laws of this State have provided that an application to appropriate water properly made gives, as to the applicant, priority of right as of the date of his application to appropriate the water and the issuance of a permit continues in effect the priority of right as of the date of the application; and

WHEREAS, The State Engineer, in exercise of this authority to issue permits to appropriate water for beneficial uses, is required to enumerate such terms and conditions of the permit as, in the judgment of the State Engineer will best develop, conserve, and utilize in the public interest the waters involved within the application and permit and requires that the State Engineer shall reject any application when in the judgment of the department the proposed appropriation would not best conserve the public interest; and

WHEREAS, The principle of meeting and satisfying the requirements of the watershed or area wherein the water originates or an area immediately adjacent thereto that can be conveniently supplied with water therefrom has been established by legislative enactments within this State and in the interests of the over-all water development of the State to the extent that such needs constitute a reasonably beneficial use of such water; and

WHEREAS, It is the considered opinion of this committee that it is necessary in the public interest that the established principles of the water law of this State and conditions necessary for the protection of the rights and interests of the water users prescribed by state and federal law should be specifically defined in any permits or licenses issued to the United States for federal reclamation projects by the State Engineer; and

WHEREAS, The United States Supreme Court, in the case of *Nebraska v. Wyoming*, held that permits to use water secured in connection with a reclamation project were properly issued to the contracting water user or irrigation district rather than the United States, now, therefore, be it

Resolved by the Joint Committee on Water Problems, That the Legislature of the State of California is urged to adopt a concurrent resolution memorializing the Director of Public Works and the State Engineer as follows:

1. That, in issuing permits and licenses to appropriate water for federal reclamation projects, due consideration be given to the possibility and desirability of issuing such permits and licenses to appropriate water for irrigation purposes to the contracting public agencies of the State rather than the United States.

2. That licenses issued to the United States for irrigation purposes in connection with federal reclamation projects be limited to water subject to contracts between public agencies of the State and the United States which the State Engineer finds to be in the public interest and to conform to state law and that any permits and licenses issued for such purposes contain, in the public interest, the following conditions among, but not to the exclusion of, other conditions.

(a) That the beneficiaries of each permit and each license are and shall be the public agency or agencies of the State together with the owners of land within such agency or agencies to be served with the water appropriated under the permit and license.

(b) That the rights of the agencies and owners of land within the agencies to be served with the water appropriated under the permits and licenses are, subject to continued beneficial uses, permanent and appurtenant to the lands upon which the water is used.

(c) That the use of water appropriated under the permits and licenses are subject to the reasonable requirements of the watershed or area wherein the water originates or area immediately adjacent thereto that can be conveniently supplied with water therefrom; and that no transfer of water of one watershed or area of origin to another watershed or area shall be consummated unless and until provision is made to meet such reasonable water requirements of the former;

and be it further

Resolved, That the chairman of this committee cause a copy of this resolution to be transmitted to the President of the Senate and the Speaker of the Assembly.

Adopted March 10, 1952

J. HOWARD WILLIAMS, Chairman

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

The following resolution was offered:

Assembly Concurrent Resolution No. 2: By Mr. Cloyed—Relative to appropriation of water for federal reclamation projects.

Referred to Committee on Rules.

ANNOUNCEMENTS

Mr. Beck announced a Democratic luncheon and Caucus today, at the Hotel Sacramento at 12:15 p.m.

Mr. Erwin announced that erroneous information has been circulated to the effect that the Committee on Fish and Game is recommending that hunting and fishing license fees be raised, and that he has received over 1,000 letters of protest. He further announced that the Committee on Fish and Game has not at any time made such a recommendation and that no legislation will be introduced at this session to raise hunting and fishing license fees.

Speaker Sam L. Collins announced that the State Capitol Committee has adopted rules relative to the orderly running of the Capitol buildings

and that the rules governing the garage, particularly, must be adhered to by members. He further announced that no member is permitted to reassign his garage space to any individual even though not using it himself

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, March 3, 1952; Tuesday, March 4, 1952; Wednesday, March 5, 1952; and Thursday, March 6, 1952, were approved as corrected by the Minute Clerk.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 1.30 p.m.—

Ways and Means, in Room 4202.

Today Upon Adjournment—

Legislative Representation, in Room 3149.

ADJOURNMENT

At 10 30 a.m., on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 10.15 a.m., Wednesday, March 12, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 12, 1952

The Assembly met at 10.15 a.m
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Haasen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

MOTION

Mr. Lyon moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mrs. Niehouse seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God, Thou dost constantly create a new heaven and a new earth. With every passing moment the entire world changes. Grant us new courage for this new day. What can we change for the better? What can we hope to accomplish? May we ever be up and doing, for no achievement is final. Every day brings new work to be done, new temptations to resist, new problems to solve. May the errors of yesterday give us added knowledge to grasp the problem of today with firmness and faith.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mrs. Niehouse, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Luckel, by unanimous consent.

Mr. Crowley, by unanimous consent.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Dunn, by unanimous consent.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Rosenthal, by unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1952

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

Assembly Bill No. 18
Assembly Bill No. 19

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1952

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 3

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 3—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1952

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 7

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

SHERWIN, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 28: By Mr Brown—An act prescribing the jurisdiction of justices' courts of Class B, and declaring the urgency thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 29: By Mr. Porter—An act to add Section 5049.2 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 3: By Mr. Sam L. Collins—Relative to the passing of Frank J. Agnew.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Capital Outlay Subcommittee on Ways and Means, in Room 4202.

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3184.

At 8 p.m.—

Judiciary, in Room 4202.

ADJOURNMENT

At 10:28 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 1.15 p.m., Thursday, March 13, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 13, 1952

The Assembly met at 1.15 p.m.

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

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

Quorum present.

READING OF JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Crowley, by unanimous consent.

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

Mr. McGee, by unanimous consent.

Mr. Hinckley, by unanimous consent.

Mr. Cooke, by unanimous consent.

Mr. Babbage, by unanimous consent.

Mr. Luckel, by unanimous consent.

Mr. Condon, on motion of Mr Hagen.

Mr. Waters, on motion of Mr. Hagen.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Rosenthal, by unanimous consent.

MOTION

Mr. Dickey moved that the prayer offered by the Chaplain, Rabbi Irving Hausman during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Lyon seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God! Our fathers from many lands of many creeds and clans worshipped Thee with one accord. Grant us too wisdom to see Thy bond of unity in our diversity. Blend our liberty with true fraternity. O Lord till every land be free and the blessings of peace abound among all.—AMEN.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 30: By Messrs. Caldecott, Lincoln, Rumford, Dickey, Dunn, and Sherwin—An act relating to toll crossings of San Francisco Bay, including approaches thereto, and expenses of maintaining, operating and insuring such crossings, providing for studies of an additional crossing and making an appropriation therefor, and in connection therewith, to amend Section 30605 and repeal Sections 30606, 30607 and 30608 of the Streets and Highways Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

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

Assembly Bill No. 31: By Messrs. Smith, Hollibaugh, Morris, Porter, Berry, Brown, Burke, Burkhalter, Chapel, Conrad, Doyle, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, McCarthy, McFall, Meyers, Moss, Parker, Stanley, and Stewart—An act to add Sections 12011.5, 12011.7, 12107, 12756, 12785, 13001.3 and 14002.3 to the Education Code, relating to persons convicted of sex offenses in respect to employment in the Public School System and to certification documents in connection therewith.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1952

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

Assembly Concurrent Resolution No. 3

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1952

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

Assembly Bill No. 10

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

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1952

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

Assembly Bill No. 24

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

BROWN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 18 AND 19 HOLD PLACES ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bills Nos. 18 and 19 be passed on file, and hold their places on file on the next legislative day.

MOTION TO SET SPECIAL ORDER

Mr. McCollister moved that Assembly Bill No. 7 be made a special order of business for Monday, March 17, 1952, at 10:40 a.m.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Holhbaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Stewart—62

NOES—George D. Collins—1

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 3 HOLD PLACE ON FILE

Mr. McCollister asked for, and was granted, unanimous consent that Senate Bill No. 3 be passed on file, and hold its place on file on the next legislative day.

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

The following resolution was offered:

Assembly Joint Resolution No. 7: By Messrs. Morris and Evans—Relative to retirement pay for postal employees.

Referred to Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that no Saint Patrick's Day celebration will be held this year in the Assembly Chamber.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1952

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

Assembly Concurrent Resolution No. 3

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from H. F. Crabtree, Vice President, the Christian Men's Fellowship, First Christian Church of Fullerton, protesting the cutting of the narcotics control program, was received, and ordered referred to the Committee on Ways and Means.

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

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

Assembly Bill No. 32: By Messrs. Porter and Beck—An act to validate certifications made by the State Allocation Board to the State Controller under Section 5065 of the Education Code, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 8 p.m.—

Revenue and Taxation, in Room 3184.

Today upon adjournment—

Ways and Means, in Room 3635.

Tomorrow, Friday, March 14th, at 1:30 p.m.—

Committee on Corrections, a Subcommittee on Ways and Means, in Room 3635.

Next Saturday, March 22d, at 10 a.m.—

Interim Committee on Municipal and County Government at Napa Courthouse.

ADJOURNMENT

At 1:45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10:30 a.m., Monday, March 17, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 17, 1952

The Assembly met at 10.30 a.m.

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

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

Quorum present.

MOTION

Mr. Connolly moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Fleury seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God, we pray unto Thee to make us conscious of our great democratic destiny, and of the opportunity for service which Thou hast put within our reach. Joyously may we share our blessings with others, advance our prestige as the advocate of justice and decency in our day, and win the affection and esteem of the world that America won when we placed the Statue of Liberty at the gateway to our Land.—AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr Thomas, by unanimous consent.
Mr Clarke, by unanimous consent
Mr Crowley, by unanimous consent

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

Mr Babbage, by unanimous consent
Mr Brady, by unanimous consent
Mr Lowrey, by unanimous consent
Mr. George D. Collins, by unanimous consent.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Sam L. Collins, the Assembly then gave the pledge of allegiance to the Flag

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1952

MR. SPEAKER: Your Committee on Rules, to which was referred House Resolution No 14

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

SAM L COLLINS, Chairman

Above reported resolution ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1952

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 6

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 33: By Messrs Dolwig, Geddes, Dickey, Gaffney, Belotti, Berry, Brown, Burkhalter, Cooke, Davis, Dills, Doyle, Dunn, Hawkins, Hollibaugh, Kelly, Lanterman, Levering, Lindsay, Lipscomb, McCollister McGee, Morris, Mrs. Nicholson, Messrs Parker, Stanley, and Stewart—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code and to add Sections 30605, 30606, 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the

expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 10—An act to repeal Chapter 1717 of the Statutes of 1951, relating to the validation of the West Side County Water District.

Bill read second time, and ordered engrossed

Assembly Bill No. 24—An act to amend Section 1170 of the Probate Code, relating to the termination of joint tenancies upon the death of one joint tenant, declaring the urgency of this act, to take effect immediately

Bill read second time, and ordered engrossed

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 18 AND 19 HOLD PLACES ON FILE

Mr Connolly asked for, and was granted, unanimous consent that Assembly Bills Nos. 18 and 19 be passed on file, and hold their places on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 3—Relative to the passing of Frank J. Agnew.

Resolution read

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats Collier Condon, Connolly, Conrad, Cooke Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate

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

The following resolution was offered:

Assembly Joint Resolution No. 8: By Messrs. Dickey, Brady, Connolly, Dolwig, Doyle, Dunn, Geddes, Hawkins, Hollibaugh Levering, McCollister, Rumford, and Smith—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on vehicles and vehicle fuels.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO 3 HOLD PLACE ON FILE

Mr McCollister asked for, and was granted, unanimous consent that Senate Bill No 3 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF SPECIAL ORDER

The hour of 10.40 a.m. having arrived, Assembly Bill No. 7 was taken up.

Assembly Bill No. 7—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Doyle, Lincoln, Silliman, Davis, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 7.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Statement of Vote on Assembly Bill No. 7

"Aye" on the Veterans' Bond Issue Bill of which I am co-author should certainly have been my vote had not legislative business kept me away from the Assembly Chamber Monday, March 17th.

BERNARD R. BRADY

RESOLUTIONS

The following resolution was offered:

By Mr. Shaw:

House Resolution No. 15

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly shall keep a verbatim report of each days' proceedings of the Assembly, and shall furnish a transcribed copy of such report upon the request of any Member of the Assembly.

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

ANNOUNCEMENTS

Speaker Sam L Collins announced that few bills have so far been placed across the desk which relate to the 14 points set forward by Governor Warren in his Proclamation, and urged that authors of bills introduce them as soon as possible

Speaker Sam L. Collins again announced that a motion picture "The Greatest Show on Earth" will be given a preview showing at the Alhambra Theatre at 3.30 p.m. today, for all members, their families, and Assembly attaches, through the courtesy of Paramount, Cecil B. De Mille, and United Artists.

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

The following resolution was offered:

Assembly Joint Resolution No. 9: By Messrs Burkhalter, Doyle, Cooke, Davis, Dills, Hahn, Lipscomb, Smith, and Stanley—Relative to memorializing Congress to enact H. R. 565.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1952

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

Assembly Bill No. 10
Assembly Bill No. 24

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m. instead of at 8 p.m. (by unanimous consent)
Military Affairs, in Room 3164 (Lounge).
Ways and Means, in Room 4202.

At 8 p.m.—
Judiciary, in Room 4202.

Tomorrow, Tuesday, March 18th, at 8.30 a.m.—

Rules, in Lounge Room.

It was announced that the following committee would hold no meeting tonight:

Finance and Insurance

ADJOURNMENT

At 10 53 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10.15 a.m., Tuesday, March 18, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 18, 1952

The Assembly met at 10 15 a.m

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

MOTION

Mr. Brady moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal

Mr. Grunsky seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Thy mercies are renewed every morning O Lord. Grant that this new day given us by Thy kindness, may not be lost to us. May it be one of the useful days of our lives. Teach us O Lord to comprehend the aim and destiny of our existence, so that our lives may be filled with purpose, and our labors rewarded by that inner satisfaction gained by all men who pursue the life of righteousness.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Clarke, by unanimous consent.
Mr. Crowley, by unanimous consent.
Mr. Thomas, by unanimous consent.
Mr. Dolwig, by unanimous consent.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 4: By Messrs. Lincoln, Crowley, Caldecott, Dunn, Dickey, Rumford, and Sherwin—Relative to Mills College.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 5: By Messrs. Dunn, Caldecott, Lincoln, Rumford, Grunsky, and Maloney—Relative to the observance of Public School Week in this the centennial year of the founding of public schools in this State.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Concurrent Resolution No. 2

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Joint Resolution No. 6

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

House Resolution No. 11
House Resolution No. 12
House Resolution No. 13

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Bill No. 28

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Senate Bill No. 2

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

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Bill No. 15
Assembly Bill No. 16
Assembly Bill No. 17
Assembly Bill No. 31

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

BROWN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 17, 1952

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

Assembly Joint Resolution No. 3
Assembly Concurrent Resolution No. 3

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 17, 1952

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

Assembly Bill No. 8
Assembly Bill No. 9

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

Above bills ordered enrolled.

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

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

Assembly Bill No. 34: By Messrs. Hinckley, Shaw, Geddes, and Erwin—An act to assist the citrus fruit industry.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 35: By Messrs. Hinckley, Shaw, Geddes, and Erwin—An act to add Division 7 to the Agricultural Code, providing assistance for the citrus fruit industry.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, 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 Ways and Means:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "without regard to fiscal years", and insert "until June 30, 1953".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bills Nos. 18 and 19 Hold Places on File

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bills Nos. 18 and 19 be passed on file, and hold their places on file on the next legislative day.

Assembly Bill No. 10—An act to repeal Chapter 1717 of the Statutes of 1951, relating to the validation of the West Side County Water District.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 24—An act to amend Section 1170 of the Probate Code, relating to the termination of joint tenancies upon the death of one joint tenant, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "code," insert "and to add Section 681.5 to the Civil Code,".

Amendment No. 2

Strike out line 2 of the title of said bill.

Amendment No. 3

In line 3 of the title of said bill, strike out "tenant," and insert "tenancies".

Amendment No. 4

On page 2, of said bill, between lines 3 and 4, insert

"SEC. 2. Section 681.5 is added to the Civil Code, to read

681.5. Any provision of law to the contrary notwithstanding, every interest in real or personal property created in favor of several persons in their own right after the effective date of this section is an interest in common unless acquired by them in partnership for partnership purposes, or unless acquired as community property, and no joint tenancy may hereafter be created or acquired by any form of transfer of property, or agreement, or otherwise.

This section shall not be construed to deprive any person of any joint interest in property acquired before the effective date of this section, nor be construed to affect the right of survivorship or any other legal incidence of any joint tenancy created or acquired prior thereto."

Amendment No. 5

On page 2, line 4, of said bill, strike out "2", and insert "3".

Amendment No. 6

On page 2 of said bill, after line 30, insert

"Moreover, it is the belief of the Legislature that the estate of joint tenancy serves no useful purpose and that, in fact, it has resulted in thwarting the testamentary desires of many Californians and has many other serious disadvantages as a method of property holding. It is further believed by the Legislature that many persons are daily acquiring joint tenancy interests in property under circumstances in which a tenancy in common would better protect the interests of the several parties.

Therefore, to avoid further confusion, it is believed that the methods of property holding should be simplified immediately by the abolition of joint tenancy."

Amendments read, and refused adoption

The question being on the passage of Assembly Bill No. 24.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72

NOES—George D. Collins—1.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 14

By Mr. Sam L. Collins:

House Resolution No. 14

Relative to the standing committees of the 1952 (First Extraordinary) Session

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

1 The standing committees of the 1952 (First Extraordinary) Session shall each have the same number of members as the corresponding standing committees of the 1951 Regular Session

2 The membership of each such committee shall be the same as the membership of the corresponding committee immediately prior to the convening of this session.

Resolution read, and adopted.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, March 10, 1952; Tuesday, March 11, 1952, Wednesday, March 12, 1952, and Thursday, March 13, 1952, were approved as corrected by the Minute Clerk.

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

The following resolution was offered:

Assembly Joint Resolution No. 10: By Mr. Hagen—Relative to memorializing the Federal Government to take the necessary action to acquire the use of Pine Flat Dam for flood control during spring runoff.

Referred to Committee on Rules.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

STATE OF MICHIGAN
MICHIGAN SENATE

Senate Resolution No. 8

Offered by Senator Feenstra

A resolution commending the Subcommittee of the House Interior and Insular Affairs Committee of the Federal Congress for its action taken in investigating the legal proceedings involving water rights brought by the United States Attorney General against the residents of Fallbrook, California, and vicinity; urging the Federal Congress to give prompt consideration to HR 5368 in the forthcoming session of the Congress and to prevent further federal encroachments of this kind; and condemning the action taken by the United States Attorney General.

WHEREAS, The Attorney General of the United States has recently instituted legal proceedings to deprive 14,000 citizens of Fallbrook, California, and vicinity of the use of water from the Santa Margarita River, on the theory that when the United States Government acquired Camp Pendleton, across which this river flows, it acquired all of the river's water; and

WHEREAS, The right of such citizens to use water from this river has been long established by the laws of the State of California; and

WHEREAS, The action of the United States Attorney General is clearly an attempt to assert a paramount right of the Federal Government to this water, in complete derogation of the laws of the State of California and the rights of the citizens of California under the laws of that State; and

WHEREAS, A Subcommittee of the House Interior and Insular Affairs Committee of the Federal Congress has investigated this matter and has reported in part as follows:

"Nothing which developed indicated the necessity or any good reason for bringing suit involving thousands of defendants with trifling or nonexisting water claims. No useful purpose is being served by securing a legal and encyclopedic definition of water rights down to the last bucketful. It can be concluded that the legal theorists in the Attorney General's office have unnecessarily put the Federal taxpayers to great expense and the local people to great provocation and legal expense for no practical reason whatever."; and

WHEREAS, It is apparent that the action of the United States Attorney General illustrates a greedy officialistic and bureaucratic desire to extend the federal power in direct violation of the sovereignty of the State of California and the rights of its citizens under the laws of that State; and

WHEREAS, Despite the report of the committee, the United States Attorney General has stated that the litigation would continue and that only an order from the entire Congress would compel him to drop the suit; and

WHEREAS, House Bill 5368 has been introduced in the present session of the Congress, designed to require a division of the water involved between the government and the citizens and to forbid further federal encroachment; and

WHEREAS, The Michigan State Senate deems the action of the United States Attorney General in this situation to be a threat to the rights of every citizen of the United States to the use of water and other natural resources, as are guaranteed such citizens under the laws of the several states, which action must be condemned, as well

as any similar future attempts to extend the federal power in derogation of the rights of citizens derived from the laws of the several states; now therefore be it

Resolved by the Senate of the State of Michigan, That the action of the Subcommittee of the House Interior and Insular Affairs Committee, of the Federal Congress, in investigating the encroachment by the Attorney General of the United States on the rights in water of the citizens of Fallbrook, California, and vicinity, given such citizens under the laws of the State of California, and in introducing HR 5368 as a means of quieting the vexatious litigation instituted by the United States Attorney General against these citizens, is deemed highly commendable; and be it further

Resolved, That the Senate of the State of Michigan does urge the Congress of the United States to give prompt consideration to HR 5368 in the forthcoming session of the Congress and to be ever vigilant in the consideration of ways and means of preventing further encroachments upon and violations of the rights of citizens of the United States guaranteed such citizens by the laws of the respective states in which they reside; and be it further

Resolved, That the action of the United States Attorney General is hereby vigorously condemned; and be it further

Resolved, That a copy of this resolution be transmitted by the Secretary of the Senate to all representatives of this State in the Federal Congress; to the Speaker of the United States House of Representatives; to the President of the United States Senate; to the Chairman of the House Interior and Insular Affairs Committee of the Federal Congress; to the Governor of the State of California; to Jim Wayman, Ed Berg, and Carroll Huscher, all of Fallbrook, California; to the First Methodist, Christian Science, and Baptist Churches of Fallbrook, California; to the United States Attorney General, and to both houses of the Legislature of the State of California.

Adopted by the Senate, March 5, 1952.

FRED I. CHASE, Secretary of the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Joint Resolution No. 6

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Concurrent Resolution No. 2

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

MEMBER EXCUSED

At 11.05 a.m., Mrs. Niehouse asked for, and was granted, unanimous consent that Mr. Evans be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 2 p.m.—

Subcommittee on Governmental Efficiency and Economy, in Room 3184.

Ways and Means, in Room 3635.

ADJOURNMENT

At 11 06 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 30 a.m , Wednesday, March 19, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 19, 1952

The Assembly met at 10:30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

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

Quorum present.

Request for Unanimous Consent That Names of Members Attending Meeting of Subcommittee of Committee on Ways and Means Be Placed Upon Morning Roll Call

Mr. Conrad asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Subcommittee of the Committee on Ways and Means, at this time, be placed upon the morning roll call as follows: Messrs. Fleury, Munnell, Caldecott, and Lipscomb.

MOTION

Mr. Dolwig moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Silliman seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

God and God of Our Fathers! We pray for the time of true brotherhood, when men shall reach out across the boundaries of land and sea, across the barriers of race and creed, across all hates and bigotries! On that they shall know how good and how pleasant it is for brethren to dwell together in unity.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Cooke, by unanimous consent.
Mr. Crowley, by unanimous consent.
Mr. Clarke, by unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1952

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

Assembly Bill No. 6

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Joint Resolution No. 3—Relative to closing the United States-Mexico border to unescorted minors;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of March, 1952, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Concurrent Resolution No. 3—Relative to the passing of Frank J. Agnew;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of March, 1952, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1952

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

Assembly Bill No. 8—An act to declare that a certain portion of Stockton Slough (Channel) situated in the City of Stockton, County of San Joaquin, is no longer necessary for navigation or fisheries;

Assembly Bill No. 9—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigation of Stockton Slough;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of March, 1952, at 1 p.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1952

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

Assembly Joint Resolution No. 8

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1952

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

Assembly Concurrent Resolution No. 4
Assembly Concurrent Resolution No. 5

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 28—An act prescribing the jurisdiction of justices' courts of Class B, and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 15—An act to amend Sections 264, 286, 288a, 311 and 647a of the Penal Code, relating to sex crimes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 43, of the printed bill, strike out "shall be punished", and insert "is punishable".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 16—An act to amend Sections 5501, 5503, 5505, 5511, 5512, and 5517, of, and to add Sections 5500.5, 5501.5, 5503.5, 5512.3, 5519, 5520, and 5521 to, the Welfare and Institutions Code, to amend and renumber Section 5502 of the Welfare and Institutions Code to be Section 5511.7, and to amend Section 27706 of the Government Code, to provide for the prevention of sex offenses by revising the procedure for the commitment of sexual psychopaths.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 5, line 6, of the printed bill, strike out ", if he determines"; and in line 7, strike out "that the person is not financially able to employ counsel,".

Amendment No. 2

On page 5, line 8, of the printed bill, after "hearing", insert ", if he determines that the person is not financially able to employ counsel".

Amendment No. 3

On page 2, line 38, of the printed bill, strike out ", and a copy of the criminal record, if any, of"; and strike out lines 39 and 40, and insert a period.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 17—An act to provide for the prevention of sex offenses by adding Chapter 4.6 to Part 1 of Division 6 of the Welfare and Institutions Code, relating to castration of sex deviates.

Bill read second time.

Consideration of Committee Amendments

Amendments were proposed by the Committee on Judiciary.

Request for Unanimous Consent That Amendment No. 2 Be Changed

Mr. Brown asked for, and was granted, unanimous consent that Amendment No. 2 be changed to conform with the printed lines of the bill, and that the proposed amendments read as follows:

Amendment No. 1

On page 4, line 22, of the printed bill, after the period, strike out "The prohibition contained".

Amendment No. 2

On page 4 of said bill, strike out lines 23 to 29, inclusive; and in line 30, strike out "for probation.".

Amendments read, and adopted.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 11, inclusive, and insert "male person who has such lack of power to control his sexual impulses as to be likely to attack or otherwise inflict physical or mental injury upon the objects of his desires, in a degree or manner constituting him a menace to the health or safety of others."

Amendment No. 4

On page 1, line 13, of said bill, before the period, insert "with or without removal of associated internal genital structures by appropriate medical or surgical procedures".

Amendment No. 5

On page 4, line 19, of said bill, before the period, insert ", except for negligence in the performance of the operation".

Amendment No. 6

On page 2 of said bill, strike out line 44, and insert "ment of a physician and surgeon who holds a valid and unrevoked physician's and surgeon's certificate issued pursuant to Chapter 5 of Division 2 of the Business and Professions Code, stating that, in his".

Amendment No. 7

On page 3, line 25, of said bill, strike out "by the State Board of Medical Examiners", and insert "pursuant to Chapter 5 of Division 2 of the Business and Professions Code".

Amendment No. 8

On page 4, line 1, of said bill, strike out "by the"; and strike out line 2, and insert "pursuant to Chapter 5 of Division 2 of the Business and Professions Code."

Amendment No. 9

On page 4, line 6, of said bill, strike out "by the State"; and in line 7, strike out "Board of Medical Examiners.", and insert "pursuant to Chapter 5 of Division 2 of the Business and Professions Code."

Amendment No. 10

On page 3, line 28, of said bill, after the comma, insert "and at least one of whom shall be from the medical staff of a State hospital or county psychopathic hospital,".

Amendment No. 11

On page 4, line 49, of said bill, after "attorneys," insert "the district attorney of the county,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 31—An act to add Sections 12011.5, 12011.7, 12107, 12756, 12785, 13001.3, and 14002.3 to the Education Code, relating to persons convicted of sex offenses in respect to employment in the Public School System and to certification documents in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "conviction by a court without a jury", and insert "finding of guilt by a court in a trial without a jury"

Amendment No. 2

On page 1, of said bill, strike out lines 10 and 11, and insert "tions or information. The record of such conviction of a sex offense as defined in Section 12011.7 shall be sufficient proof of conviction of a crime involving moral turpitude for the purposes of Article 2 of Chapter 11 of Division 7 of this code, relating to the dismissal of permanent employees."

Amendment No. 3

On page 2, line 14, of said bill, strike out "revoke", and insert "suspend".

Amendment No. 4

On page 2, line 15, of said bill, after the period, insert "If the conviction is reversed and the holder is acquitted of the offense in a new trial or the charges against him are dismissed, the board shall forthwith terminate the suspension of the credential, life diploma, or document. When the conviction becomes final or when imposition of sentence is suspended the board shall forthwith revoke the credential, life diploma, or document."

Amendment No. 5

On page 2, of said bill, strike out line 20, and insert "shall forthwith suspend the certificate. If the conviction is reversed and the holder is acquitted of the offense in a new trial or the charges against him are dismissed, the board shall forthwith terminate the suspension of the certificate. When the conviction becomes final or when imposition of sentence is suspended the board shall forthwith revoke the certificate."

Amendment No. 6

On page 2, line 25, of said bill, after the period, insert "If, however, any such conviction is reversed and the person is acquitted of the offense in a new trial or the charges against him are dismissed, this section does not prohibit his employment thereafter."

Amendment No. 7

On page 2, line 29, of said bill, after the period, insert "If, however, any such conviction is reversed and the person is acquitted of the offense in a new trial or the charges against him are dismissed, this section does not prohibit his employment thereafter."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any persons, and providing for filing of a petition with respect thereto

Bill read second time, and ordered to third reading

RECESS

At 11.03 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 18, 1952

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

Senate Concurrent Resolution No. 1

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 1—Relative to the Santa Margarita River

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 18, 1952

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

Senate Bill No. 4
Senate Bill No. 7
Senate Bill No. 8

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time.

Senate Bill No. 4—An act to validate, confirm, ratify and declare legally effective certain contracts between cities and housing authorities and counties and housing authorities for the acquisition from the United States of temporary war housing projects in critical defense housing areas, the operation of such projects, the use and disposal of the revenues from the operation of such projects, the sale or other disposal of the property so acquired and the termination of such projects.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 7—An act to amend Sections 6340, 6341, and 6344 of the Harbors and Navigation Code, relating to the powers of port districts

Referred to Committee on Finance and Insurance.

Senate Bill No. 8—An act to add Chapter 18 to Division 3 of the Education Code, relating to school districts which through error in fixing the tax rates have become ineligible for any part of the state aid provided by Chapter 15 of Division 3 of the Education Code and providing for aid and assistance to such districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 19, 1952

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

Assembly Bill No 24

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

Above bill ordered enrolled

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 8

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 4
Assembly Concurrent Resolution No. 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

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

Assembly Bill No. 18—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Amendments Read

The following amendments by Mr. Connolly were read:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Assembly on March 11, 1952, after the comma following "vehicle parking districts", strike the remainder of said line and all of line 12, and insert "community service districts, garbage and refuse disposal districts, parking districts, parking authorities, housing authorities, and the California Toll Bridge Authority."

Amendment No. 2

On page 3, line 31, of said bill, strike out the period following "ineffective", and insert a comma and "or to confirm, validate or legalize the organization of, or any proceedings for the organization of any municipal corporation when any part of the area of such municipal corporation within the boundaries thereof described in the resolution or order of the board of supervisors defining and establishing the boundaries of the proposed municipal corporation has been held by any court to be a part of another municipal corporation or has, directly or indirectly, been held illegally included within such boundaries of the proposed municipal corporation as described in said resolution or order of the board of supervisors or in the notice of election on the incorporation of the proposed municipal corporation"

Amendment No. 3

On page 3 of said bill, strike out all of lines 37 to 50, inclusive, and insert

"(f) This act insofar as it applies to the California Toll Bridge Authority shall be limited to the validation of bonds of the California Toll Bridge Authority heretofore issued and delivered to the purchasers thereof and now outstanding."

Amendment No. 4

On page 4 of said bill, strike out all of lines 1 to 5, inclusive

Amendment No. 5

On page 4, line 6, of said bill, strike out "8", and insert "7".

Amendment No. 6

On page 4, line 10, of said bill strike out "9", and insert "8"

Amendment No. 7

On page 4, line 12, of said bill, strike out "10", and insert "9".

Unanimous Consent Withheld

Mr. McCollister withheld unanimous consent that further action be taken upon the above amendments, at this time, because of the absence from the Assembly Chamber of the author of the amendments

Assembly Bill No. 18, and proposed amendments ordered passed on file.

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on March 18, 1952, strike out "$141,161", and insert "$56,634".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Joint Resolution No. 6—Relative to the reopening of Birmingham General Hospital.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Connolly, Davis, Doyle, Elliott, Erwin, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Nicholson, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—51

NOES—None

Resolution ordered transmitted to the Senate.

Explanation of Vote on Assembly Joint Resolution No. 6

During the consideration of Assembly Joint Resolution No. 6, we were called from the Assembly Chamber, and were not present at the time this resolution came up for a vote. Had we been present, we would most certainly have spoken in favor of and voted for the adoption of this resolution.

CHARLES J. CONRAD
PATRICK D McGEE

Assembly Concurrent Resolution No. 2—Relative to appropriation of water for federal reclamation projects.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Doyle, Elliott, Erwin, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McDall, McMillan, Meyers, Morris, Moss, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—56

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 11

By Messrs. Maloney, Geddes, Sherwin, Connolly, McCarthy, Brady, George D. Collins, Gaffney, Berry, and Meyers:

House Resolution No. 11

WHEREAS, The *San Francisco Chronicle* for the second time has furnished its readers with a Political Primer for Americans, which sets forth the facts as to the election laws and customs in the several States; and

WHEREAS, Earl C Behrens, Political Editor of the *Chronicle*, has again rendered to the readers of that journal, and to the Members of this Legislature, signal service in the preparation of the Political Primer for Americans; *now, therefore, be it*

Resolved by the Assembly of the State of California, That we congratulate both the author of the article and the paper, the *San Francisco Chronicle*, for the preparation of these articles; be it further

Resolved, That the Chief Clerk of the Assembly be instructed to send copies of this resolution to Earl C Behrens and to George T Cameron, Publisher of the *San Francisco Chronicle*.

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 12

By Mrs. Nicholson and Mr. Luckel:

House Resolution No. 12

Relating to congratulating Maureen Connolly

WHEREAS, It has come to the attention of this legislative body that once again the athletic prowess of a young Californian has proven superior to that developed in other areas of this great Nation, we take this opportunity to single out for commendation and congratulation Maureen Connolly, the 17 year old San Diego girl who won the National Women's Singles Tennis Championship

At the age of 14 years, Maureen Connolly was the youngest girl ever to win the national junior tennis championship; at 15, the youngest ever to be ranked among the "First Ten" in the grownup category of women's tennis. Among the titles held by her prior to winning the National Women's Singles Tennis Championship at Forest Hills, New York, last year, she held the Southern California Women's Championship, and the Women's Pennsylvania and Eastern States Championship. In the annual Associated Press poll of sportswriters, Maureen Connolly was voted the top "Female Athlete of 1951."

WHEREAS, The people of this great State and especially the people of San Diego are extremely proud of the accomplishments of Maureen Connolly; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend and congratulate Maureen Connolly on her achievements in the sport of tennis; and be it further

Resolved, That the Clerk of the Assembly transmit suitable copies of this resolution to Maureen Connolly, and to her parents.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 13

By Mrs. Niehouse and Mr. Luckel:

House Resolution No. 13

Relative to congratulating Florence Chadwick

WHEREAS, The people of the State of California are immensely proud of the international fame and admiration conferred on Florence Chadwick; and

WHEREAS, Florence Chadwick rocketed to fame on September 11th of last year when she waded ashore near Sangatte, France, to become the first woman ever to swim the English Channel both ways. She reached France in the near-record time of 16 hours, 14 minutes, missing her landing point at Cape Gris Nez by five miles in a dense fog. In August of the previous year this attractive San Diego stenographer crossed from France to England in 13 hours, 20 minutes, to break the record for women set in 1926 by Gertrude Ederle.

In her successful bid to conquer the channel from England to France, the plucky San Diegan overcame almost impenetrable fog and recurrent attacks of nausea caused by inhaling exhaust fumes from one of the boats which accompanied her. An indication of the difficulty surmounted in her west-to-east crossing may be gained from the fact that she is the first woman ever to conquer the channel by swimming it both ways.

WHEREAS, The people of the State and especially of her home town, San Diego, wish to make formal recognition of this tremendous achievement requiring a high degree of physical and mental stamina; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend and congratulate Florence Chadwick on the achievement which won her international fame and good will and brought this honor to her State and native city; and be it further

Resolved, That the Clerk of the Assembly transmit suitable copies of this resolution to Florence Chadwick, and to her parents.

Resolution read, and adopted unanimously.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 18

Assembly Bill No. 18—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Assembly on March 11, 1952, after the comma following "vehicle parking districts", strike the remainder of said line, and all of line 12, and insert "community service districts, garbage and refuse disposal districts, parking districts, parking authorities, housing authorities, and the California Toll Bridge Authority"

Amendment No. 2

On page 3, line 31, of said bill, strike out the period following "ineffective", and insert a comma and "or to confirm, validate or legalize the organization of, or any proceedings for the organization of any municipal corporation when any part of the area of such municipal corporation within the boundaries thereof described in the resolution or order of the board of supervisors defining and establishing the boundaries of the proposed municipal corporation has been held by any court to be a part of another municipal corporation or has, directly or indirectly, been held illegally included within such boundaries of the proposed municipal corporation as described in said resolution or order of the board of supervisors or in the notice of election on the incorporation of the proposed municipal corporation"

Amendment No. 3

On page 3 of said bill, strike out all of lines 37 to 50, inclusive, and insert:

"(f) This act in so far as it applies to The California Toll Bridge Authority shall be limited to the validation of bonds of The California Toll Bridge Authority heretofore issued and delivered to the purchasers thereof and now outstanding."

Amendment No. 4

On page 4 of said bill, strike out all of lines 1 to 5, inclusive

Amendment No. 5

On page 4, line 6, of said bill, strike out "8", and insert "7".

Amendment No. 6

On page 4, line 10, of said bill, strike out "9", and insert "8".

Amendment No. 7

On page 4, line 12, of said bill, strike out "10", and insert "9"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 19—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 11, 1952, strike out line 9, and insert "tricts, community service districts, garbage and refuse disposal districts, parking districts, parking authorities, and the California Toll Bridge Authority"

Amendment No. 2

On page 3 of said bill, strike out lines 42 to 51, inclusive, and insert

"(e) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States if a court determination of the validity of the contract is provided for by the state or federal laws under which the contract has been negotiated.

(f) This act insofar as it applies to the California Toll Bridge Authority shall be limited to the validation of bonds of the California Toll Bridge Authority heretofore issued and delivered to the purchasers thereof and now outstanding"

Amendment No. 3

On page 4 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 4

On page 4, line 10, of said bill, strike out "8", and insert "7"

Amendment No. 5

On page 4, line 14, of said bill, strike out "9", and insert "8".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION

Mr. Smith moved that an additional 1,500 copies be ordered printed of the Report of Karl M Bowman, Medical Superintendent of the Langley Porter Clinic, on Sexual Deviation Research, which was previously printed.

Mr. Coats seconded the motion.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 11: By Messrs Lindsay, and Hansen —Relative to reclamation withdrawals of public lands.

Referred to Committee on Rules

ANNOUNCEMENTS

Mr. Smith again announced the showing of the motion picture, "The Sniper," this afternoon, and urged all members to be present as the content of the picture deals with a subject concerning the Legislature, and the picture story is about a sexual psychopath

Mr. Beck announced a Democratic dinner tonight, at 6 p.m., at the Hotel Sacramento.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Conservation, Planning, and Public Works, in Room 2170.

Tomorrow, Thursday, March 20th at 9 a.m —

Subcommittee on Capital Outlay, of Committee on Ways and Means, in Room 4202.

ADJOURNMENT

At 2.29 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10.30 a.m., Thursday, March 20, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 20, 1952

The Assembly met at 10:30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

MOTION

Mr. McCollister moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Meyers seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

O Lord Thou hast bestowed upon us the blessing of duty, duty to ourselves, to our fellowmen and to Thee O Lord. Without this blessing we would have neither sustenance nor health, neither justice nor friendship, neither knowledge nor peace. When duty is ignored, our happiness is lost. May our duties evoke our zealous devotion and give us the serenity and contentment that come to all men who heed Thy blessed call —AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Crowley, by unanimous consent.

Mr Cooke, by unanimous consent.

RECESS

At 10 31 a.m., on motion of Mr. McCollister, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Lyon suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 2.01 p.m.

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Geddes, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Nichouse, Parker, Rosenthal, Shaw, Stewart, Thomas, Tomlinson, and Waters—42

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 2.15 p.m., on motion of Mr. Hinckley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and a quorum was declared present.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 12—By Messrs. Dunn, Caldecott, Lincoln, Rumford, Beck, Geddes, McCollister, Munnell, Porter, and Rosenthal—Relating to benefits for veterans of the campaign against the North Koreans and Chinese Communists.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Joint Resolution No. 10

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 16

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 31

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 6
Assembly Bill No. 18
Assembly Bill No. 19

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 15

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 10

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 24—An act to amend Section 1170 of the Probate Code, relating to the termination of joint tenancies upon the death of one joint tenant, declaring the urgency of this act, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of March, 1952, at 11 a.m.

BURKE, Chairman

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1952

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

Assembly Bill No. 33

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

DICKEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Request For Unanimous Consent That Assembly Bills Nos. 18 and 19 Hold Places on File

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bills Nos. 18 and 19 be passed on file, and hold their places on file on the next legislative day.

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockstem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockstem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 2:29 p.m., Mr. Evans asked for, and was granted, unanimous consent that Mrs. Nichouse be excused, for balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 28—An act prescribing the jurisdiction of justices' courts of Class B, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—Lowrey—1.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—Lowrey—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 15—An act to amend Sections 264, 286, 288a, 311 and 647a of the Penal Code, relating to sex crimes.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 16—An act to amend Sections 5501, 5503, 5505, 5511, 5512, and 5517, of, and to add Sections 5500.5, 5501.5, 5503.5, 5512.3, 5519, 5520, and 5521 to, the Welfare and Institutions Code, to amend and renumber Section 5502 of the Welfare and Institutions Code to be Section 5511.7, and to amend Section 27706 of the Government Code, to provide for the prevention of sex offenses by revising the procedure for the commitment of sexual psychopaths.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 17—An act to provide for the prevention of sex offenses by adding Chapter 4.6 to Part 1 of Division 6 of the Welfare and Institutions Code, relating to castration of sex deviates.

Bill read third time.

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

AYES—Beck, Belotti, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Fleury, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—44.

NOES—Brady, George D. Collins, Condon, Elliott, Evans, Gaffney, and Sherwin—7.

Bill ordered transmitted to the Senate.

Explanations of Votes on Assembly Bill No. 17

I voted "NO" on Assembly Bill No. 17 because I believe that a new and poorly defined category of "sex deviate" is being introduced into law. A "sex deviate" is apparently a term much broader than the accepted class of "sexual psychopath" and includes more human beings. To deprive this group of men, albeit voluntarily, of their manhood, their rights to propagate and live normal human lives, is something that I feel should require more consideration than has been given at this short session of the Legislature.

ROBERT L. CONDON
EDWARD M. GAFFNEY

Request for Unanimous Consent That Permission Be Granted to Print Explanation of Vote Exceeding Fifty Words

Mr. Brady asked for, and was granted, unanimous consent that he be granted permission to print in the Journal his explanation of vote on Assembly Bill No. 17, to exceed 50 words, as follows:

Explanation of Vote on Assembly Bill No. 17

A "NO" vote on castration was recommended by me (without speaking of the merits or demerits of castration) because of the history of the bill to date. When the Interim Committee on Judicial System and Judicial Process received the report of the Judicial Subcommittee on Sex Research on February 19, 1952, I requested a view of the proposed legislation concerning castration.

Refused—I spoke to the author the next day, February 20, 1952. He insisted he would not permit me to look at his proposal until he had "all interested parties in agreement."

The castration proposal of March 5, 1952, was not in print for my view until March 6th. It was amended on March 18th; available to me and others in print March 19th.

Yet this date, March 20th, a vote on castration is insisted upon by the author.

Surely time isn't precious to the degree that those who might wish to oppose a castration statute shouldn't have time to be advised—and surely my request for a three-day delay to give all interested an opportunity to learn the contents of Assembly Bill No. 17 is not unseemly.

My "NO" vote, therefore, was cast because I did not know thoroughly the contents of the bill and was not permitted by the author to see the early drafts of the proposal—so that I might know the proposal's essence and the changes wrought by amendments.

BERNARD R. BRADY

Assembly Bill No. 31—An act to add Sections 12011.5, 12011.7, 12107, 12756, 12785, 13001.3, and 14002.3 to the Education Code, relating to persons convicted of sex offenses in respect to employment in the Public School System and to certification documents in connection therewith.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 8—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on vehicles and vehicle fuels.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Motion carried. Time 3.45 p.m.

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

Babbage, Brown, Caldecott, Cloyed, Erwin, Evans, Gubser, Kilpatrick, Kirkwood, Lindsay, Lowrey, McFall, Parker, Sherwin, Silliman, and Tomlinson—16

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 2—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any persons, and providing for filing of a petition with respect thereto.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.
NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

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

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

Assembly Bill No. 36: By Mr. Morris—An act creating a Civil Defense Advisory Commission, prescribing its duties and powers, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 37: By Mr. Morris—An act to amend Section 288 of the Penal Code, relating to the punishment for sex offenses resulting in the death of a child.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 6: By Mr Morris—Relative to Saturday closing of state offices.

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT 1,500 ADDITIONAL COPIES OF ARTICLE ON JOINT TENANCIES IN CALIFORNIA BE PRINTED

Mr. Brown asked for, and was granted, unanimous consent that 1,500 additional copies of an article by Walter L Nossaman, on Joint Tenancies in California, (previously printed as a separate document), be printed

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY JOINT RESOLUTION NO. 8

At 3.52 p m , on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lucke, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—43.

NOES—Beck, Burke, Coats, Collier, George D. Collins, Condon, Conrad, Davis Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Moss Munnell, Rosenthal, Sherwin and Waters—20

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p m.—

Revenue and Taxation, in Room 3184.

Today, Upon Adjournment—

Ways and Means, in Room 4202.

Upon Adjournment Tomorrow, Friday, March 21st—

Finance and Insurance (to hear Senate Bill No. 7), in Room 3184.

Tomorrow, Friday, March 21st, at 9 a m.—

Ways and Means, in Room 4202.

ADJOURNMENT

At 3.54 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10:30 a m., Friday, March 21, 1952

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 21, 1952

The Assembly met at 10:30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Leverng, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

Quorum present.

MOTION

Mr. Dickey moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal.

Mr. Dolwig seconded the motion.

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

We pray unto Thee O Lord for the masters and teachers of all faiths and creeds that dispense Thy truth with earnestness, zeal and charity. We thank Thee for the life and the luminous personality of the Founder of Christianity whose message of love and righteousness brought hope and redemption to the weary and the heavy-laden. May the story of his inspired life teach us to banish rancor and ill-will from our hearts, bear no malice, forgive hatred, and grow in mercy and compassion.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mrs. Niehouse by unanimous consent.
Mr Cooke, by unanimous consent
Mr Crowley, by unanimous consent.

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

Mr Rumford, by unanimous consent.
Mr Henderson, by unanimous consent.
Mr Tomlinson, by unanimous consent.
Mr. Babbage, by unanimous consent.
Mr Smith, by unanimous consent.
Mr. Burkhalter, by unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1952

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

Assembly Joint Resolution No 5

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 33—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code and to add Sections 30605, 30606, 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 2, line 32, of the printed bill, after "chapter", insert ", and the provisions of said section shall not be applicable to any toll bridge or toll highway hereafter constructed in this state".

Amendment No. 2

On page 4 of said bill, strike out lines 42, 43, and 44, and in line 45, strike out "Bay", and insert "be as provided in Section 30652".

Amendment No. 3

On page 5, line 28, of said bill, strike out "30653", and insert "30655".

Amendment No. 4

On page 5, line 44, of said bill, strike out the blank, and insert "September 30".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bills Nos. 18 and 19 Hold Places on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bills Nos. 18 and 19 be passed on file, and hold their places on file on the next legislative day.

Assembly Concurrent Resolution No. 4—Relative to Mills College.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Parker, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr Speaker—48.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Gubser asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Concurrent Resolution No 4, and that he be recorded as voting "Aye."

Assembly Concurrent Resolution No. 5—Relative to the observance of Public School Week in this, the centennial year of the founding of public schools in this State.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Parker, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Resolution ordered transmitted to the Senate

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 7: By Mr. Kirkwood—Relative to the Central Valley Project and the Feather River Project

Referred to Committee on Rules

Assembly Concurrent Resolution No. 8: By Mr. Kirkwood—Relative to the Central Valley Project and the Feather River Project.

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT, AND THAT 1,000 COPIES BE PRINTED

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and a Report from the State Department of Education relative to Child Care Center Operations Under the Geddes-Kraft Child

Care Center Act (Chapter 1263, Statutes of 1951) be ordered printed as a separate document, and that 1,000 copies be printed

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

The following bill was introduced, and read the first time

Assembly Bill No. 38: By Messrs. Dolwig, Dunn, Geddes, Morris, Berry, Brown, Connolly, Davis, Gubser, Kelly, Lindsay, Maloney, Meyers, and Stanley—An act to add Division 3.5, the Civil Defense Street and Highway Bond Act, to the Streets and Highways Code, relating to the issuance and sale of bonds to finance the immediate construction or reconstruction of State highways, county roads, and city streets necessary for civil defense purposes, such bonds to be payable solely from certain portions of the State Highway Fund and the Highway Users Tax Fund, and authorizing the immediate expenditure of the proceeds from the sale of such bonds for the construction or reconstruction of such streets and highways

Referred to Committee on Finance and Insurance

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1952

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

Assembly Joint Resolution No. 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Finance and Insurance, in Lounge Room: Subject: Senate Bill No. 7

Tomorrow, Saturday, March 22d, at 10 a.m.—

Municipal and County Government, in Napa, in office of supervisors, in Court House. (Cars leave the Capitol garage at 8 a.m.)

Next Monday, March 24th, at 8:30 a.m.—

Rules, in Lounge Room

ADJOURNMENT

At 10:40 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Monday, March 24, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 24, 1952

The Assembly met at 11 a m.

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

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

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

Quorum present

MOTION

Mr. Erwin moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal

Mr Silliman seconded the motion

Motion carried.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God! We pray unto Thee, that in all our deliberations and decisions, we put service above self, ideals above interests, justice above partisanship, and moral responsibility above personal gain. May the leaders of our government always be men of virtue and honor, through whom the well-being of our Nation may be promoted, and Thy name glorified in all the earth —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Sam L. Collins, the Assembly then gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Crowley, by unanimous consent.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hagen, on motion of Mr Condon.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 33

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1952

MR SPEAKER Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 7

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

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1952

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

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 8

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT RESOLUTION BE PRINTED IN JOURNAL

Mr Cloyed asked for, and was granted, unanimous consent that a resolution by the Joint Committee on Water Problems, relative to the Water Project Authority, be ordered printed in the Journal, in 10 point type, as follows:

Joint Committee on Water Problems Resolution No. 3

Relative to the Water Project Authority

WHEREAS, The Federal Reclamation Laws provide that no contract with an irrigation district shall be binding on the United States until execution of the contract has been confirmed by decree of a court of competent jurisdiction; and

WHEREAS, Procedure has been established by state law for the confirmation of such contracts in the superior courts of California; and

WHEREAS, Several irrigation districts have brought actions to confirm contracts with the United States pursuant to the requirements of the Federal Reclamation Laws and in accordance with the procedure provided by California law; and

WHEREAS, Prior to a realization of the full import of such validation proceedings as to the interest of the State as well as the rights and interests of local state agencies and land owners as water users, some of said proceedings were confirmed without full presentation to the courts of the issues involved; and

WHEREAS, Effective opposition to the confirmation of such a contract was first presented in the action brought by the Ivanhoe Irrigation District in the Tulare County Superior Court to confirm its contract with the United States; and

WHEREAS, The former Attorney General Fred N. Howser filed an answer in the *Ivanhoe Case* on behalf of the State of California contesting the validity of said contract as being invalid under state law with respect to the control, appropriation, distribution and use of water; and

WHEREAS, The present Attorney General Edmund G Brown thereafter filed an amended answer for the People of the State of California, urging confirmation of the contract and that the action will not adjudicate any right or interest of the State of California or the United States or any of their agencies to water or the regulation thereof; and

WHEREAS, The court in the *Ivanhoe Case* on its own motion set aside a default against the Water Project Authority of the State of California, the state agency charged with representing the State in matters relating to the Central Valley Project, in order that it might appear as a party in the case; and

WHEREAS, Attorney General Brown, a member of the Water Project Authority, appeared on behalf of the authority (by including the answer of that body in an amended answer for the People of the State of California) not contesting the validity of the contract but urging that the decree will not adjudicate any right or interest of the State of California or the United States or any of their agencies to the water or their regulation thereof; and

WHEREAS, Section 8 of the Reclamation Act of 1902 (Act of Congress of June 17, 1902) requires the Secretary of the Interior to proceed in conformity with state law in the control, appropriation, use or distribution of water for reclamation projects and provides that the right to the use of water acquired under the reclamation laws shall be appurtenant to the land irrigated and beneficial use shall be the basis, the measure and the limit of the right; and

WHEREAS, It is also well established in California law that the right to the use of water is a permanent right, appurtenant to land irrigated; and

WHEREAS, It has been strongly urged in opposition to confirmation of the Ivanhoe Irrigation District contract that the contract provides for the treatment of the water rights as temporary or transitory in violation of both federal and state law, the contract being for water service which will terminate after 40 years without provision for renewal; and

WHEREAS, The attorneys for the Division of Water Resources who have participated in the case at the invitation of the Attorney General, in their brief as amici curiae on behalf of the Water Project Authority, assert that the provisions of Section 9(e) of the Reclamation Project Act of 1939, under which the Ivanhoe contract was executed, can be construed in harmony with the requirements that the water be appurtenant to the land only by considering the contract in question a temporary contract for which a contract granting a permanent water right would later be substituted, and suggest to the court that it could conditionally confirm the contract on the basis that a later contract be executed and might consider retention of jurisdiction to insure that the condition be met; and

WHEREAS, Attorney General Brown in his brief of the People of the State of California and the Water Project Authority urges that the contract is valid under state law and asserts that an attempt of the court to retain jurisdiction could be viewed only as a declaration that the contract is not valid; and

WHEREAS, The positions taken by the Attorney General as a member and legal representative of the Water Project Authority and the attorneys of the Division of Water Resources as amici curiae on behalf of the authority indicate the conflict of legal advice with which the authority is faced; and

WHEREAS, The Water Project Authority is charged with the duty of protecting the interests of the State of California in matters relating to the Central Valley Project; and should, to properly exercise that function, employ full-time independent legal counsel; now therefore, be it

Resolved by Joint Committee on Water Problems, That the Water Project Authority is urged to follow all actions brought by public agencies to confirm contracts with the United States for water from the Central Valley Project and to take such steps as may be necessary to protect the interests of its State, including compliance with the requirements of state and federal law that the water rights be permanent and appurtenant to the land irrigated; and be it further

Resolved, That the Water Project Authority secure independent, impartial, competent, and eminent legal counsel to advise it in its activities, and be it further

Resolved, That the Legislature appropriate sufficient funds for the Water Project Authority to permit it to employ such counsel; and be it further

Resolved, That a copy of this resolution be transmitted to the Senate and the Assembly and to the Water Project Authority

ADOPTED March 13, 1952

J. HOWARD WILLIAMS, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1952

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

Assembly Concurrent Resolution No. 7
Assembly Concurrent Resolution No. 8

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN THE JOURNAL

Messrs. Brown and Rumford asked for, and were granted, unanimous consent that a letter of transmittal and a Preliminary Report by the Subcommittee on Narcotics of the Assembly Interim Committee on Judiciary and the Assembly Interim Committee on Public Health be ordered printed in the Journal, in 10-point type, as follows.

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
JUDICIARY COMMITTEE, March 24, 1952

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chambers, State Capitol
Sacramento, California

DEAR MR. SPEAKER: Pursuant to House Resolutions Nos. 168, 218, and 155 of the 1951 Regular Session, the Subcommittee on Narcotics of the Assembly Interim Committee on Judiciary and the Assembly Interim Committee on Public Health herewith submit a preliminary report of their investigations in California.

The final report will be submitted to the 1953 Session of the Legislature.

Respectfully submitted,

RALPH M. BROWN
Chairman,
Judiciary Subcommittee
PAT McGEE
H. ALLEN SMITH
JULIAN BECK
WILLIAM MUNNELL

WILLIAM BYRON RUMFORD
Chairman,
Public Health Subcommittee
STANFORD C. SHAW
WM. S. GRANT

Preliminary Report of the

SUBCOMMITTEE ON NARCOTICS

of the

ASSEMBLY INTERIM COMMITTEE ON JUDICIARY

MEMBERS OF INTERIM COMMITTEE

Hon. Ralph M. Brown, *Chairman* ..... 30th District, Modesto
Hon. William H. Rosenthal, *Vice Chairman* ..... 40th District, Los Angeles
Hon. John D. Babbage ..... 76th District, Riverside
Hon. Julian Beck ..... 41st District, San Fernando
Hon. Bernard R. Brady ..... 19th District, San Francisco
Hon. Thomas W. Caldecott ..... 18th District, Berkeley
Hon. Arthur W. Coats, Jr. ..... 4th District, Yuba City
Hon. George D. Collins, Jr. ..... 22d District, San Francisco
Hon. Arthur H. Connolly, Jr. ..... 21st District, San Francisco
Hon. Ernest C. Crowley ..... 5th District, Fairfield
Hon. Randal F. Dickey ..... 14th District, Alameda
Hon. Richard J. Dolwig ..... 27th District, South San Francisco
Hon. Gordon A. Fleury ..... 8th District, Sacramento
Hon. Donald L. Grunsky ..... 32d District, Watsonville
Hon. Robert I. McCarthy ..... 25th District, San Francisco
Hon. John J. McFall ..... 12th District, Manteca
Hon. Patrick D. McGee ..... 64th District, Los Angeles
Hon. William A. Munnell ..... 51st District, Los Angeles
Hon. William Byron Rumford ..... 17th District, Berkeley
Hon. Stanford C. Shaw ..... 72d District, Ontario
Hon. H. Allen Smith ..... 43d District, Glendale
Hon. Stanley T. Tomlinson ..... 37th District, Santa Barbara
Hon. Laughlin E. Waters ..... 58th District, Los Angeles

William J. Lasarow
Attorney to the Committee

Dorothy M. Sims
Secretary to the Committee

HOUSE RESOLUTION No. 168

Relative to the creation of the Assembly Interim Committee on Judiciary

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

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

1. The Assembly Interim Committee on Judiciary is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property;

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicles and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation;

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts;

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties,

(j) The method of selection, compensation and retirement of judicial officers and attaches;

(k) The procedure, process, and rules of the courts, statutory and otherwise,

(*l*) Present enforcement of narcotic laws with reference to use thereof by minors;

(m) All laws relating to family relations including marriage, divorce, conciliation, *and adoptions and the administration of such laws, including but not limited to the* operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

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

3. The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

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

5. The committee has the following powers and duties:

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

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

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

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

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

HOUSE RESOLUTION No. 218

Relative to the powers and duties of the Assembly Interim Committee on the Judicial System and Judicial Process

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (as created by House Resolution No. 168 of the 1951 Regular Session) the said committee is hereby authorized and directed to ascertain, study, and analyze all facts relating to, bearing upon or affecting the subject of unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles, with special attention to the subject matter of Assembly Bill No. 3437 of the 1951 Regular Session of the Legislature and particularly with respect to the protection of the property rights of the innocent legal owners of confiscated automobiles, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or related thereto, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

HOUSE RESOLUTION No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

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

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Public Health, and any and all other matters relating to or affecting public health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

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

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

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

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

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

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

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

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

6 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

FOREWORD

The growing narcotic traffic, particularly among minors, has caused great public concern throughout California. Assemblyman Ralph M. Brown, Chairman of the Assembly Interim Committee on Judiciary, in August, 1951, appointed a subcommittee, of which he is chairman, to investigate the narcotics problem in California and to report its findings and recommendations for legislation.

Assemblyman Arthur H Connolly, Jr., Chairman of the Assembly Interim Committee on Public Health, appointed a subcommittee on Narcotics in August, 1951, with Assemblyman William Byron Rumford as chairman

These two subcommittees have coordinated their efforts and have jointly conducted six public hearings. The hearings were held at Los Angeles on September 18-19, 1951; Oakland on October 10, 1951; San Francisco on October 11, 1951; and Sacramento on November 15-16, 1951.

This preliminary report has been prepared by the two above-mentioned subcommittees to aid the Legislature in the solution of the narcotics problem in California, and a full and final report will be submitted at the 1953 Session of the Legislature.

The subcommittee wishes to express its appreciation to the many persons who contributed to this report by their appearance at hearings, their expression of opinions, their correspondence, and their research on various aspects of the study Their names appear in alphabetical order in the appendix.

Part I

INCIDENCE OF ILLICIT USE OF NARCOTICS

It is safe to say that the illicit use of narcotics has appreciably increased in the past 10 years. Some have viewed the present narcotics problem with such alarm as to border on hysteria. Others have refused to recognize that there is a serious narcotics problem. The proper attitude lies somewhere between these two extremes.

The number of narcotic arrests has shown a marked increase in recent years. For example, Los Angeles had 295 narcotic arrests in 1940. In 1950, the Los Angeles narcotic arrests numbered 1,806. In San Francisco the number of narcotic arrests increased from 221 in 1940 to 711 in 1950. The number of narcotic felony arrests in the State, excluding Los Angeles, jumped from 1,580 in 1948, to 2,069 in 1950.

The total number of persons committed to state adult and juvenile correctional institutions on charges of narcotics violations during the past four years show the following increases:

Year	*Adult*	*Juvenile*	*Year*	*Adult*	*Juvenile*
1948	105	35	1950	184	44
1949	122	34	1951	393	73

The number of narcotic addicts committed to California state hospitals has taken a sharp rise in the past five years. During 1946-47, 86 addicts were committed to state hospitals. In 1950-51, the number committed was 227, almost three times that of 1946-47.

Great concern is being shown over the rise in the use of narcotics in the younger age groups. Ten years ago, narcotic users under the age of 21 were almost unknown. Today, they are being arrested for narcotic violations and committed to hospitals and correctional institutions in increasing numbers.

The federal hospitals at Lexington, Kentucky, and Fort Worth, Texas, show a great increase in the number of admissions of young narcotic addicts. The admission of patients under 21 years of age to these institutions has jumped from 22 in 1947, to 440 in 1950, an increase of 2,000 percent. The Federal Bureau of Narcotics reports that in 1944, 30 percent of all its arrests were of persons under 25 years of age. In 1950, the percentage jumped to 44 percent.

In California, the increase in juvenile narcotic arrests appears to have kept pace with, but not to have exceeded the increase in adult narcotic arrests. However, the increase in commitments of young addicts to California state hospitals has shown a disproportionate increase. In the year 1948-49 no addicts between the ages of 15 and 19 were committed to state hospitals. In 1950-51 there were 14 commitments of addicts in this age group. In the 20 to 24 age group, the number of commitments jumped from eight in 1948-49 to 64 in 1950-51.

The statistics in the foregoing paragraphs are offered with certain reservations. In some instances the samples presented were perhaps too small to achieve the accuracy desired for indicating a trend. It should

also be noted that better law enforcement may have been responsible to some degree for the increased number of arrests and commitments.

The population increase in California has been used by some as an argument to discredit statistics indicating an increase in the illicit use of narcotics. This argument can be answered in two ways. First, the increase in the use of narcotics, as indicated by statistics, has far exceeded the increase in state population. Second, the population increase may explain to some extent why there has been a rise in the narcotic traffic, but it does not refute the rise. It merely shows that the per capita use of narcotics in California has not increased to the same degree as the total use. While such an argument might relieve the fear that California is fast becoming a state of narcotic addicts, it does not answer the law enforcement agency's plea for more personnel to combat an ever-increasing flow of narcotics.

Narcotic enforcement is a much greater problem in the larger cities than in the less populated areas. The incidence of narcotic use is greater among certain minority groups which have suffered a low standard of living. Juveniles who are arrested on narcotic charges usually have records of prior violations of other laws. As a rule, they have had poor home lives lacking in parental care. However, the narcotic menace has been felt in localities of all sizes and has struck at all economic levels and all kinds of homes.

Part II

CHARACTERISTICS OF THE PRINCIPAL NARCOTICS

The term "narcotics" for purposes of this report will be defined as all those substances which fall within the regulations of Division 10 of the Health and Safety Code, even though some might not be defined medically as narcotics

An excellent brochure entitled, "Narcotics, Their Legitimate and Illicit Use" has been prepared by Walter R Creighton, Chief of the California Division of Narcotic Enforcement Much of the following material on the characteristics of narcotics comes from Mr. Creighton's brochure.

Narcotics can be divided into three classifications: (1) the opiates; (2) cocaine, marihuana and their derivatives; and (3) synthetics. The opiates, as the name suggests, include opium and opium derivatives. Marihuana and cocaine are classified together because of their similar excitant effects on the user.

Opium is obtained from certain varieties of the poppy plant grown in the Near East, the Orient, and more recently in Mexico. The gum which is collected from these plants is sent to laboratories where it is refined into opium derivatives or processed into smoking opium Smoking opium is a pliable sticky substance which the user rolls into pills, ignites and places into the bowl of an opium pipe He draws the fumes into his lungs through the pipe's stem. The beginner experiences pleasurable effects. He escapes from reality into a realm of pleasant dreams and hallucinations. As he continues his smoking he has to increase the dose to receive the desired effects. Finally he reaches a stage where he craves and requires very heavy doses to maintain his equilibrium At this point he is no longer able to experience the pleasure which initially attracted him to the drug. Continued use of opium results in extreme nervousness a pale appearance, loss of appetite and a general weakened condition.

Morphine is the principal active component of opium. It is a powder composed of small crystals. It has been used legitimately as a pain reliever and a shock preventative. It has a depressant effect on the nervous and respiratory systems. Like opium, the tolerance for this drug builds up fast and the user can become addicted in a short period of time. The average legitimately administered dose of morphine is one-quarter grain. The addict, however, may use up to 10 grams three times a day to satisfy his addiction. He takes morphine by mixing it with water and injecting the solution into the flesh or the veins For injections, the morphine addict usually uses a hypodermic needle attached to an eye dropper instead of the needle and syringe combination employed medically. The injection is usually made directly into a vein because of the instantaneous reaction that this method affords An injection into the flesh gives a much slower reaction. When hypodermic needles are not available, pins, knives and razors are used to make openings in the veins into which the end of an eye dropper is inserted The large veins behind the knees and those running along the arms are first used. After repeated injections into a vein, the vein wall collapses and the vein can no longer be used. The

addict then must use other veins Many addicts have injection scars all over their bodies. Continued use of the drug causes extreme physical and moral deterioration.

Heroin is the most dangerous of known narcotics from an addiction standpoint. It is manufactured from morphine and its effects on the human body are similar to that of morphine. Heroin has been referred to as double strength morphine but its depressant effect on the respiratory system is far greater than twice that of morphine. Hence, it is very dangerous to use for relieving pain. For this reason, and because of the extreme danger of addiction, the import and manufacture of heroin is prohibited in the United States Heroin is administered in much the same way as morphine, usually by injection into the veins.

Cocaine is perhaps the most injurious of narcotics to the user's physical and mental health, although it is not as addicting as the opiates. It is obtained from the leaves of the coca plant which is grown commercially in Java and the high altitudes of South America. Cocaine is used legitimately as a local anaesthetic but is being replaced by synthetics such as novocaine and procaine. The drug appears as white crystalline flakes resembling epsom salts. It is used illicitly by bringing it in contact with the mucous membranes. This is usually done by sniffing it into the nostrils or placing it inside the lower lip. The more immediate effects of the drug are a release of inhibitions and a loss of the ability to measure time and distances. One who is under the influence of cocaine is very dangerous, often displaying maniacal tendencies.

Marihuana is obtained from the *cannabis sativa* or hemp plant. California offers a favorable climate for the growth of the plant but its cultivation is prohibited by law. Most of the marihuana used in the State is smuggled across the border from Mexico. Marihuana is smoked in the form of cigarettes containing the dried leaves and flowers of the cannabis plant. The reactions to the drug are unpredictable The drug often has an immediate stimulating effect but its final reaction is sedative. It releases inhibitions and can cause halucinations. While under the influence of marihuana, the user is often dangerous and difficult to restrain.

Synthetic drugs have been developed within the past few years and are now legitimately manufactured in the United States. At first it was hoped that these drugs would not cause addiction; however, they have been found to do so but to a lesser degree than the opiates.

Part III

ADDICTION

Drug addiction has been defined by the Expert Committee on Drugs Liable to Produce Addiction of the World Health Organization of the United Nations as "a state of periodic or chronic intoxication detrimental to the individual and to society, produced by the repeated consumption of a drug (natural or synthetic). Its characteristics include: (1) an overpowering desire or need (compulsion) to continue taking the drug and to obtain it by any means; (2) a tendency to increase the dose; (3) a psychic (psychological) and, sometimes, a physical dependence on the effects of the drug."

Two factors are required to cause addiction; a personality maladjustment on the part of the addict and contact with an addicting drug. A psychologically healthy person rarely becomes an addict. The individual whose personality makes him susceptible to addiction does not become an addict unless he is introduced to the drug. The manner in which he is introduced to the drug seems to make a difference. If he begins using the drug as a result of associating with other addicts, addiction is more likely than if the drug were medically administered.

The user finds that the drug helps satisfy his psychological weakness. It helps him to relieve temporarily his feeling of inadequacy and to escape the realities of life which to him present painful conflicts. Thus receiving satisfaction, he becomes more and more reliant upon the drug. He finally becomes thoroughly addicted and the use of the drug eclipses everything else in importance. The extent to which a drug must be used before addiction is caused cannot be exactly determined. It varies with the individual and the type of drug used. Mr. Walter R. Creighton, Chief of the State Division of Narcotic Enforcement, cited the case of a young girl who was thoroughly addicted to heroin after taking three injections.

The human body builds up a tolerance to many drugs. The opiates, and particularly heroin, are most noted for this characteristic. This requires an ever-increasing amount of the drug to obtain the desired satisfaction.

The opiates and some of the synthetic narcotics cannot be withdrawn from the addict without severe physical effects. The addict, when unable to obtain the drug, goes through a withdrawal period of excruciating pain and agony. The withdrawal symptoms include severe cramps, retching, vomiting and twitching of the muscles. Incarcerated addicts have been known to render themselves unconscious by striking their heads against the walls of their jail cells in order to gain relief from the misery of withdrawal.

By understanding the addict's mental craving for the drug and the physical agony which is caused by cutting off his supply, one can readily see how drug addiction breeds crime which on the surface appears unrelated to illicit drug traffic. A conservative estimate of the average cost for a heroin addict's supply of the drug is $35 per day, according to Mr. Creighton. The addict usually must turn to crime to support the

cost of addiction. Women often resort to prostitution and shoplifting, and men turn to more violent types of crime. One addict is reported to have said to Judge Charles W. Fricke of the Los Angeles Superior Court, "God help me, Judge, but if I had to do it, I would kill my own mother to get the narcotic." About 15 years ago the President of the Retail Stores Protective Association estimated that 75 percent of the shoplifters in Los Angeles were narcotic addicts who were stealing to supply their drug demands With the increase in the illegal use of narcotics that percentage may be greater today. It was recently estimated that $3,000,000 worth of merchandise is stolen annually from downtown Los Angeles stores. If the 75 percent estimate of 15 years ago is correct today, the yearly loss to Los Angeles merchants which is attributable to narcotic addicts is astounding

Perhaps the most discouraging aspect of the problem of narcotic addiction is the small number of addicts that are successfully rehabilitated Although statistics vary as to the percentage of narcotic addicts who receive permanent benefit from the best known methods of treatment, authorities are in agreement that the proportion is discouragingly small. An estimate reported to the committee was that only 5 to 10 percent of all narcotic addicts who are given treatment receive permanent benefit. The percentage of permanently cured heroin addicts is even smaller. Mr Walter Creighton and one of his assistants, Supervising Inspector George S Maloney, testified they did not know of one heroin addict who was able to stay away from the drug for more than a short period after being released from a state institution. These statements become more impressive when it is realized that Chief Creighton and Inspector Maloney have been familiar with hundreds of heroin addicts who were committed to state institutions.

Treatment of the addict is administered in two phases: (1) physical withdrawal from the drug, and (2) psychiatric treatment to cure the underlying personality weakness responsible for the addiction. Institutional treatment is required There is no state hospital specifically designated for treatment of addicts in California. Dr. Theo K Miller, Superintendent and Medical Director of Napa State Hospital, recommended that addiction cases be concentrated in two hospitals, one in the northern part of the State and one in the southern part. He testified that many cases with no hope for cure are committed to state hospitals. He suggested that all cases be screened carefully and that hospital facilities not be used for hopeless cases

Part IV

PENALTIES FOR VIOLATIONS OF THE NARCOTIC LAWS

It has been frequently recommended to the committee that heavier penalties for violations of the narcotic laws be imposed as a deterrent to such violations Many of those making these recommendations were not familiar with the present penal provisions, especially the provisions enacted at the 1951 Regular Session of the Legislature. Penalties for violating the narcotic laws include fines and imprisonment, revocation or denial of certain privileges, closing down business establishments, and forfeiture of vehicles. Vehicle forfeiture has become a very controversial issue and will be dealt with separately as Part V of this report

A. PRESENT PENAL PROVISIONS

The present penal provisions for narcotics violations other than the vehicle forfeiture provisions follow. The following code sections are either summarized or quoted directly as indicated by quotation marks.

1. Possessing, or Growing Narcotics, or Operating a Place Where Narcotics Can Be Obtained

Health and Safety Code, Sec. 11712. Possessing narcotics, knowingly growing or processing marihuana, or operating a place where narcotics are illegally obtainable is punishable by 90 days to one year in the county jail or not more than six years in a state prison. If previously convicted of a felony, the violator will be imprisoned in the state prison for not more than 10 years.

2. Supplying Narcotics

Health and Safety Code, Sec. 11713. "Any person convicted under this division for transporting, selling, furnishing, administering or giving away or offering to transport, sell, furnish, administer, or give away, any narcotic shall be punished by imprisonment in the county jail for not less than six months nor more than a year, or in the state prison for not more than six years." If previously convicted of a felony, he will be imprisoned in the state prison for not more than 10 years

3. Employing or Supplying Minors

Health and Safety Code, Sec. 11711. "Every person who hires, employs, or uses a minor in unlawfully transporting, carrying, selling, giving away, preparing for sale or peddling any narcotic or who unlawfully sells, furnishes, administers, gives, or offers to sell, furnish, administer, or give any narcotic to a minor is guilty of a felony punishable by imprisonment in the state prison for not less than five years, and for each subsequent offense shall be imprisoned in the state prison for not less than 10 years." (Adopted 1951 Session of the Legislature. The former law was not more than six years and did not include selling to minors.)

4. Forged or Altered Prescriptions

Health and Safety Code, Sec. 11715. Forging or altering a prescription for a narcotic, or issuing or uttering an altered prescription or one with a forged or fictitious signature, or obtaining or possessing narcotics by means of such a prescription is punishable as follows: For first offense, six months to one year in a county jail or not more than six years in the state prison. Subsequent offenses, state prison for not more than 10 years

5. Deportation of Alien Violators

Health and Safety Code, Sec 11715.5. Any alien convicted of violating the aforementioned sections will be reported to the federal authorities and recommended for deportation.

6. Probation and Suspended Sentences

Health and Safety Code, Sec 11715.6 Probation or a suspension of sentence will not be given to those guilty of violating Sections 11712, 11713, 11714 and 11715.

7. Violation of Prescription Regulations

Health and Safety Code, Sec. 11715.7 This section pertains to certain violations of prescription regulations other than forgeries or alterations It provides for a minimum of six months in the county jail to a maximum of six years in the state prison.

8. Other Violations

Health and Safety Code, Sec. 11716. Penalties for violations of the narcotic laws not covered by the foregoing sections are misdemeanors punishable by fine of 30 to 500 dollars or a county jail sentence of from 15 to 180 days.

9. Addicts

Health and Safety Code, Sec 11721. "No person shall unlawfully use or be addicted to the unlawful use of narcotics. Any person who shall violate any of the provisions of this section shall be punishable by imprisonment in the county jail for not less than three nor more than six months"

10. Commitment of Addicts

Welfare and Institutions Code, Sec 5350-5361. After the procedural requirements set forth in the sections 5351-5355 are complied with, a hearing is held in the superior court to determine whether or not the person charged is an addict. If found to be an addict, the accused is committed to a state hospital for an indeterminate period of not less than three months nor more than two years.

If the accused is found to be of bad character apart from his habit and there is reasonable grounds for believing that hospital care would not be beneficial he will not be committed.

If a person who is charged with a crime is discovered during his prosecution to be a narcotic addict, the court may direct that someone bring commitment proceedings against him. If at the commitment proceedings the accused is found to be an addict, he will be committed to a state hospital for at least eight months Afterwards, when the Director

of Institutions recommends release, the court may order his discharge or his return to await further action of the court

Any person committed as a drug addict, except those whose commitments resulted during a prosecution for another crime as explained in the immediately preceding paragraph, may be paroled after three months or discharged by action of the hospital superintendent.

11. Abatement

Health and Safety Code, Sec. 11780-11796. Every place used for the purpose of unlawfully storing or supplying narcotics is a nuisance. Injunction proceedings may be brought by the police or by a private citizen If the existence of a nuisance is established, the building is closed for one year and all fixtures and movable property which were used in maintaining or abetting the nuisance are sold at public auction. However, if the owner has followed the court orders, paid all costs and fees arising from the suit, and filed a bond in full value of the property conditioned upon his abating the nuisance, the building may be released to him if the court so decides.

12. Administering Narcotics With Intent to Commit Felony

Penal Code, Sec. 222. "Every person guilty of administering to another any * * * narcotics * * * with intent thereby to enable or assist himself or any other person to commit a felony, is guilty of a felony." (Imprisonment in state prison not exceeding five years. See Penal Code, Sec. 8.)

13. Driving by Addict or Under Influence of Narcotic

Vehicle Code, Sec. 506. It is unlawful for an addict or one under the influence of narcotics to drive a vehicle upon any highway. A violation of this section is a felony punishable by imprisonment in a state prison for from one to five years or in a county jail from 90 days to one year or by fine of $200 to $5,000, or by both fine and imprisonment.

14. Refusal to Issue Driver's License

Vehicle Code, Sec. 269. An operator's or chauffeur's license will not be issued to a narcotic addict.

15. Revocation of Driver's License

Vehicle Code, Sec. 304-305. Driving when addicted to or under the influence of narcotics is grounds for revocation of driver's license.

16. Revocation of Certificates of Licenses to Do Business

Business and Professions Code Various sections of the Business and Professions Code provide for the revocation of licenses and certificates to do certain types of business on grounds of drug addiction. Persons so affected are doctors, barbers, cosmetologists, nurses, and pharmacists.

17. Excerpts From Concealed Weapon Act

Deering's General Laws—Act 1970. Section 2: "* * * no person * * * who is addicted to the use of any narcotic drug or drugs shall own or have in his possession or under his custody or control any pistol, revolver or other firearm capable of being concealed upon the person * * *.

Any person who shall violate the provisions of this section shall be punishable by imprisonment in the state prison not exceeding five years, or in a county jail not exceeding one year or by fine not exceeding five hundred dolalrs ($500), or by both fine and imprisonment."

Section 4: "No probation or suspension of sentences: In no case shall any person punishable under the preceding sections of this act be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court."

B. PENALTY CHANGES RECOMMENDED TO THE COMMITTEE

The most extreme recommendation concerning heavier penalties was that the death penalty be imposed for supplying narcotics to minors Resolutions favoring the death penalty were submitted to the committee by various civic organizations and many high school student bodies. Judges and law enforcement officers were generally opposed to this change in the law. Their fear was that juries would be reluctant to convict if the conviction would cause the defendant to be put to death. This fear seems well justified by the difficulty encountered in obtaining the death penalty for the clearest cases of premeditated murder.

It was recommended that the penalty should be substantially increased for peddling or trafficking in narcotics where minors are not involved. This suggestion did not meet with as much opposition as did the death penalty recommendation However, there were those who thought the present penalties sufficient and that the solution could be found in better enforcement rather than increased penalties.

A recommendation was made for the enactment of more indeterminate sentences with set minimums and no maximums An example of this type of sentence is found in Health and Safety Code Section 11714, the section providing the penalty for supplying narcotics to a minor. One convicted of that violation is sentenced to not less than 5 years in the state prison. This means that he can be kept in prison for life if the Adult Authority is not convinced he has a good chance of becoming a law abiding citizen. Also he may be placed on parole for as long as the Adult Authority feels he should be supervised by parole officers.

Probation became a controversial issue during the committee hearings. Judges and probation officials who testified before the committee generally favored the use of probation in narcotic prosecutions Law enforcement officers were generally opposed to permitting probation in these cases The present law (adopted 1951) prevents probation or suspended sentences for those convicted of possession of any narcotic, forging prescriptions, growing or processing marihuana, or engaging in illicit narcotic traffic.

An argument made by the proponents of probation is that it has proved a very successful method of regulating the activities of one who has been convicted of a crime and at the same time permits him to become a useful member of society It has been pointed out that under the present law a young person who is caught with a marihuana cigarette must be sent to jail to associate with hardened criminals and to make contacts with the criminal element.

Those opposed to probation feel that it was used extravagantly and was responsible for violators getting off too lightly. It was emphasized that

first offenders to whom probation was often granted were usually first offenders only in the sense that it was the first time they had been caught. Most of them had committed the violation numerous times before being apprehended.

It was also suggested that persons arrested on narcotic charges be held in quarantine for 48 hours to ascertain whether or not the person is a narcotic addict. It was pointed out that during that period of time, complete medical examination could be given and withdrawal symptoms would become obvious.

Part V

VEHICLE FORFEITURE

The vehicle forfeiture provisions found in Sections 11610 through 11688 of the Health and Safety Code are intended to serve two purposes. First, vehicle forfeiture has a purpose of punishing one who uses his vehicle or permits it to be used in violation of the narcotic laws. Second, it attempts to make it difficult for narcotic violators to obtain vehicles by encouraging the financing agencies to investigate in order to determine that the purchaser's or borrower's moral character is good before financing a vehicle. When the forfeiture provisions were first enacted into California law in 1929, no distinction was made between forfeiture of the registered owner's interest and security interests. If the registered owner's interest was forfeited, all other interests were lost to the State. This was changed in 1933 by permitting security interests to be protected under certain conditions even though the registered owner's interest was forfeited.

A. THE PRESENT LAW

The present law provides that "a vehicle used to unlawfully transport any narcotic or in which any narcotic is unlawfully possessed by an occupant thereof shall be forfeited to the State." It provides for seizure of the vehicle by a peace officer, filing of the forfeiture action, giving of notice to claimants of any interest in the vehicle, and the opportunity for such claimants to answer and appear at a court proceeding.

For purposes of this part of the report, the parties with property interests in vehicles are divided into two groups. One will be designated as the registered owners and the other as the holders of security interests, also referred to as security holders. Any of the above-mentioned parties may offer evidence at the forfeiture proceedings to prove that narcotics were not transported, concealed or possessed in the vehicle. If the vehicle is found to have been used in violation of the narcotic laws, the registered owner's interest is forfeited. If it is found not to have been so used, it is released to the registered owner.

The holder of a security interest may preserve his interest even though the registered owner's interest has been forfeited. To preserve his interest he must show three things: (1) that his interest is *bona fide;* (2) that he had no knowledge that the vehicle was to be used for the purposes charged; and (3) that the interest was created after a reasonable investigation was made of the purchaser's moral responsibility, character and reputation. A lien-holder whose lien arises from workmanship or storage fees, unlike other security holders, is not required to prove a reasonable investigation in order to preserve his interest.

Three questions of special interest arise in respect to the courts' construction of the forfeiture provisions: (1) What types of activity constitute grounds for forfeiture? (2) Is knowledge or participation by the registered owner required for forfeiture? (3) What type of investigation by the security holder is required to preserve his interest if the vehicle has been used in violation of the forfeiture provisions?

1. Activity Constituting Grounds for Forfeiture

It is not necessary that the vehicle be engaged in the trade or traffic of narcotics. (*People* v. *One 1940 Buick 8 Sedan* (1945), 70 Cal. Ap. 2d 524.) No specific quantity of narcotics need be involved to result in forfeiture. (*People* v. *One 1941 Buick Club Coupe* (1946), 72 Cal. Ap. 2d 593.) However, it appears that the vehicle is required to have been in motion with the narcotic located therein. (*People* v. *One 1941 Cadillac Club Coupe* (1944), 63 Cal. Ap. 2d 418, 421; *People* v. *One 1940 Buick 8 Sedan* (1945), 70 Cal. Ap. 2d 542, 547.)

2. Participation, Knowledge, or Consent of the Registered Owner

It is clear that a vehicle may be forfeited under the narcotic laws even though the registered owner did not participate in the illegal use. His lack of knowledge of the violation may or may not be a defense depending upon who was in possession of the vehicle when the violation took place. If the registered owner was in possession of the vehicle and had no knowledge that a violation was taking place, the title is not forfeited. (*People* v. *One 1941 Buick Sport Coupe* (1946), 28 Cal. 2d 692) If the vehicle is used by someone other than the registered owner, without the knowledge or the express or implied consent of the registered owner, violations occurring during the period of the nonconsented use do not result in forfeiture. (*People* v. *One 1939 La Salle 8 Sedan* (1941), 45 Cal. Ap. 2d 709.) However, if the registered owner consents to another's using the vehicle, lack of knowledge of the purported illegal use is no defense. This is so, even if the person in possession violates time and place restrictions set by the registered owner. For example, an employer forfeited his truck because one of his truck drivers was in possession of marihuana while using the truck. It was no defense that the driver had obtained the marihuana by driving far off the authorized route in violation of instructions to return immediately to his employer's store. (*People* v. *One 1941 Ford 8 Stake Truck* (1945), 26 Cal. 2d 503.)

3. Reasonable Investigation

If the registered owner succeeds in avoiding forfeiture of the vehicle, any security interest in the vehicle is also saved. It is only when the registered owner forfeits his title that the owner of the security interest must prove compliance with the three statutory requirements in order to preserve his interest. It is relatively simple to show that the security interest is *bona fide* and that the security holder had no knowledge of the illegal use. But many security interests have been forfeited because the security holder failed to show that before his interest was created he made a reasonable investigation of the moral responsibility, character, and reputation of the purchaser. It is for the finder of fact to determine whether or not the investigation was reasonable. The test applied is whether or not the investigation would convince a reasonably prudent man of the purchaser's moral responsibility. (*People* v. *One 1939 Buick Coupe* (1942), 56, Cal. Ap. 2d, 163, 167.) However, the courts have held that a finding of reasonable investigation could not be sustained unless an indefinite minimum requirement was satisfied. An inquiry as to the purchaser's employment is not enough. (*People* v. *One Harley Davidson Motorcycle* (1936), 5 Cal. 2d 188.) An investigation of the purchaser's financial responsibility is not sufficient. (*People* v. *One Lincoln 8* (1936),

12 Cal. Ap. 2d 622.) However, it was held that an investigation was reasonable which consisted of an inquiry of the purchaser's landlord who reported that he had heard of nothing against the purchaser and that the purchaser paid his rent promptly. (*People* v. *One 1941 Cadillac Club Coupe* (1944), 63 Cal Ap. 2d 418.) Another case held that the investigation requirements were met by a bank which granted an automobile loan to a borrower after he was recommended by his employer who was well known to the bank. (*People* v. *One 1939 Buick* (1942), 56 Cal. Ap. 2d 163.) It is apparent that no definite formula has been created for the minimum requirements for a "reasonable investigation"

B. THE CONTROVERSY

The vehicle forfeiture provisions are probably the most controversial part of the State Narcotics Law. No one has taken the position that the forfeiture law should be completely repealed It is recognized that the law as a whole is a valuable tool in reducing illicit narcotic traffic. However, the portion of the law dealing with the forfeiture of security interests has come under vigorous attack. Naturally, the parties leading this attack are the businesses that obtain security interests in automobiles through financial transactions. Opposed to any change in the forfeiture provisions are the law enforcement agencies, especially the Attorney General's Office and the Division of Narcotic Enforcement. The principal issues upon which the financing agencies are squarely opposed to the law enforcement agencies are as follows:

(1) Does the investigation requirement fail to accomplish its purpose? (2) Is the investigation requirement unfair in that it is uncertain? (3) Has the Attorney General's staff been unreasonable in its attempts to obtain forfeitures of security interests? (4) Is it difficult and costly to conduct an investigation which would be upheld by the courts as "reasonable"?

The financing companies argue all the issues as posed above in the affirmative. They propose that those who are regularly or customarily engaged in an established place of business in the business of making loans secured by mortgages on vehicles, or selling vehicles, or purchasing conditional sales contracts on vehicles be exempt from the requirement that they make a reasonable investigation in order to safeguard their security interests.

Compromises have been suggested. One recommendation is that the investigation requirement be satisfied if the holder of a security interest inquires of the Division of Narcotic Enforcement concerning the prospective purchaser or borrower, and if the party being investigated is cleared by the division. At present the Division of Narcotic Enforcement is not permitted to disclose any such information. Even if the division were permitted to answer the inquiry, such inquiry would not be tantamount to the required investigation.

Another suggestion is that a statute definitely spell out what constitutes a "reasonable investigation." This suggestion brings forth the immediate objection that what would be reasonable depends upon the individual case and would vary with each situation.

The committee makes no recommendations on this subject as it has not yet completed its study and investigation.

Part VI

ENFORCEMENT OF THE NARCOTIC LAWS

One point upon which there is unanimous agreement among all expert witnesses who appeared before this subcommittee is that the number of officers assigned to narcotic enforcement is inadequate. Furthermore, it appears that the officers at the local level of law enforcement, for the most part, are not sufficiently trained to cope with the problem

A. DIFFICULTIES OF ENFORCEMENT

Enforcement of the narcotic laws is one of the more difficult phases of law enforcement. One factor contributing to this difficulty is that the illicit drug traffic is carried on to a great extent through organized crime. The greatest problem in combating organized crime is that of determining who the leaders are and of acquiring evidence that would lead to their convictions. The violators who are prosecuted are usually at the lower levels of the organization. They do not reveal the identity of the higher-ups because either they do not have the information or they fear the reprisals which organized crime is known to inflict upon informers.

Recent federal indictments in March, 1952, have exposed a large international heroin operation. Although the facts have not as yet been established in court, confessions and evidence obtained by federal agents reveal that the head of the operation is "Lucky" Luciano whose headquarters is in Italy. Luciano employed merchant seamen to bring heroin into New York where "Waxy" Gordon was the top man. From New York the heroin was distributed to different parts of the United States. In charge of the Pacific Coast was "Abe" Chapman, whose headquarters was in San Francisco. Chapman had a number of men working directly under him, and these men, in turn, had their contacts with smaller dope peddlers. It took years of investigation to lead to the indictments It is hoped that the indictments will result in a complete smashing of the operation.

Another reason for the difficulty in enforcing the narcotic laws is the extremely high value of a small quantity of narcotics. A five tael can of opium weighing about 6¾ ounces and costing about $150 outside of the United States, when divided and sold in small quantities could sell for $2,000. William H. Parker, Chief of the Los Angeles Police Department reported that a package containing four pounds and three ounces of heroin which was sent by fourth class mail was recently seized at the Los Angeles Post Office. Chief Parker said that the seized heroin would have brought about $500,000 if properly prepared for the retail market. That four-pound package was discovered and seized because of a fortunate coincidence and hard work on the part of the enforcement agencies. Small quantities of narcotics which bring enormous profits can be shipped through the mails or smuggled into the United States with little chance of being discovered.

The high price of narcotics makes enforcement very expensive. In order to convict a violator for selling narcotics, an enforcement agent must

usually buy narcotics from him. A high official in a narcotics syndicate does not sell single capsules as does the small dope pusher, but deals in very costly quantities. Hence, an agent must pay a high price to make a "buy" from an important member of a dope ring.

B. NARCOTICS ENFORCEMENT AGENCIES

The narcotics laws are enforced on federal, state and local levels The Federal Bureau of Narcotics is the federal agency in charge of enforcing the federal narcotics laws. The total number of federal narcotics agents has recently been increased from 180 to 275. The number assigned to California has been correspondingly increased from approximately 15 to 23.

The California narcotics enforcement agency is the Division of Narcotic Enforcement which is a unit of the California Department of Justice. It has a total of 25 enforcement officers. Testimony from all who are familiar with the work of the division indicates that it is doing an excellent job but that a substantial increase in the number of personnel is needed The value of the Division of Narcotic Enforcement is seen by observing the difference in the number of narcotic arrests in a given area before and after the establishing of a division office for that area. For example, the Sacramento office of the Division of Narcotic Enforcement was opened in 1948, under the direction of Supervising Inspector John Misterly, to take care of 27 counties In 1947 there were only 16 narcotic arrests in those 27 counties. In 1948, the first year that the Sacramento office was in operation, 138 arrests were made by the three inspectors working out of that office. In 1951, four inspectors assigned to the Sacramento office made 402 narcotics arrests.

The Division of Narcotic Enforcement has initiated an educational program hoping to interest local police departments and sheriff's offices in sending men to be trained for specialization in the enforcement of the narcotic laws. This program has been severely limited by the personnel that could be spared from the actual enforcement duties of the division.

Mr. Walter Creighton, Chief of the Division, stated that his agency was in serious need of help. He brought to the committee's attention that the State's population had almost doubled in the last 10 years greatly increasing the problem of narcotic enforcement, and that the division's personnel has been increased by only four or five men. Given the additional personnel, he would increase the number of division offices from three to five. At present there are offices in operation at San Francisco, Los Angeles, and Sacramento. There is an immediate need for establishing offices at Fresno and San Diego. In the following statement to this subcommittee Mr. Creighton expressed his belief that the present staff could not increase the amount of work it is doing:

"Our boys are working on a 40-hour week, as I am myself, and I don't know one of us that is putting in less than 55, possibly 60 hours. I am traveling Sundays to conserve time. Each and every man in the outfit is working at least 11 hours a day, and mostly a six-day week. They are on call 24 hours a day. They are out of their beds at 2, 3, or 4 o'clock in the morning."

In view of the limited personnel in the Division of Narcotic Enforcement, by far the greater portion of the narcotic enforcement burden must be borne by the local enforcement agencies. Enforcement of the narcotic laws at the local level is carried on in various ways. The City of Los Angeles Police Department has a narcotic squad of 29 highly trained personnel. The San Francisco Police Department has a narcotic detail of eight. The Police Department of Oakland has a vice squad of seven men which is in charge of narcotic enforcement among other duties.

For the most part, local police departments have no specialized squads assigned to the enforcement of the narcotic laws. Chief Creighton thinks that specialized narcotic squads should be maintained at the local level wherever possible. His opinion is shared by most of those considered experts in the field of narcotic enforcement. The principal argument for specialization is that efficient narcotic enforcement requires that the same officers stay with a case until its completion and be on call 24 hours a day If an officer is assigned to a case for an eight-hour shift, he lacks the interest he would have if he considered the case as his. The case would also suffer from a lack of continuity. Furthermore, rotating officers would have great difficulty in obtaining information from informers. An informer will not talk until he has confidence in the officer to whom he talks. This confidence is not gained immediately. It requires that the informer know the officer well. When the informer decides to talk, that officer must be available.

Despite the arguments favoring specialization, the Chief of Police of Sacramento does not maintain a squad of narcotic specialists. He argues that every policeman should be responsible for narcotic enforcement and that the ordinary policeman neglects this responsibility if he knows that the primary responsibility rests on a squad of specialists.

In addition to the absence of narcotic specialists in most local police forces, it was learned that the average police officer knows little about narcotics. This presents a serious problem since the Division of Narcotic Enforcement can undertake but a small share of the policing of the narcotic laws in California. In the words of Arthur Sherry, Chief Assistant Attorney General, "Perhaps the best function that the division can perform is to train local officers and to coordinate their efforts in directing the attention of the division to the main sources of supply within the State " It is the aim of the Division of Narcotics to provide sufficient training facilities so that all local police departments and sheriffs' offices can have narcotic enforcement specialists and so that every local law enforcement officer will have some basic knowledge about narcotics. This basic knowledge is essential to good narcotic enforcement because it is usually the ordinary policeman walking the beat or cruising in a squad car who first runs into evidences of narcotic violations. He should be able to identify narcotics and to recognize the symptoms of one who is under the influence of narcotics. Without this initial detection the specialists are unable to perform.

C. PREVENTING ENTRY OF NARCOTICS INTO THE UNITED STATES

Practically all narcotic drugs originate from outside the borders of the United States. An obvious method of attacking the narcotic problem is to prevent narcotics from entering the Country. This responsibility

falls upon the federal customs officials. Narcotics can be smuggled into the United States with apparent ease Returning from Tijuana one sees the cursory inspection given most of the automobiles at the border inspection station. There is not sufficient customs personnel to inspect thoroughly every vehicle or person crossing the border It has been estimated that only 1 to 5 percent of the narcotics that reach the border are discovered and confiscated The situation seems similar with airplanes and ships at ports of entry. It has been suggested that more customs inspectors be employed. This could alleviate the problem but it appears that a complete inspection of all persons and materials brought into the United States would require an enormous staff of inspectors and would bring the Country's foreign commerce to a virtual standstill.

Another method of preventing narcotics from reaching the United States is to stop it at its source. This has been attempted by means of international agreements to limit the production of raw opium and coca leaves to the world's medicinal needs. These treaties have been successful to a limited degree but have been subject to failures by the participating countries to live up to their agreements.

The Commission on Narcotic Drugs of the United Nations Economic and Social Council is now sponsoring a plan to establish a central international agency which would ascertain the world's medicinal narcotic needs and allot the agreed proportionate share to each of the producing countries

D. THE SAN DIEGO PROBLEM

San Diego County, in addition to the same problems experienced by other metropolitan areas of the State, has a special problem due to its proximity to the Mexican border. Large numbers of unescorted minors regularly cross the border into Tijuana. An actual count made over a two-day period in 1949 revealed that 930 juveniles crossed into Tijuana unescorted. It was reported that narcotics were sold in Tijuana as readily as legitimate merchandise. Some minors returning to the United States have been apprehended at the border with fresh needle marks on their arms indicating that they had received heroin shots. The City of San Diego has attacked the problem by imposing a general 10 o'clock curfew on minors However, this does not take care of the minors who come and go during the noncurfew hours. District Attorney James Don Keller feels that prohibiting minors from crossing the border without an escort would do much to alleviate the problem. However, inasmuch as this deals with crossing an international border, such a prohibition would not be within the constitutional powers of local and state lawmakers It must come from the Federal Government.

Part VII

EDUCATION

Every expert witness who made recommendations to this committee for the alleviation of the present narcotics menace included among his recommendations better education on the subject of narcotics. Of foremost importance is education of the youth of the State, which has proved vulnerable to the recently increased narcotic traffic. Dr. Victor H. Vogel, in a speech concerning youthful drug addicts committed to the federal hospital at Lexington, Kentucky, of which he is director, said, "When asked if they would have experimented with heroin if they had known they would get 'hooked,' they said, 'Of course not,' and I believe many of them." (The term "hooked" is narcotics jargon meaning addicted.)

There are differences of opinion concerning narcotics education. One view is that instruction about narcotics should not be given to young people because it is apt to arouse an unwholesome curiosity. It was generally conceded by committee witnesses that such instruction might arouse curiosity in some pupils, nevertheless, they felt it is essential that the youth be informed of the dangers of narcotics Educators differ as to the ages at which such instruction should begin and the degree of "horror story" technique that should be employed in order to sufficiently impress the pupil without overly stimulating his curiosity or sacrificing the truth.

The committee came to two conclusions after inquiring into the narcotics instruction being given in California schools: (1) That there is no uniformity in lesson plans or manner of presentation employed throughout the State. (2) That the statute requiring instruction on narcotics is confusing and unworkable.

It is unfortunate that all California schools do not have narcotics educational programs of the scope and quality of the one carried on by the Sacramento City Unified School District. The teachers of the Sacramento City schools are supplied with complete lesson plans and an abundance of source materials to guide them in preparing their narcotics lessons. A moving picture has been selected, edited, and shown at the junior and senior high school levels. Narcotic enforcement officials are called on to supplement the lessons prepared by the teachers.

Section 8253 of the Education Code reads, "Instruction shall be given in all grades of school and in all classes during the entire school course * * * upon the nature of alcohol and narcotics and their effects upon the human system as determined by science." From the wording of this statute it appears that children in the first and second grades must be given instruction in narcotics. It is doubtful that this requirement is being met by the schools and perhaps more doubtful that instruction to students so young would accomplish any good purpose. The phrase "in all grades of school and in all classes" is not clear. A class might be defined as a number of students taking a course in a single classroom. Such an interpretation would require that narcotics instruction be given with every course offered by the school.

Part VIII

RECOMMENDATIONS BY THE SUBCOMMITTEE

The Subcommittee on Narcotics makes the following recommendations:

1. That the personnel of the Division of Narcotic Enforcement be substantially increased.
2. That the State Department of Education be given the responsibility of preparing lesson plans and of selecting visual aids to be used for narcotic instruction throughout the State, and that the local schools be required to follow the prepared lesson plans and to use the selected visual aids.
3. That Education Code Section 8253 be amended and rigidly enforced after a study is made to determine the grade level at which narcotic instruction should begin.
4. That the President and the appropriate federal agency of the United States Government be requested to take such steps as are necessary to prohibit minors from crossing the Mexican border without an adult escort.
5. That the severity of the penalties for violating narcotic laws be given wide publicity.

SUBJECTS FOR FURTHER STUDY

Due to the great interest shown and the number of people still requesting to be heard, the following changes and suggestions are to be given further study for recommendation in the committee's final report:

1. That further study be conducted on the treatment and rehabilitation of addicts to determine what the State can do to accomplish better results, including the establishment of separate state narcotic hospitals.
2. That the subcommittee continue to study the controversy over the Vehicle Forfeiture Law and submit final recommendations at the next regular session.
3. That a study be made of the effects of sleeping pills, "goof balls" and other barbiturates, and their transmission across state lines.
4. That further consideration be given to the following questions pertaining to penalties:
   a. Whether or not the death penalty should be prescribed for supplying minors with narcotics or employing minors to take part in the narcotic traffic.
   b. Whether or not the penalty for supplying narcotics to adults should be increased.
   c. Whether or not the penalty for possession of marihuana should be made different from the penalty for possession of other narcotics.
   d. Whether or not the penalty for possession of narcotics other than marihuana should be increased.
   e. Whether or not to provide for more indeterminate sentences with specified minimums and no maximums in order to give the Adult Authority greater latitude in setting sentences, granting parole, and keeping violators under constant supervision
   f. Whether or not probation should be permitted for first convictions of possession of marihuana.

ARRESTS MADE BY THE CALIFORNIA DIVISION OF NARCOTIC ENFORCEMENT

Submitted by Walter Creighton, Chief

Year	*Total arrests*	*Under 21 years*	*18 to 20 years*	*Under 18 years*
1949	1,208	161	138	23
1950	1,540	223	189	34
1951	1,742	302	*	*

* Figures not available at time of compilation

ARRESTS MADE BY THE SACRAMENTO OFFICE OF THE DIVISION OF NARCOTIC ENFORCEMENT

Submitted by John Misterly, Supervising Inspector

1948

Sacramento	82	21 years and over	115
Stockton	42	18, 19 and 20 years	20
Other counties	14	16 and 17 years	3
* Total arrests	151	Under 16 years	0
Total arrests	151	Marihuana	92
Male	120	Opiates	32
Female	18	Addiction	14

1949

Sacramento	112	21 years and over	161
Stockton	48	18, 19 and 20 years	21
Other counties	26	16 and 17 years	4
Total narcotic cases	186	Under 16 years	0
* Total arrests	210	Marihuana	78
Male	163	Opiates	73
Female	23	Addiction	35

1950

Sacramento	147	21 years and over	254
Stockton	116	18, 19 and 20 years	30
Other counties	27	16 and 17 years	4
Total narcotic cases	290	Under 16 years	2
* Total arrests	303	Marihuana	119
Male	251	Opiates	74
Female	39	Addiction	97

1951

Sacramento	209	21 years and over	332
Stockton	159	18, 19 and 20 years	51
Other counties	40	16 and 17 years	18
Total narcotic cases	408	Under 16 years	7
* Total arrests	416	Marihuana	202
Male	348	Opiates	81
Female	60	Addiction	125

* Including non-narcotic arrests

DISPOSITIONS OF FORFEITURE PROCEEDINGS FOR VEHICLES SEIZED BY BUREAU OF NARCOTIC ENFORCEMENT, DEPARTMENT OF JUSTICE, IN WHICH FINANCE COMPANIES WERE INVOLVED

January 1, 1946 to August 31, 1951, Inclusive

Submitted by Walter Creighton

	Calendar Years						
	1946	*1947*	*1948*	*1949*	*1950*	*1951**	*Total*
Forfeited to State	40	38	54	73	63	8	276
Forfeited to State by default	--	--	--	9	52	11	72
Forfeited to State subject to lien of legal owner	--	--	--	--	2	1	3
Released to finance company	3	4	15	33	39	7	101
Released to registered owner	26	44	56	52	49	27	254
Released to defendant	--	-	-	-	1	--	1
Released to Federal Narcotic Bureau	--	--	-	--	-	1	1
Cases pending in court	--	--	--	--	13	103	116
Totals	69	86	125	167	219	158 *	824

* 8 months.

ADMISSIONS TO STATE MENTAL HOSPITALS DIAGNOSED AS DRUG ADDICTS WITHOUT PSYCHOSIS, BY AGE AT ADMISSION

		Age Groups										
Fiscal year	*Total*	*15-19*	*20-24*	*25-29*	*30-34*	*35-39*	*40-44*	*45-49*	*50-54*	*55-59*	*60-64*	*65-69*	*70 and over*
1948-49													
Total	98	--	8	13	15	12	17	18	8	2	4	--	1
Male	56	--	4	7	10	5	11	11	5	1	2	--	--
Female	42	--	4	6	5	7	6	7	3	1	2	--	1
1949-50													
Total	168	6	34	22	10	23	25	18	12	8	7	3	--
Male	106	6	21	15	5	14	15	9	8	6	5	2	--
Female	62	--	13	7	5	9	10	9	4	2	2	1	--
1950-51													
Total	242	14	64	34	19	30	28	20	17	9	6	1	--
Male	153	5	41	17	11	21	15	15	15	8	4	1	--
Female	89	9	23	17	8	9	13	5	2	1	2	--	--

CALIFORNIA NARCOTIC PRISONERS

CALIFORNIA PRISONERS RECEIVED FROM COURT AND NUMBER AND PERCENT COMMITTED FOR VIOLATING NARCOTIC PROVISION OF HEALTH AND SAFETY CODE, 1945-1950

Prepared by Chief Parole Officer Finsley

	MEN			WOMEN		
Year	*Total*	*Narc.*	*Percent*	*Total*	*Narc.*	*Percent*
1945	1,939	63	3.2	87	5	5.8
1946	2,215	49	2.2	97	2	2.1
1947	2,727	72	2.7	107	4	3.7
1948	2,851	104	3.7	133	11	8.3
1949	2,780	116	4.2	101	6	5.9
1950	2,983	168	5.6	139	15	10.8

MALE NARCOTIC PRISONERS RELEASED ON PAROLE FOR FIRST TIME, SHOWING NUMBER, MEDIAN SENTENCE AND MEDIAN TIME SERVED, 1945-1950

Year	*Number*	*Median sentence in years*	*Median time served in months*
1945-49	244	5	24.1
1950	68	4 *	24.3

* Sentences set in 1950 were less as they related chiefly to prisoners who could not earn credits.

From a study made in 1948 of the men paroled for the first time during the three previous years who had returned to prison as violators, the following figures by offense are taken:

Offense	*Number paroled*	*Returned as violators*	*Percent*
Totals	4,464	1,152	25.8
Homicide	339	31	9.1
Robbery	722	184	25.5
Assault	274	50	18.2
Burglary	777	242	31.1
Theft	727	251	34.5
Forgery	604	205	33.9
Rape	168	16	9.5
Other sex	344	44	12.8
Narcotics	145	35	24.1
All others	364	94	25.8

EVALUATION OF NARCOTIC PROSECUTIONS CONDUCTED BY THE DISTRICT ATTORNEY'S OFFICE OF LOS ANGELES COUNTY, CALIFORNIA, FOR THE CALENDAR YEAR 1950

Total narcotic cases prosecuted 1,029

Marijuana Cases		Heroin, Opiates, Cocaine and Others, Excluding Marijuana Cases	
Number of cases	615	Number of cases	414
Male	580	Male	333
Female	35	Female	81
Male under 21	124	Male under 21	38
Female under 21	3	Female under 21	5
Total under 21	127	Total under 21	43
Average age	26	Average age	28
Caucasian	209	Caucasian	109
Caucasian, Mexican descent	217	Caucasian, Mexican descent	133
Negro	186	Negro	164
Oriental	3	Oriental	8
Straight probation	19	Straight probation	19
Probation and county jail sentence	165	Probation and county jail sentence	83
Average sentence county jail, probation condition (days)	117	Average sentence county jail, probation condition (days)	181
County jail sentence	135	County jail sentence	115
Average sentence county jail, probation not granted (days)	187	Average sentence county jail, probation not granted (days)	244
State prison sentence	23	State prison sentence	63
Probation and fine	108	Probation and fine	19
Acquittals	78	Acquittals	39
Referrals California Youth Authority	22	Referrals California Youth Authority	9
Pending	7	Pending	11
Dismissals and off calendar	56	Dismissals and off calendar	62
Commitments to institutions	2	Commitments to institutions	0

The individuals itemized in this survey as being under the age of 21 constitute the ages of 18, 19 and 20, which persons are prosecuted as adults by the Los Angeles County District Attorney's Office To this number must be added 55 male and 7 female juveniles under the age of 18 who were processed as narcotic violators by the Los Angeles County Probation Office and the Juvenile Department of the Los Angeles County Superior Court during the calendar year 1950.

Submitted by Ernest Roll, District Attorney, Los Angeles County.

JUVENILE NARCOTICS ARRESTS IN LOS ANGELES COUNTY

Prepared by Ralph W. Fisher, Executive Secretary of Youth Committee of Los Angeles County

Table I

Data obtained from Sheriff's Office

Year	*Total juvenile arrests*	*Juvenile narcotic arrests*	*Juvenile narcotic arrests, percent of total arrests*
1944	3,591	15	0.4%
1945	3,914	8	2%
1946	3,547	12	.3%
1947	4,463	39	9%
1948	8,007	20	3%
1949	12,862	40	.3%
1950	14,116	72	.5%

Table II

Data obtained from Los Angeles Police Department

Year	*Total juvenile arrests*	*Juvenile narcotic arrests*	*Juvenile narcotic arrests, percent of total arrests*
1944	10,134	38	0.4%
1945	10,363	35	.3%
1946	8,734	108	1.2%
1947	7,949	115	1.4%
1948	7,954	74	.9%
1949	8,881	69	.8%
1950	8,191	107	1.3%

Table III

Data from Los Angeles City Police Department and Los Angeles County Sheriff's Office indicating proportion of juveniles, aged 17 and under, coming to attention of Law Enforcement because of narcotics violations

* NARCOTIC ARRESTS, 1944-1950 INCLUSIVE

	Total narcotics arrests (adults and juveniles)	*Juveniles 17 and under*	*Juvenile arrests, percent of total arrests*
Sheriff	2,514	206	8.2%
Los Angeles Police Department	9,748	546	5.6%
Totals	12,262	752	6.1%

* NARCOTICS ARRESTS, FIRST HALF OF 1951

	Total narcotics arrests (adults and juveniles)	*Juveniles 17 and under*	*Juvenile arrests, percent of total arrests*
Sheriff	431	62	12.6%
Los Angeles Police Department	1,368	98	7.1%
Totals	1,799	160	8.9%

* Peddlers and users.

Table IV

Data obtained from District Attorney's report for 1950, issued June 12, 1951

	Total	*Ages 18, 19, and 20*	*Juveniles 17 and under*
All narcotics cases prosecuted by the district attorney	1,029	8 girls 162 boys	
All narcotic cases processed by probation department, juvenile division and juvenile court	62*		7 girls 55 boys
Totals	1,091	170 or 15.6% of total	62 or 5 7% of total

* Verified by Probation Department.

NARCOTICS ARRESTS IN SAN FRANCISCO

Estimated Number of Narcotic Violation Arrests in San Francisco Per Hundred Thousand Population

Year	*San Francisco population*	*Arrests made*	*Arrest rate per 100,000*
1940	635,000 †	221	34.80
1944	786,590 *	320	40.69
1948	807,700 *	339	41 97
1949	814,500 *	561	68.88
1950	775,357 †	711	91.82
1951 (9 months)	775,000 *	573	96.07 (9 months) *

* Estimated.
† Official federal census.

Court Disposition of Narcotic Arrest Cases, City and County of San Francisco

Year	Total Arrests	Total Cases Heard	DISPOSITION IN PERCENT State Prison	County Jail	Fine	Prob. Other	Total Conv.	Dism.
1949	561	538	4.6	38.8	1.1	2.9	47.4	52.6
1950	711	689	6.1	34.6	2.2	5.6	48.5	51.5
1951 *	573	340	15.3	32.4	2.4	1.8	51.9	48.1

* For first nine months of the year 1951 only.

Juvenile Arrests

Total juveniles arrested 1946	1920
juvenile narcotic arrest	1
Total juvenile arrests 1947	1365
juvenile narcotic arrest	1
Total juvenile arrests 1948	1232
juvenile narcotic arrests	10
Total juvenile arrests 1949	1403
juvenile narcotic arrest	1
Total juvenile arrests 1950	1762
juvenile narcotic arrests	4
Total juvenile arrests 1951	1361*
juvenile narcotic arrests	2

* First nine months of 1951 only.

STATISTICS ON NARCOTIC CASES PROSECUTED BY DISTRICT ATTORNEY'S OFFICE, ALAMEDA COUNTY

1. Number of narcotics cases prosecuted by this office:

1948	54
1949	103
1950	91
1951 (6 mos.)	38
Total	286

(a) 1948—Opiates, cocaine and others (not including marihuana) 11
1949—Opiates, cocaine and others (not including marihuana) 35
1950—Opiates, cocaine and others (not including marihuana) 36
1951 (6 mos.)—Opiates, cocaine and others (not including marihuana) 22
Total 104

(b) 1948—Marihuana 44
Total 1948—Opiates, others, marihuana 55*
* 1 case—1948—both opiate and marihuana.

1949—Marihuana 70
Total 1949—Opiates, others, marihuana 105*
* 2 cases—1949—both opiates and marihuana.

1950—Marihuana 55

1951 (6 mos.)—Marihuana 16

Total for 3½-year period for all cases 289

2. (a) Number of individuals under 21:

1948	7
1949	13
1950	13
1951 (6 mos.)	7
Total	40

(b) Sex:

1948	Females	3	(None under 21)
	Males	51	(7 under 21)
1949	Females	10	(1 under 21)
	Males	93	(12 under 21)
1950	Females	8	(4 under 21)
	Males	83	(9 under 21)
1951 (6 mos.)	Females	6	(2 under 21)
	Males	32	(5 under 21)

Total 3½ year period	Females	21
	Males	227

(c) Race or color classifications:

1948	Negro	40
	Chinese	4
	White	5
	Mexican	5
	Total	54
1949	Negro	61
	Chinese	2
	White	29
	Mexican	11
	Total	103
1950	Negro	64
	Chinese	1
	White	20
	Mexican	4
	Puerto Rican	1
	Indian	1
	Total	91
1951 (6 mos.)	Negro	20
	Chinese	1
	White	9
	Mexican	8
	Total	38

JUVENILE NARCOTIC ARRESTS IN ALAMEDA COUNTY

For the years 1949-1950, 1950-1951, the following information was submitted by the statistical bureaus of the following police departments:

Oakland

POSSESSION OF NARCOTICS

Year	*Ages 18-21 Number*
1948	1
1949	2
1950	2
1951	2

POSSESSION AND SALE OF MARIHUANA

Year	*Ages 18-21 Number*
1948	6
1949	18
1950	10
1951	5

POSSESSION OF OPIUM

Year	*Ages 18-21 Number*
1951	1

POSSESSION OF HYPODERMIC NEEDLE

Year	*Ages 18-21 Number*
1950	1

Alameda

1949–50 Four arrests as drug addicts or investigation of possession. Two arrests of juveniles under age 18 years on suspicion of possession or addiction.

1950–51 Two arrests as drug addicts or investigation of possession—18-21 age group. Two arrests under 18.

Berkeley

No arrests or reported violations.

Emeryville and Albany

No arrests or reported violations.

Piedmont

No arrests or reported violations.

Hayward Office Sheriff's Department

1949–50 One arrest as drug addict or investigation of possession.

1950–51 One arrest as drug addict or investigation of possession.

NARCOTICS ARRESTS MADE BY THE OAKLAND POLICE DEPARTMENT

Breakdown as to Race

	Male	*Female*	
White	120	17	
Negro	403	57	
Chinese	15	--	
Filipino	1	--	
Indian	2	--	
Japanese	1	--	
Mexican	52	1	
Gypsy	1	--	
Not stated	4	3	
	599	78	
Totals			677

Breakdown as to Age

Age	*Male*	*Female*	*Age*	*Male*	*Female*	*Age*	*Male*	*Female*
16	2	--	33	13	1	49	4	--
17	4	1	34	12	--	50	3	--
18	14	6	35	12	2	51	1	--
19	27	2	36	12	2	52	2	--
20	37	5	37	4	--	54	2	--
21	47	5	38	10	2	55	3	--
22	41	9	39	6	--	56	1	--
23	44	8	40	7	--	57	1	--
24	36	3	41	8	--	58	1	--
25	33	5	42	8	--	60	2	--
26	35	5	43	8	--			
27	29	5	44	1	--	62	2	--
28	26	1	45	4	1	63	1	--
29	28	1	46	5	2	64	1	--
30	20	1	47	2	--	69	1	--
31	11	2	48	4	--	N. S.	6	3
32	18	4	49	4	2			

Breakdown as to Types of Crime

	Male	*Female*
Furnishing—11500 H. and S. Code	1	1
Possession—11500 H. and S. Code	137	21
Sale of others—felony	2	--
Possession marihuana and sale	417	44
Forged Prescriptions—11715 H. and S. Code	3	2
Possession Opium Pipe—11555 H. and S. Code	1	--
Sale of other—misdemeanor	3	--
Possession hypodermic needle—11475 H. and S. Code	29	3
Drug addict	4	7
Opium den visiting—11556 H. and S. Code	2	--
Totals	599	78

Of all females arrested on narcotics charges in the past five and one-half years 47.7% have records of prostitution.

Of all narcotic arrests made in the past five and one-half years 68% were for possession and sale of marihuana.

Of all narcotic arrests made in the past five and one-half years 67.9% were negroes.

Of all narcotic arrests made in the past five and one-half years 50% were of persons between the ages of 19 and 26 inclusive.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Ways and Means, in Room 4202.

Tomorrow, Tuesday, March 25th, at 3 p.m.—

Public Health, in Room 5141. Subject: Senate Bill No. 8.

Next Wednesday, March 26th, upon adjournment (By unanimous consent)—

Finance and Insurance, in Room 4949 (Subject: Assembly Bill No. 38—First Extraordinary Session).

ADJOURNMENT

At 11.05 a.m., on motion of Mr. Dolwig, the Speaker declared the Assembly adjourned until 9 30 a.m., Tuesday, March 25, 1952

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 25, 1952

The Assembly met at 9.30 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lucke1, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

Request for Unanimous Consent That Names of Members Attending Meeting of Committee on Rules Be Placed Upon Morning Roll Call

Mr. Hollibaugh asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Committee on Rules, at this time, be placed upon the morning roll call

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God, we confess that we often forget Thee, and go astray after things that are vain and of no avail We trust in the power of our arms, they weaken We trust in our wealth, it disappears We rely upon might and power, they grow faint. Teach us O Lord to rely upon Thy purposes, and to seek comfort in Thy help when the disappointments of the world engulf us May we always find strength in the words of Thy prophet: Not by might nor by power, but by My spirit, saith the Lord of Hosts.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Crowley, on motion of Mr. McCollister.

Mr. Brady, on motion of Mr. McCollister.

Mr. Brown, on motion of Mr. Fleury.

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California convened on March 3, 1952, in extraordinary session pursuant to my Proclamation dated March 2, 1952, and is now in session, and

WHEREAS, On account of extraordinary occasions which have arisen and now exist, it is deemed desirable and necessary to submit additional subjects to the Legislature for consideration; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated March 2, 1952, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subjects specified in the original Proclamation, to wit:

15. To consider and act upon legislation to amend Section 34 of the State Water Resources Act of 1945, relating to the description of the project for the control of water in Littlejohn Creek.

16. To consider and act upon legislation authorizing the exchange or sale of portions of the bed of Corte Madera Creek and adjoining land by the State Lands Commission and acquisition of other lands in Marin County for the purpose of straightening the channel of said creek for flood control and navigational purposes.

17. To consider and act upon legislation authorizing districts formed under the Municipal Water District Act of 1911 to contain land in more than one county.

18. To consider and act upon legislation creating a Vallejo Sanitation and Flood Control District.

19. To consider and act upon legislation creating a Sacramento County Water Agency.

20. To consider and act upon legislation relating to the Santa Clara County Flood Control and Water Conservation District.

21. To consider and act upon legislation relating to compensation for public service in counties of the twenty-second class.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of March, 1952.

(SEAL) EARL WARREN, Governor of California

ATTEST:

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

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Stewart, the Journals for Monday, March 17, 1952; Tuesday, March 18, 1952; Wednesday, March 19, 1952; Thursday, March 20, 1952; and Friday, March 21, 1952, were approved as corrected by the Minute Clerk.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 16

Relative to studying the feasibility of an institution to segregate juvenile narcotics addicts from other offenders subject to the jurisdiction of the Youth Authority

WHEREAS, A newspaper report of March 9, 1952, brings to light a new problem regarding juvenile narcotics addicts by carrying the shocking story of a raid by police

officials, by means of which they found 92 children, many of whom were carrying narcotics, in a house jammed full to the bursting point; and

WHEREAS, It has been reported by law enforcement officials that in the past six months juveniles, between the ages of 13 to 16, are being arrested in increasing numbers in contrast to prior periods when the great majority of offenders fell into the age group from 19 to 23; and

WHEREAS, It has also been reported by the same law enforcement officials that the above-mentioned juveniles, from 13 to 16 years of age, are in many cases, users of heroin, which drug is noted as being the drug that addicts more easily than any other; and

WHEREAS, It is recognized, by both law enforcement agencies and citizens' groups alike, that such addicts as herein mentioned require special medical and rehabilitative treatment and that segregation of such addicts is advisable for the protection of other juvenile offenders; and

WHEREAS, While it is true that the committee has investigated juvenile narcotics addicts, the phase of the problem herein mentioned is of very recent origin and has as yet not been dealt with; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary is requested and urged to ascertain, study and analyze all facts relating to the subject matter of the recitals of this resolution, particularly the feasibility of an institution to segregate these juvenile narcotics addicts from other offenders subject to the jurisdiction of the Youth Authority, including therein the cost of such a project and the number of inmates to be anticipated

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

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1952

MR. SPEAKER: Your Committee on Ways and Means, to which was referred,

Senate Bill No. 8

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1952

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

Assembly Bill No. 30

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

DICKEY, Chairman

Above reported bill ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1952

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

Assembly Bill No. 7

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

Above bill ordered enrolled.

RECESS

At 9:44 a.m., on motion of Mr. Lyon, the Assembly recessed until 9:51 a.m.

REASSEMBLED

At 9:51 a.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Mr. Belotti:

House Resolution No. 17

Relative to locating a National Guard Armory at Eureka

WHEREAS, The City of Eureka is the westernmost city in the United States and is the urban center for a large area of the northwestern portion of this State, and

WHEREAS, There is no National Guard Armory in either Eureka or in that area, although a number of National Guard units have been organized therein; and

WHEREAS, The nearest armory is located about 225 miles south of Eureka; and

WHEREAS, Three sites have been submitted to the Adjutant General for his approval, each of which is available at no cost to the State, together with sufficient area of land to allow National Guard units to use their equipment for practical drills; and

WHEREAS, Units of the National Guard now organized in Eureka and the vicinity are handicapped in their training by a lack of proper facilities, now, therefore, be it

Resolved by the Assembly of the State of California, That the Adjutant General of the State of California is hereby requested to give high priority to the location of a National Guard Armory at Eureka and to take steps to acquire a site therefor as soon as possible; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Adjutant General.

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1952

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

Senate Bill No. 20

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 20—An act to add Section 5035 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 7—An act to amend Sections 6340, 6341, and 6344 of the Harbors and Navigation Code, relating to the powers of port districts.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1952

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

Senate Bill No. 9
Senate Bill No. 11

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 9—An act to amend Sections 14307, 14308, and 14773, and to repeal Section 14309 of the Revenue and Taxation Code,

relating to inheritance taxes, including but not limited to provisions for the release thereof in cases where title to property is affected by the death of any person, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 11—An act to amend Sections 9, 16, 160, 253, 320, 321, 455, 559, 566, 640 and 641 of the Military and Veterans Code and to add Section 643.2 to the Military and Veterans Code, relating to the Uniform Code of Military Justice, the administration of oaths, command of the California National Guard, appointment of noncommissioned officers, determination of longevity and state service, the California National Guard Reserve and enlistment and service therein, restoration to employment after military service, Good Conduct Medal and Medal of Valor, declaring the urgency thereof, to take effect immediately.

Referred to Commitee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Conrad asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel relative to amending the United State Constitution (No. 1391) be ordered printed in the Journal, in 10 point type, as follows:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 20, 1952

Honorable Charles J. Conrad
Assembly Chamber

Amending the United States Constitution—No. 1391

DEAR MR. CONRAD: You have asked us certain questions relating to amending the United States Constitution which we will consider separately.

Question No. 1

If two-thirds of the State Legislatures request by resolution that Congress call a convention for the purpose of amending the Constitution, can the convention act upon any other section than the section specified in the resolution of the State Legislatures?

Opinion and Analysis

At the outset it should be noted that no categorical answer can be given to this question. No such convention has ever been called and the Constitution is silent as to the powers such a convention would have if one were called.

However, we believe that a fairly good case can be made in favor of the proposition that such a convention would *not* be limited to the specific section specified in the resolution of the State Legislatures, when the history of Article V of the present Constitution in the Constitutional Convention is considered. In this connection we have used as our source material Prescotts *"Drafting the Federal Constitution"* (1941) which contains a rearrangement by subject matter of the *Notes of Mr. Madison* (a member of the convention and later President of the United States.)

The provisions as to the convention to propose amendments came into the draft by amendments made on September 15, 1787. At that time the proposed Article V read:

"Article V. The Congress, whenever two-thirds of both houses shall deem necessary, or on the application of two-thirds of the legislatures of the several states, shall propose amendments to this Constitution, which shall be valid to all intents and purposes as part thereof, when the same shall have been ratified by three-fourths at least of the legislatures of the several states, or by the conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: provided that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of Article I."

Mr. Madison's notes disclose the following entries on that day:

"G. Morris and Gerry moved to amend the article so as to require a convention on application of two-thirds of the states.

"Madison. Did not see why Congress should not be as much bound to propose amendments applied for by two-thirds of the states as to call a convention or the like application. He saw no objection, however, against providing for a convention for the purpose of amendments, except only that difficulties might arise as to the form the quorum, etc., which in constitutional regulations ought to be as much as possible avoided.

"The motion of G. Morris and Gerry agreed to *nem con.*" (Prescott pp. 689-690).

A further proviso was added "that no state, without its consent, shall be deprived of its equal suffrage in the Senate."

On September 17th the completed provision was finally adopted. We have inserted strikeout and italics to indicate the changes made from the version at the start of September 15th.

"The Congress, whenever two-thirds of both houses shall deem *it* necessary, ~~or~~ ~~on~~ ~~the~~ ~~application~~ ~~of~~ ~~two-thirds~~ ~~of the~~ ~~legislatures~~ ~~of the several states~~, shall propose amendments to this Constitution ~~:~~ *; or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments,* which, *in either case,* shall be valid to all intents and purposes, as part ~~thereof~~ *of this Constitution*, when ratified by ~~three-fourths~~ ~~at least~~ ~~of~~ the legislatures *of three-fourths* of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress ~~:~~ *;* provided that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of ~~Article I~~ *the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.*"

It was this version which went into the Constitution as Article V and has remained unchanged.

It will be noted that under the September 15th version the Congress was to propose amendments on the application of two-thirds of the Legislatures of the several states. It seems clear that under that version it was

contemplated that the amendments proposed would be specific. It was clear that the amendments to be proposed by the Congress itself were intended to be specific and those to be proposed on application of the Legislatures were alternative to those to be proposed by the Congress. Therefore, we think that under the September 15th version it was contemplated that all amendments were to be specific.

The September 17th version struck out the provision for the Congress proposing amendments upon application of the Legislatures and substituted the provision that on application of two-thirds of the State Legislatures the Congress "shall call a convention for proposing amendments" This threw an entirely different light on the section. If the amendments to be proposed by the convention should only be those specifically requested by the Legislatures nothing much would have been accomplished by the change in the language.

We think that it is implicit in the language "a convention for proposing amendments" that the choice of the amendments to be proposed is to be left to the convention If the convention is to propose only those amendments specifically requested by the Legislatures there would be no apparent purpose to be served in having a convention at all.

It may be noted at this juncture that while the Constitution provides for a convention for proposing amendments there is no provision for submitting the amendments except through the Congress. Assuming that we are correct in our view that the convention would not be limited as to the nature of the amendments it proposed, its proposals presumably would go to the Congress before submission to the people. If the Congress felt that the proposals were unwise there would be nothing to prevent it from simply failing to submit them to the people. The courts certainly would not act to compel the Congress to submit the proposals. This would be for two very good reasons, one, that the courts will not attempt to control the functioning of the Congress and, two, that the situation would involve a "political" rather than a judicial matter.

It is, of course, obvious that in any event the convention proposals would not become a part of the Constitution unless ratified by one of the modes provided for in the Constitution. Thus the ultimate fate of the proposals would depend upon the action of the Legislatures or the state conventions to which they were submitted by the Congress.

In view of these considerations our view that a convention to propose amendments is not limited as to the scope of its proposals is not necessarily startling Granting that the convention may propose any amendment it chooses, its proposals must first undergo the scrutiny of the Congress and then must be approved by the Legislatures or conventions in three-fourths of the States.

Question No. 2

If Congress calls a convention, how are the delegates to that convention to be selected?

Opinion and Analysis

The Constitution is silent as to the matter involved in this question. We think, however, that in the nature of things it would be incumbent upon the Congress in calling the convention to provide how it should function The question is probably more political than legal. It is difficult to

visualize a situation where the Congress would simply call a convention to propose constitutional amendments and let the convention decide its own membership, quorum, and procedure. Rather, we think that the Congress would not call such a convention unless it were clear how it was to operate, and, particularly, how the votes in the convention should be counted

Therefore, while the Constitution itself does not provide any details as to how the convention shall function we venture to predict that if such a convention is ever called the Congress will provide for its selection and functioning in considerable detail

Question No. 3

If the states ratify a proposed amendment to the Federal Constitution by convention, how are the delegates to the Convention selected ?

Opinion and Analysis

In the only instance in which the Congress submitted a proposed amendment to conventions in the several states the matter of the selections of delegates was left to the several states This amendment was the Twenty-first Amendment which repealed the Eighteenth Amendment, relating to prohibition.

The California Convention was provided for by Chapter 149 of the Statutes of 1933, and the delegates were elected at a special election in June 27, 1933 The election was called by Chapter 279 of the Statutes of 1933

We think that, instead of leaving the matter to the several states, the Congress could, itself, provide for the method by which the delegates should be selected. This seems to be a matter which the Congress could provide for as a part of its authority to provide for the submission of amendments for ratification by the convention method.

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By JOSEPH W PAULUCCI, Principal Deputy

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

Assembly Bill No. 18—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, 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—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Delwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson Hollibaugh, Kelly Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—67

NOES—None

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 19—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 19, 1952, strike out lines 11 and 12, and insert "parking districts, parking authorities, and housing authorities"

Amendment No. 2

On page 4 of said bill, strike out all of lines 16 to 19, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Joint Resolution No. 10—Relative to memorializing the Federal Government to take the necessary action to acquire the use of Pine Flat Dam for flood control during spring runoff.

Resolution read.

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 33—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code and to add Sections 30605, 30606, 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making an appropriation therefor

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 9, of the printed bill, as amended in the Assembly on March 21, 1952, strike out "13,411,875", and insert "11,000,000".

Amendment read.

Amendment Withdrawn

By unanimous consent, Mr. Condon withdrew his amendment to Assembly Bill No. 33.

The question being on the passage of Assembly Bill No. 33.

Speaker pro Tempore Presiding

At 10.04 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Consideration of Further Amendments
Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 14, of the printed bill, after the period, insert "The repayment provided for by this section shall not be made until and unless the construction of the Southern Crossing is actually commenced as provided for by Article 2 of this chapter."

Amendment No. 2

On page 3, line 21, of said bill, after the period, insert "Payment from the proceeds of the sale of such bonds shall be made only as provided in the first paragraph of this section and the authority may defer the sale of bonds authorized to be issued for such repayment until the construction of the Southern Crossing is actually commenced"

Amendment No. 3

On page 3, line 34, of said bill, strike out "has been paid thereto", and insert "has been collected to make such payment but repayment shall not be made until and unless construction of the Southern Crossing is actually commenced."

Amendments read.

Speaker Presiding

At 10.08 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Bill No. 33.

Amendments adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1952

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

Assembly Bill No. 7—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of March, 1952, at 11 a.m.

BURKE, Chairman

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins appointed Messrs. Condon and Maloney as a Select Committee to escort to the rostrum the Hon. George P. Miller, of Alameda, Member of the House of Representatives, Sixth District.

RECESS

At 10.14 a.m., on motion of Mr. Condon, the Assembly recessed until 10.16 a.m. to hear remarks from Congressman George P. Miller of Alameda.

REASSEMBLED

At 10 16 a.m , the Assembly reconvened.
Hon. Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1952

MR SPEAKER Your Committee on Military Affairs, to which was referred, Senate Bill No. 11

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

McCOLLISTER, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 30—An act relating to toll crossings of San Francisco Bay, including approaches thereto, and expenses of maintaining, operating and insuring such crossings, providing for studies of an additional crossing and making an appropriation therefor, and in connection therewith, to amend Section 30605 and repeal Sections 30606, 30607 and 30608 of the Streets and Highways Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2, line 36, of the printed bill, after "other revenues," insert "and the cost of complying with any order of any governmental agency or authority".

Amendment read, and adopted
Bill ordered reprinted, and engrossed.

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

Senate Bill No. 3—An act to provide for the continuous operation of aid to veterans under the Veterans Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose by adding Section 987.11 to the Military and Veterans Code and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT TYPOGRAPHICAL ERROR BE CORRECTED

Mr Lipscomb asked for, and was granted, unanimous consent that the Chief Clerk of the Assembly be authorized to correct a typographical error on page 4, line 36, of Assembly Bill No. 9 by changing the word "of" to "or."

ANNOUNCEMENTS

Mr. Dunn announced that he is holding at his desk a bill relative to a school bond issue, and that all members desiring to affix their signatures, as co-authors, should come to his desk, at this time.

Speaker Sam L. Collins announced that a show will be held at the Auditorium on next Saturday evening, March 29th, at 8 p.m., featuring Walter Pidgeon, Dave Beck, and C. J. Haggerty, and that all Members of the Assembly are cordially invited to attend.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 39: By Messrs Moss and Fleury—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in the said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or a water supply and the sale or other disposition of water; to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof; to provide for certain powers, rights and liabilities of member units located within or partially within said district;

to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district; to authorize the incurring of indebtedness, the voting and issuing and selling of bonds, the voting and levying and collection of special assessments; the levying and collection of taxes; to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds; to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities, irrigation districts, county water districts, water conservation districts, flood control disrtiets, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency

Referred to Committee on Agriculture.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 39

Mr. Fleury asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 39.

Assembly Constitutional Amendment No. 2: By Messrs. Dunn, Geddes, Doyle, Porter, Belotti, Burkhalter, Chapel, Coats, Conrad, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Henderson, Kirkwood, Lincoln, Lindsay, Luckel, McCollister, McFall, McMillan, Moss, Munnell, Mrs Niehouse, Messrs. Parker, and Rumford---A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Referred to Committee on Rules.

Assembly Bill No. 40: By Mr. Gubser—An act to add Section 35 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 22, 1951, and before the effective date of this act

Referred to Committee on Municipal and County Government.

Assembly Bill No. 41: By Mr. Gubser—An act to add Sections 39 and 40 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor

Referred to Committee on Municipal and County Government.

RECESS

At 10.25 a.m., on motion of Mr. Lyon, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 25, 1952

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

Senate Constitutional Amendment No. 2
Senate Concurrent Resolution No. 3

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 20 of Article IV, relating to public officers.

Referred to Committee on Rules

Senate Concurrent Resolution No. 3—Relative to "I am an American Day."

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Kilpatrick asked for, and was granted, unanimous consent that a letter of transmittal, and a Progress Report on the Juvenile Narcotic Problem by the special direction of the Assembly Interim Committee on Social Welfare and the Subcommittee on Crime and Correction be ordered printed in the Journal, in 10-point type, as follows:

LETTER OF TRANSMITTAL

SACRAMENTO, CALIFORNIA, March 25, 1952

Honorable Sam L. Collins
Speaker of the Assembly
Assembly Chamber, State Capitol
Sacramento, California

MR. SPEAKER: Pursuant to House Resolutions Nos. 157 and 247 of the 1951 Regular Session, the Assembly Subcommittee on Crime and Correction transmits to the Assembly its Progress Report on the Juvenile Narcotic Problem. By special direction of the Assembly Interim Committee on Social Welfare as of March 12, 1952, "summary of activities" P 2, E, the Subcommittee on Crime and Correction is directed to file its partial report separately to the Legislature.

Intensive on-the-spot investigations preceded a public hearing in San Diego. Testimony was received from officials, experts, and from interested members of the general public, and much of the most valuable testimony is summarized or reproduced herein. This committee will make certain recommendations and will introduce legislation at the next regular session to implement its findings.

The present subcommittee, while now under the Assembly Interim Committee on Social Welfare, actually is a continuation of the Assembly Interim Committee on Crime and Correction, which was originally created by the 1945 Regular Session under House Resolution No. 36, as the Interim Committee on Detention Homes and City Jails. Since 1945, the above committee has submitted 10 reports on various phases and subjects concerning studies on crime. These reports have had wide distribution not only in the United States, but in many other parts of the world.

Because of the knowledge, experience and background acquired during the past six years, this committee feels that a further study of the narcotic problem, especially as it applies to juveniles is desirable.

A final report will be forthcoming at a proper time.

Respectfully submitted.
VERNON KILPATRICK,
Chairman
KATHRYN T. NIEHOUSE
JOHN B. COOKE

PROGRESS REPORT ON JUVENILE NARCOTIC PROBLEM BY ASSEMBLY SUBCOMMITTEE ON CRIME AND CORRECTION OF THE INTERIM COMMITTEE ON SOCIAL WELFARE

INTRODUCTION

Narcotics

The accompanying report on the subject of narcotics is but a continuation of the work of the Assembly Interim Committee on Crime and Correction, as is shown by reports submitted during past sessions.

Due to a special directive of the Assembly to the Interim Judiciary Committee, it was deemed advisable to consult the chairman of that committee before proceeding. Information implying that an international conspiracy existed was revealed to the Chairman, which seemed to be of such a confidential nature that it might not successfully be passed on to others to investigate. This was discussed with the Chairman of Judiciary, whereupon a joint procedure was arranged.

At the direction of the subcommittee membership, your chairman was directed to release information on any international implications to the Federal Narcotics Bureau, and to call a public hearing in San Diego for August 16, 1951. This directive was carried out.

The report shows the seriousness of the problem, both from the standpoint of injury to the health of an addict and the difficulty of treatment, as well as apprehension of offenders.

That the public is aroused is shown by the ever increasing publicity given to the subject and the clamor for laws to curb this evil traffic.

It appears, however, as a result of our study, that what is needed most is an opportunity for more and better enforcement, which means a greater sum of monies to provide for adequate staffs. Until present laws are truly activated there is little need to enact others.

In this connection, it would seem to be advisable that an adequately staffed narcotics office be established in San Diego to meet the international aspects of the problem.

The Educational Code needs some revision, and schools should play a heavier part in the spreading of the knowledge of the problem.

LEAD TO INTERNATIONAL NARCOTICS TRAFFIC ANGLE

During the 1951 Session of the Legislature, the Assembly Interim Committee on Crime and Correction received a phone call from a gentleman residing in Alhambra, asking for an opportunity to meet the committee in order to make known certain information which he possessed regarding the narcotic traffic in his vicinity.

The Chairman of the Committee on Crime and Correction advised him that the committee would listen to what he had to say, and in a few days he and his attorney met with the subcommittee in Sacramento. When it was learned that this man was about to become involved in litigation pertaining to some of the matters he wished to discuss with the committee, he and his attorney were advised that no hearing would be considered until after this litigation was disposed with.

During the session, as opportunity offered, we did check with the State Franchise Tax Commissioner in Sacramento on some of the names the informant gave us, and found much of what he told us was borne out by the records.

Some weeks after the close of the 1951 Session, the informant who contacted the Assembly Interim Committee on Crime and Correction called on the Chairman of the new Subcommittee on Crime and Correction, saying that he had much new additional information on the subject which he had wanted to discuss with the old committee during the session. As the litigation which was pending at that time had been disposed of, we agreed to hear the story.

During several interviews, the informant divulged a story which was amazing. Names, dates, and places were given, including an apparently well devised international tie-up and a strong suspicion that subversive groups were implicated.

LOCAL AND FEDERAL AUTHORITIES NOTIFIED

An investigation was initiated. City, county, state and federal authorities were contacted in an effort to learn if any of them had ever come in contact, or believed that subversive elements were actively engaged in the narcotic traffic We learned that while none of them knew of a specific instance, all agreed that there was strong suspicion that subversive groups were interested in, and no doubt involved in, the spread of the use of narcotics, especially with teen-agers Two reasons advanced were: First, the enormous profits, which would be of great help in financing their cause; and second, the demoralizing effect on the coming generation.

It was pointed out that narcotics had been used, with success, in the past in China and Korea to bring about the deterioration of a large

segment of the population of these countries. We were told that at the present time Red China has over 500 tons of opium and its derivatives on hand and that the Federal Narcotic Bureau were so concerned over this situation that they have sent their agents to Korea to investigate the matter.

At a meeting of the Subcommittee on Crime and Correction, all of our report on this matter was made available.

FILE DELIVERED TO FEDERAL AUTHORITIES

After considerable discussion by the members, it was thought advisable, because of the international and possible subversive aspects, to turn the whole file over to federal authorities. In accordance with this decision, the chairman released a copy of our file on this matter to the Federal Bureau of Narcotics for their investigation.

In connection with this case, we wish to show our appreciation for the aid and legal advice given us by Assemblyman Wm. A. Munnell who also attended our hearing in San Diego as a representative of the Assembly Judiciary Committee.

It has been decided to attach to this report such material and information as will enable the Legislature to more quickly understand the problems involved in the use of narcotics as well as the traffic in it. This material is drawn from many sources, including local authorities who constantly come into contact with the problem.

CALIFORNIA NARCOTICS CHIEF INTERVIEWED

No study of the narcotic problem in California would be complete without a full discussion of this subject with Walter E Creighton, Chief of the Division of Narcotic Enforcement, Department of Justice, State of California.

It would appear that Walter E. Creighton not only has a wide knowledge of the narcotic problem, but he is very cooperative in sharing his knowledge with all enforcement bodies, as well as with the public at large, having spoken before parent-teacher groups and service clubs as well as to children of all ages.

EDUCATION IMPORTANT PHASE OF CONTROL

Mr. Creighton explains that narcotic control has two distinct phases: One, the educational, by which the public, and especially the teen-age groups, are made aware of the evils of narcotics. The second phase consists of the apprehension and prosecution of those who violate the law.

The educational phase, as is true of similar activities, is a slow process, and its success depends on many factors difficult to control and requiring infinite patience and ingenuity. California law requires that the evils of narcotics be taught in the schools, yet despite this, the use of narcotics is increasing among children of school age. Why this is so is not clear, because educators are quick to point out that the youth of today is for the most part level headed and fairly sound in his approach to the facts of life.

Nevertheless, the use of narcotics among children of school age is increasing, and it may be that the tempo of the times might account for

the desire for thrills. Those who have had experience in this field point out that narcotics and speed seem to go together, and that the use of the motorcycle and the hot-rod is of frequent occurrence by addicts. Jive music is much preferred by drug users.

MENTALLY DISTURBED CHILDREN LIKELY VICTIMS

It is the belief of many who come in contact with narcotics addicts that a quick breakdown reveals the fact that nearly all children who become addicts are more or less mentally disturbed, have a feeling of insecurity, or are otherwise prone to some form of mental disturbance. It is believed to be rare for a normal well-adjusted youngster to become involved in the use of narcotics.

ADDICTS SHORT LIVED

Statistics indicate that about 22 percent of all narcotic addicts are under 21 years old, and that few live to be more than 40 years of age, which sheds light on the fearful toll of life due to the use of narcotics. However, death itself may be a relief for many of these unfortunates because, from accounts given by medical men, especially those in charge of the large jails, the suffering which these people undergo when they are withdrawn from the drug is indescribable.

A great deal has been said about providing hospital facilities for the treatment and cure of narcotic users. Most authorities say that there is no cure for such opium derivatives as heroin. A few of the most optimistic believe that from 1 to 2 percent will be cured.

TWENTY-FIVE PERCENT BENEFIT FROM TREATMENT

Mr. Creighton cites statistics showing that 20 percent to 25 percent of the addicts released from institutions carry through the probationary period of one year and nine months successfully. Seventy-five to eighty percent have violated their probation in some way, usually by returning to the drug.

He further points out that it is a recognized fact that were it possible to place subjects leaving such institutions in the proper environment following treatment for drug addiction, the percentage of cures would be much higher; however, due to the fact that the average individual who has been addicted to the use of narcotics is the sort of person who does not fit into the average setting, most of the unfortunates return to the company of those who have been responsible for their downfall. In such an environment it is natural enough that they will return to the use of narcotics, and their problems start over again.

When it is possible to place these people in positions where they have some measure of responsibility or in homes where they may be recognized as being on the social level of their surroundings, our efforts have not been in vain.

ADDICTS ARE OUTCASTS

The situation relative to drug users paroled from state hospitals after treatment is much the same as the unfortunate individuals paroled from the state penitentiary. They are social outcasts. The average layman believes them to be unreliable and, therefore, it is difficult to place them in positions that might save them from future pitfalls.

UNITED STATES HEALTH SERVICE TREATMENT

The largest hospital in the United States devoted solely to treatment of narcotic addicts is operated by the United States Health Service at Lexington, Kentucky.

Every year about 3,000 men and women receive treatment for addiction at this institution. Over 500 medical and other hospital personnel furnish total care and treatment to the patients in residence.

The patients are men and women who have become addicted to narcotic drugs as defined by federal law, as follows:

> "An addict is a person who uses habit forming narcotic drugs to the point that he has become dependent upon them. This dependency may jeopardize the general health and welfare; the individual has lost his self control as far as the drug is concerned."

Persons addicted to the use of sleeping pills and alcohol are not eligible for treatment at the hospital unless they are also habitual users of the specific drugs cited in the law.

In general, four types of patients are admitted for treatment·

Prisoner patients, referred to the hospital by the Bureau of Prisons This group comprises men and women who have been convicted for violating a federal law.

Probation patients, or those having received suspended sentences from United States courts for violation of the federal laws. They are patients put on probation providing they come to the hospital voluntarily, agreeing to remain until medically ready for discharge

FEDERAL HOSPITAL ACCEPTS VOLUNTARY PATIENTS

Voluntary patients, entering the hospital because they wish to. They cannot be detained if they wish to leave against medical advice. Applicants in this category are accepted only if the nature of their addiction comes within the scope of the federal laws.

Voluntary "bluegrass" patients having been under treatment at the hospital prior to their present admission, all of whom finally left against medical advice. Many of these patients have been recommitted numerous times. In order to be readmitted they must voluntarily appear either before a state court or a local police court in Kentucky and be recommitted on a probationary sentence to the hospital. This type of commitment was inaugurated for the benefit of voluntary patients who had been unable to withstand the urge to return to their addiction.

The average length of stay at the Lexington hospital is six months. The treatment consists of gradual withdrawal from the drugs, a nutritious diet, wholesome surroundings, and plenty of sunshine.

Probationary and voluntary "bluegrass" patients pay $5 a day if they are financially able; however, none is refused admission because of inability to pay.

FEDERAL EXPERIENCE DATA

A study of the figures at Lexington do not tell a pleasant story. In 1948, 52 youths were found there—only 43 more than in 1935. But in 1949, the number jumped to 210, and in 1950 to 440—about an 800 percent increase in two years. During that time, the average age of patients dropped 10 years, from 36 to 26. Today, 18 percent of the patients are under 21, compared to 3 percent in 1946.

The estimated 1951 total is about 388, which might indicate a downward trend, or, as the director, Dr. Vogel, believes, might reflect the fact that state institutions now are accepting dope addicts; a practice started only this year.

FEDERAL HOSPITAL HAS NO FACILITIES FOR TEEN-AGERS

Many social workers are opposed to using Lexington for teen-agers. They point out that the hospital has no special facilities for young addicts and cite instances of teen-age addicts who have gone through the cure only to return home and get back on the habit in a few weeks or months, having been "wised up" by old, hardened addicts.

A RAY OF HOPE

There is, at Lexington and other places, one little-known but bright hope. Some years ago a group of addicts formed "Narcotics Anonymous" (similar to Alcoholics Anonymous in treatment methods) and have been helping to straighten out those who suffered as they did.

CALIFORNIA MENTAL HYGIENE DEPARTMENT STUDIES PROBLEM

From a statement prepared for the Governor's Council, by the California Department of Mental Hygiene, the increased concern to the department becomes apparent, as the following quotation indicates:

> "Recent concern over the apparent increase in the use of narcotic drugs has led to a survey of department records with the discovery that commitments for narcotic addiction have almost tripled in the past five years. During 1946-1947, 86 persons were committed to state hospitals and during 1950-1951 the figure was 227. Commitments of all types only increased about one-fifth as much during the same period.
>
> "Average length of stay for this type of patient is eight months, and about 95 percent are discharged as improved with equal numbers of the remainder discharged as neither cured or improved. Since by far the greater majority of narcotic users come under the jurisdiction of federal authorities, these figures are by no possible means a reliable indication as to whether more and more people in California are becoming narcotic addicts, come to the attention of the authorities charged with some kind of crime, and the law provides that if evidence is submitted showing that if a person is of bad repute or character apart from his habit and that there is reasonable ground for believing that the person if committed will not benefit from treatment, the judge shall not commit the person to a state hospital."

The value of the statistics quoted above is in the indication that there might be more and more acceptance of the belief that narcotic addiction is basically a medical problem and requires medical treatment. The laws as now constituted provide the opportunity for anyone who wants to be helped to have himself committed to a state hospital without stigma, in much the way that is now available to alcoholics.

Once the narcotic user becomes a responsibility of the department, there is no discrimination between his sickness and the sickness suffered by the thousands of California citizens now in the state hospitals Perhaps

considering the narcotic user as a medical problem is the first step toward the solution of the problem.

PUBLIC POORLY INFORMED

The public at large is not well informed regarding narcotics, usually lumping together opium and its derivatives, cocaine, marijuana, sleeping pills, etc. The effects of these substances on the physical and mental state of the user varies widely.

A great majority of the people would not recognize any of the narcotic substances if they saw them There have been cases where marijuana had been grown by juveniles in home gardens and even in flower pots unsuspected by parents. Veteran narcotic officers have also pointed out that few parents or teachers recognize the symptoms or effects of narcotics on children, and believe it is of the utmost importance that these be explained, which would result, they believe, in many of the youngsters just beginning to experiment with the drugs being detected before real damage was done.

EFFECTS OF NARCOTICS DESCRIBED

For the benefit of the Members of the Legislature, many of whom are parents, this committee believes that a brief description of these drugs and their effects on the physical and mental states of human beings will be of interest; for that reason we will give a brief description of the narcotics most widely used, as revealed by the State Narcotics Bureau.

Heroin, an opium derivative, is the most widely used narcotic in use today It is manufactured by treating morphine with acetyl In general, heroin acts much like morphine except that it is a depressant to the spinal cord It is, however, twice as powerful in its depressant action upon the respiratory center. For this reason, it is inferior to morphine as an analgesic, but it is often of much value in cases where there is an idiosynerasy to morphine. Its most important use in medicine is as a sedative to the respiratory center. The dose of heroin is on the average 1/12 grain as compared with ¼ grain of morphine; thus a dose of heroin has three times the strength of morphine.

Due to the fact that the tolerance of this drug builds up very rapidly, the dangers of addiction to it are definitely more pronounced than any other of the opiates. On this account, the United States Government several years ago saw fit to prohibit the further importation of opium for the purpose of manufacturing heroin. There is, at this time, a limited amount of heroin in this Country for legitimate medical purposes

The traffic in illicit heroin has been quite extensive throughout the world. In the United States it has been the prevailing drug on the West Coast In recent years, and particularly since Pearl Harbor, Mexican heroin seems to have gained a foothold in California and other western states, many seizures having been made in California in recent months.

Some of these seizures were of the pure drug, while others were highly adulterated. It is not uncommon to find adulteration of a more or less degree in opium, morphine, and heroin.

Heroin is used by the addict much the same as is morphine, usually by use of the hypodermic outfit, injecting the solution of the drug into the veins. After a cure, most individuals addicted to the use of opiates will

sooner or later return to the use of the drug. This is very definite and more outstanding in the case of heroin than any of the other drugs.

COCAINE

Cocaine is an alkaloid obtained from the leaves of the coca plant. Cocaine, like the other drugs included in the Narcotic Act, has had its place in the medical and scientific world. For centuries, South American Indians in the localities where the coca leaf has been cultivated have used the drug by chewing the leaves. The excitant and apparently stimulating effects produced by the action of the alkaloid upon the human system enables these natives to carry on in great feats of manual labor and endurance

The cocaine habit is one of the most seductive and injurious of all drug habits The characteristic symptoms produced by over-indulgence in this drug are Change in the moral and mental qualities, especially characterized by alternate periods of exaltation and depression, loss of appetite and weight, pallor, insomnia, and general health failure. Hallucinations, such as the sensation of some foreign body under the skin, or insects crawling over the person, results from over-indulgence in the drug

Inhibitions are released, the individual is at a loss to measure time and distance Definite intoxication prevails. Under the influence of the drug, the individual may be very dangerous, with maniacal tendencies.

Cocaine, illicitly used, is for the most part brought into contact with the mucous membrane such as sniffing it up into the nostrils or placing it inside the lower lip where it might be picked up by the salivary glands. The drug is used to a great extent by criminals who feel that they are in need of something to bolster them before they commit major crimes. Cocaine has been replaced to some extent by the drug marijuana, the reaction of which is similar, when over-indulged in, to that of cocaine. Many morphine addicts will go on what is known as a "cocaine jag", a diversion to a certain extent, or a breakaway.

Although cocaine is a habit-forming drug, the habit is in no way comparable to that produced by over-indulgence in any other opiate, and may be broken without any great physical discomfort.

MARIJUANA

Marijuana, as it is known in the Western Hemisphere, is generally known throughout the world as hemp; in the Asiatic countries another species is known as hashish. This plant is of considerable commercial value The stalks and stems are used in the manufacture of rope and hemp cloth The seed is extensively used as bird food, and the oil has outstanding qualities when used in paint.

The Oriental variety of this drug, which is generally eaten, claimed its victims for more than 1,000 years. The leaves and flowering tops of the female are covered with a gum or resin which contains the active constituent cannabin, the glucoside of the drug. The male plant, however, has greater commercial value because of the strong woody fibers.

In the United States, when the female plant is mature, the leaves and flowering tops are cured by drying. All of the stalks and stems are removed and the leaves and flowers crushed by rubbing between the palms of the hands. The resulting substance is usually packed in ordinary tobacco cans. The cans hold about 1¼ ounces of the drug and bring a price

of $30 a can To use the drug, it is rolled into cigarettes. Usually brown wheat straw paper is used; the cigarettes are rolled in double paper, each paper being carefully pasted on the lapping edge tucked tightly in. The double paper is to protect the cigarette against the possibility of breaking up, as they are at times handled by many persons before they reach the consumer. These cigarettes sell individually at prices ranging up to $1.25 each. The average cigarette holds about four grains of the drug.

Smoking of these cigarettes produces an intoxication; even one cigarette might bring about the desired result.

The effect on the person is first manifested by peculiar delirium which is accompanied by exaltation of the imaginative function, often accompanied by hallucinations, followed by a loss of the sense of time. Under the influence of the drug the person is definitely intoxicated, comparable to some extent to the intoxication produced by over-indulgence in alcohol or any other intoxication.

The reactions of the drug are definitely unpredictable regardless of whether it is legitimately or illicitly used. For instance, an individual may be brought under the influence of the drug by smoking one marijuana cigarette on one occasion, whereas on another occasion several cigarettes may be required to produce the same effect Although the reaction in the initial stages may be stimulating to a great degree, the proof being in the final reaction, a definite drowsiness followed by the person passing into a comatose state, the fact that this drug releases inhibitions, the person under its influence may and often does resort to crime and lawless acts in general. Immoral tendencies of the subject while so intoxicated are also due to the release of inhibitions.

Marijuana is used to a great extent in combination with alcohol, which produces an uncontrollable intoxication. The subject is very dangerous to handle, knows no fear and may cause great difficulty in being placed under restraint Repeated indulgence in the use of marijuana is quite likely to result in mental deterioration

MARIJUANA AND THE ANCIENTS

Historical records indicate that marijuana was used by the ancient Greeks. We are sure that it was used in Persia and Arabia as early as 1,000 A D They called it hashish Marco Polo, who wrote of his travels about 1,300 A D., tells of a band of fierce outlaws in Persia whose leader, the "Old Man of the Mountain," rewarded them for their crimes by giving them hashish. These bandits were called hashashins which means hash eaters. Our word assassin comes from this name for these Persian bandits. When Napoleon Bonaparte conquered Egypt in 1798, he found that many natives were using the drug and were being much harmed by it He therefore issued an edict forbidding its use.

NARCOTIC SUBSTANCE UNKNOWN TO PARENTS, TEACHERS, ETC.

Much of the preceeding portion of this report has been devoted to the description and historical facts concerning narcotics; a design which is believed to be useful, because so few people know anything about these drugs It is perfectly true that there is a great deal of discussion taking place regarding narcotics; for the most part, however, people with whom we talk, parents, teachers, even police officers, have never seen a narcotic substance and, except in cases where tragedy has struck a child under

their immediate care, have never seen the effects that narcotics produce, until it is too late.

Under our democratic form of government it seems to be very difficult to induce people to become familiar with many of the things which are destructive to their lives, liberties, and happiness. Under a dictatorial form of government it is conceivable that parents would be required under very strict penalties to know what their children are doing, and to recognize the early symptoms of the effect of any drug, the effects of which are so destructive to the user as well as so costly to society

ENFORCEMENT OF PRESENT LAWS GREATEST PROBLEM

This committee believes that, generally speaking, the present narcotic laws are sufficient. The real deficiency is in enforcement personnel. A means must be found and used to educate parents, teachers, and law enforcement officers regarding the use and effects of narcotics. In answer to those who clamor for more stringent laws, we would cite the known fact that juries are more hesitant on conviction in proportion to the degree of punishment prescribed. What is needed most is more certain punishment.

The committee further believes that the present laws are not adequately used, due to the fact that not nearly enough funds for enforcement agencies are available to carry them out. For this reason, we feel that funds should be made available to the Narcotics Bureau for adequate staffing and to educate parents, teachers, and law enforcement agencies regarding the use of narcotics by juveniles.

STATE HAS ABLE NARCOTIC BUREAU STAFF

The State of California has been credited as having one of the best narcotic enforcement agencies in the United States, under the direction of the Attorney General. This department is, however, so pitiably understaffed that it only scratches the surface Many of the people in this department work from 60 to 70 hours a week and frequently cover great distances Pay for overtime is not allowed. Laws, no matter how thoroughly drawn, are of little value if there are no personnel to activate them. Our first duty seems to be that of adequate finances.

The California State Narcotic Division is the only agency in the State in a position of and capable of doing a state-wide job of enforcement and education The people who make up this division have an exceptionally high educational level and have made a career of the narcotics problem.

LOS ANGELES POLICE HAVE HIGH NARCOTIC ENFORCEMENT RATING

Federal Narcotics Commissioner Harry Anslinger is the authority for the statement that the Los Angeles Police Department has the most efficient narcotic enforcement section of any American Police Department

In an interview with Captain Francis J. Kearney, Captain of Detectives, Narcotic Division, Los Angeles Police Department, he told us the following interesting facts concerning the detection and suppression of the narcotic traffic.

Captain Kearney first made it clear that the illicit use of narcotics is growing very rapidly, and states frankly that the work of his department

is repetitious in that his men pick up the addict over and over again. He points out that the use of narcotics is a misdemeanor and that the maximum sentence is 180 days in the city jail.

The Los Angeles Police Department goes to considerable ends to instruct all members of the department in the identification of various drugs as well as the effects and habits of users. Constant on-duty information is given all members of the department on the use and traffic of narcotics.

The Los Angeles Police Department has about 30 people in its narcotic division, who devote their time exclusively to narcotic problems, and who are at all times working in conjunction with the federal and state authorities.

Captain Kearney is in agreement with federal and state authorities that a heroin addict must have on an average of $25 per day to satisfy this craving for the drug. As it is obviously impossible for any but a select few to legitimately earn this amount, they naturally turn to crime, the most common activities being stealing, prostitution, and pushing narcotics.

It is estimated that the average user of narcotics will steal on an average of $100 worth of merchandise in order to get the $25 to satisfy his craving for the day. If $100 is multiplied by seven days by a thousand users, the staggering amount that the public pays for the illicit use of narcotics is apparent.

Captain Kearney points out that his department cannot stop the narcotic traffic, that at best they can only arrest addicts and small-fry sellers. No opium is produced in the United States; to produce the amount of opium and the derivatives which the drug traffic uses would require several hundred thousand acres of poppies. Because of this, it is necessary to import all the opium derivatives which are used in drug traffic.

OPIUM IMPORTATION

The importation of these drugs requires organization of a very high order, and their direction is in the hands of people who have positive genius for remaining in the background, and in most cases unknown and unsuspected of being in the dope racket.

When the fantastic profit spreads are revealed, it is not too difficult to understand how the prime importer can easily remove himself five or six times from the ultimate buyer. Another factor which adds to the difficulty of arresting the top heads in the narcotic traffic is the fact that the top people rarely use narcotics.

Captain Kearney feels, as do the other enforcement people, that the top distributors of narcotics comprise international gangs who derive profits from this vicious enterprise, dwarfing the income from bookmaking or any other illegal form of gambling. To illustrate this profit he cites the case of Dave Davidian, who was arrested with one kilo of heroin. Davidian admitted that he intended making up this material in capsules 400 to the ounce. Davidian confessed to the purchase of the drug from Joe Sico, for $7,200. Four hundred capsules at $5 each equal $2,000. A kilo equals 33 ounces, so if $2,000 is multiplied by 33 ounces, Davidian expected to receive $66,000 for his $7,200 investment.

FACTS MUST BE BROUGHT TO THE PEOPLE

Captain Kearney believes that a legislative committee can do a great public service if it brings the facts of narcotic traffic before the people, and said he felt sure that Chief Parker would be glad to cooperate to make a public hearing a success.

NEWSPAPERS AND MAGAZINES PLAY A BIG PART

In an effort to discover what the people are thinking about regarding juvenile narcotic use, an examination of newspaper and magazine clippings on this subject was made covering the period of May and June, 1951.

These clippings were from the *Daily News, Times, Mirror, Herald-Express, Examiner, Citizen News, Daily Journal,* and the colored papers, *The Star Review, Sentinel, Spotlight News, California Eagle,* all of Los Angeles, California.

The total coverage of these papers during this period amounts to 1,743 column inches A further breakdown of this data shows that of the total 1,245 were of local news or feature stories, while 497 had date lines outside the City of Los Angeles.

As further indication of the nation-wide interest in narcotics, 1,230 column inches from 15 of the Nation's top magazines were studied.

The foregoing information was of special interest because of conversations with people in the Youth Authority as well as the Los Angeles County Probation Department, the impression being given that narcotics had not been thought to be a very serious problem in Los Angeles County

The Youth Authortiy advised that they are only recently beginning to set up statistics covering the use of narcotics by minors, and have just completed a report form for this project.

The Los Angeles Probation Department likewise advises that they do not have very much information on this subject.

The attitude of the Youth Authority and the Los Angeles County Probation Department as to the magnitude of the problem are at sharp variance with the Los Angeles Police Department, California Narcotic Bureau, and the Federal Narcotic Bureau.

NARCOTIC USERS ARE POTENTIAL THIEVES

Mr. George T. Davis, Chief of the Narcotic Division, United States Treasury Department, advises that he has been a federal narcotic agent for 15 years. Mr. Davis believes that every narcotic user is a potential thief.

Mr. Davis, in support of this assertion, which incidentally is concurred in by other narcotic enforcement officers, states that an addict requires an absolute minimum of $25 a day to support his cravings for drugs Obviously it is impossible for addicts to earn that much money legitimately, and, as their cravings are so great, they are forced to steal or become runners It is very common for a new runner, in order to build up a clientele, to give two or three shots to a prospective customer, illustrating the viciousness of the use of narcotics. Some fantastic stories are told of things that these people will do in order to get money to satisfy their cravings.

KOREAN WAR AIDS NARCOTIC TRAFFIC

Mr. Davis, because of his position with the federal bureau, is perhaps better acquainted with the international aspects of narcotics than other enforcement agencies. He believes that the world traffic in narcotics is growing rapidly. He points out that the present Korean War is having its influence on the narcotic situation today.

Mr. Davis said his department was so concerned with the Korean situation that they sent one of their agents to Korea to study and survey the use of narcotics there. He had been advised that perhaps one-half of the people in Korea used narcotics. There was a tremendous amount of it available. Red China, for instance, was reputed to have over 500 tons on hand.

When Mr. Davis was asked if he thought there was any possible connection between Communists and the present use of narcotics, he said that it could be possible, and further remarked that it would simplify the Communist's purpose if the use of narcotics by the youth of this Country were to become widespread

Mr. Davis further stated that he had heard a great many remarks tending to connect Communists with the narcotic traffic, but had no definite information on it, other than a departmental report that the Russians are active in Baja California

It is interesting to note that there are only three federal narcotic agents in Southern California.

THE SCHOOL AND THE NARCOTIC PROBLEM

The State Education Code in three sections refers to instruction concerning narcotics. Section 8553 is of immediate importance.

Section 8553 states this:

> "Instruction shall be given in all grades of school and in all classes during the entire school course, in manners and morals, and upon the nature of alcohol and narcotics and their effects upon the human system, as determined by science."

In discussing the narcotic problem with school administrators and teachers, we have found they consider the provision of the State Code as a very "general outline" The language of Section 8553 literally construed indicates that it was the intent of the Legislature that the subject of narcotics be taught in all classes from kindergarten through the twelfth grade.

From a practical point of view, this may not be desirable or even possible, because educators believe that a child under 14 years of age is not mature enough to comprehend the dangers of narcotics.

In an effort to learn at what age children actually begin to have knowledge of, or to experiment with narcotics, we conferred at length with the Social Welfare Section of the Los Angeles City Board of Education and with the Directors of Juvenile Hall, an agency of the Los Angeles Police Department, which is directly responsible for juveniles who come to the attention of the police. Both of these agencies were very cooperative with this committee, and as their fields of operation are wide and varied, their statistics and knowledge of the juvenile problem is of great value.

As a result of our contacts with the above agencies, we were surprised to learn that over the years less than one-half of 1 percent of the juveniles who come to their attention because of narcotic violations were under

14 years of age, which is in agreement with the federal reports as well as that of the Los Angeles District Attorney's Office.

There isn't any doubt but that teaching youngsters about narcotics is a most difficult problem, and one on which there is a wide difference of opinion. Curiosity is a natural attribute of children, and there is a school of thought of the belief that immature minds should not be given instruction in a subject with so many alluring attractions.

Educators seem to feel that the subject of narcotics is most effectively taught in connection with the "Study of Life" in the eighth grade, and as a part of "Life Science" in the tenth grade. The children in the eighth and tenth grades are not only more mature, but, in these classes, the specific studies are admirably adapted to intelligent discussions of the effects of narcotics, and, for that reason, the greatest value will be derived.

It is, perhaps, true that throughout the State there is little uniformity in carrying out the provisions of Section 8553 of the Education Code. Again, in many sections of the State, there is no narcotic problem, and, therefore, less need for a wide dissemination of knowledge concerning narcotics. The illicit use of narcotics seems to be a problem of large cities

This committee believes that all laws of the State should be obeyed, and that if for any reason they are inadequate or impractical, they should be amended or repealed From a study of Section 8253, as well as of the manner in which this section is observed, your committee feels that a special study of the subject should be made by the Assembly Interim Committee on Education, and report on this section be made by this committee at the next regular session of the Legislature.

DATA ON LOCAL, STATE, FEDERAL LEVELS AT VARIANCE

For the purpose of showing the extent of the narcotic problem on a county level, an evaluation of narcotics prosecutions by the District Attorney's Office of Los Angeles County for the year 1950 is given below:

Total Narcotic Cases Prosecuted	1,029
Marijuana Cases	615
Opiates, Cocaine, etc.	414

Marijuana Cases

Number of cases	615

	Male	*Female*
	580	35
Cases under 21 years	124	3

Average age—26 years.

Caucasian	*Mexican*	*Negro*	*Oriental*
209	217	186	3

Straight Probation	19
Probation and County Jail	165
Average Sentence	117
State Prison	23
Probation and Fine	108
Acquittals	78
Reference to Youth Authority	22
Dismissals and off. California	56

Heroin, Opiates, Cocaine and Others
(excluding marijuana cases)

No. cases	*Male*	*Female*
414	333	81
Under 21 years	38	5
Average age		28 years

Caucasian	*Mexican*	*Negro*	*Oriental*
109	133	164	8

Straight Probation	19
Probation and County Jail	83
Average Sentence, Jail and Probation	181
County Jail Sentence	115
State Prison	63
Probation and Fine	19
Acquittals	39
Referred to Youth Authority	9
Dismissals and Off. California	62

The individuals itemized in this survey as being under the age of 21 constitute the ages 18, 19, and 20, which persons are prosecuted as adults by the Los Angeles County District Attorney's Office To this number must be added 55 male and 7 female juveniles under the age of 18 who were prosecuted as narcotic violators by the Los Angeles County Probation Office and Juvenile Department of the Los Angeles County Superior Court during the calendar year 1950.

In reference to the occupation of the above mentioned offenders, the survey indicates that a large majority of the individuals prosecuted fall in the working persons classification and are not of the leisure class. (*See* Los Angeles, San Francisco, and Federal Reports.)

For the purpose of contrast, the following data, on a national basis, is taken from the Uniform Crime Reports, published by the Federal Bureau of Investigation.

Distribution of arrests by sex, 1950 Narcotic Drug Laws, to the exclusion of federal offenses.

Male	7,493
Female	1,044

Arrests by age groups, 1950:

Ages

Age	*Arrests*	*Age*	*Arrests*
15	20	23	561
16	75	24	472
17	150	25-29	1,789
18	307	30-34	987
19	478	35-39	676
20	514	40-44	473
21	610	45-49	338
22	623	50 and over	464
Total Narcotic Arrests			8,539

Number of arrests of persons under 18, 25 years of age, 1950, for narcotic violators exclusive of federal offenses:

Under 18	*Under 21*	*Under 25*
247	1,546	3,812

Percentage of arrests with previous fingerprint records, 1950, for narcotic violations, exclusive of federal offenses—total of 70.3 percent

Arrests by races for narcotic violations, exclusive of federal offenses:

White	3929	Chinese	175
Negro	4262	Japanese	3
Indian	18	Others	142

The uniform crime reports class offenses against Narcotic Drug Laws as follows:

"Includes offenses relating to narcotic drugs, and such as unlawful possession, sale, or use. Excludes federal offenses."

The following is taken from the Bureau of Narcotic Enforcement Bulletin, William R. Creighton, Chief: 1951

"Relation of Narcotics to Crime"

"Drug traffic and drug addiction go hand in hand with crime in general. On the average, persons addicted to the use of narcotic drugs belong to the criminal element and are closely associated with the underworld.

"The general pattern appears to be that through association with the underworld, individuals become addicted to the use of drugs. Drug addicts make up one of the largest criminal groups today. Each individual so addicted is capable of, and generally will bring about the downfall of at least half a dozen other persons.

"Prostitution and drug addiction are very closely associated. It is hard, however, to determine the general pattern as many prostitutes will admit that they are drug addicts because of the fact that they have prostituted themselves. On the other hand, as many will explain that the only means they have of obtaining sufficient funds to maintain the terrific habit is by way of prostitution.

"The most mercenary, and it might be said desperate individuals associated with narcotic drugs are those who are not themselves addicts but are in the "racket" for the monetary gain. These individuals are hard to locate because of the fact that they keep themselves well out of the picture. It is often necessary to make several steps of arrest before the final goal of apprehending the individual engineering the distribution and sale of the drug is accomplished.

"To the individual who is addicted to the use of narcotic drugs, there is one thought foremost in his mind—where he may obtain the drug to satisfy his craving. Drug addiction is a very expensive habit to maintain. The average addict of today spends approximately $25 for a 24-hour supply of the drug. Rather than being exaggerated, this figure is definitely conservative. It is natural enough that these unfortunate individuals must resort to criminal activities of all types to obtain sufficient funds to purchase the drug which they so desperately need.

"The use of opiates to the degree of addiction is a physical as well as a mental habit. Opium, or any of its derivatives when used

continually reacts very definitely on the human body. Through continued use, the drugs of this group alter the natural functions to such an extent that most everyone of these functions is definitely arrested. Every organ and nerve in the body is affected. When the addict finally reaches the point where he is without sufficient drug to meet the tolerance his body demands, nature in its attempt to restore the natural functions of the body to normal produces a condition that is accompanied by terrific suffering from the soles of the feet to the top of the head; nerves and organs that have been dormant throughout the period of addiction come to life. Every organ of the body during this readjustment period reacts in a greatly magnified degree The subject is in a state of complete collapse, accompanied by terrific nausea and vomiting.

"The social setting of the drug addict is such that he is definitely an outcast and it is next to impossible for him to obtain legitimate employment. The typical drug addict is not trustworthy, is a liar and a thief, and therefore quite undesirable to the average employer. His only recourse is to turn to crime.

"The clinic plan of "legal distribution" of narcotic drugs was given a trial in a southern California community in the year 1934 Rather than solving the problem, drug addiction increased to a great degree and those individuals who were thus obtaining the drug, ostensibly for a pathological condition for about three or four cents a grain, were as a matter of fact reselling it to other addicts at a tremendous profit. A thorough investigation by the Federal Bureau of Narcotics and the Division of Narcotic Enforcement brought an end to the activities of individuals responsible for the distribution of narcotic drugs in this manner.

"Those engaged in the traffic of the illicit narcotic drug realize enormous profits. A 5-tael can of opium, which holds approximately $6\frac{2}{3}$ ounces may be purchased in Mexico for $150 and resold by the can on this side of the border for prices ranging up to $450. This same amount when sold by the bindle or in small quantities may bring as high as $2,000.

"A post-war problem that has caused no little concern is the diversion of narcotic drugs from Government supervision to illicit traffic. Reference is made particularly to the solution of morphine in the syrettes or small syringe used by the Armed Forces during the war. They contain a solution of morphine tartrate $\frac{1}{4}$ or $\frac{1}{2}$ grain to each syrette, selling for prices ranging from $2 00 to $5 00 apiece.

"Another current problem is the diversion of the tax-paid narcotics to illicit channels by way of the burglarizing and robbing of retail drug stores. California has had its share of this type of crime. Hundreds of stores have reported burglaries and robberies in the past few years. This has thrown thousands of grains of the legal drug into the hands of persons who realize enormous profits from the sale of these drugs.

"The laws of the State of California set forth that the treatment of drug addiction may be carried on only in certain institutions approved by the State Board of Medical Examiners, where the patient is at all times kept under restraint and control, a city or county jail,

a state prison, a state narcotic hospital, a state hospital or a county hospital. Ambulatory treatment of drug addicts for addiction is prohibited. Sections 5350 through 5360, Article 1 of Chapter 3 of the Welfare and Institutions Code set forth the law and regulations relative to the commitment of narcotic addicts.

"Regarding the treatment in a state hospital, the subject must be committed to such an institution by order of the Superior Court of the county wherein he resides. The commitment is for a period of from three months to two years. The sudden withdrawal of all drugs from a person who is addicted to the use of narcotics might prove quite dangerous; therefore, the patient under treatment is supplied with sedatives and/or hypnotics to replace the narcotic drug that he has been in the habit of using. These sedatives or hypnotics are gradually withdrawn and after a period of from 30 to 60 days the treatment has been completed. The remaining period of time that the subject is kept in the hospital is for the purpose of building him physically as well as mentally. He is at all times under medical supervision, is required to follow certain diets and proper medication is applied. When the individual leaves the institution he has, on the average, gained between 30 and 40 pounds.

"The statistics show that 20 to 25% of addicts released from institutions carry through the probationary period of one year and nine months successfully. The other 75% will have violated their probation in some way, usually by returning to the drug.

"It is a recognized fact that were it possible to place subjects leaving such institutions following treatment for drug addiction in the proper environment the percentage of cures would be much higher; however, due to the fact that the average individual who has been addicted to the use of narcotics is an undesirable and does not fit into the average setting, most of the unfortunates return to the company of those who have been responsible for their downfall. In such environment it is natural enough that they will return to the use of narcotics and their problem starts over again. Where it has been possible to place these people in positions where they have more or less responsibility, or in homes where they may be recognized as being on the social level of their surroundings, our efforts have not been in vain.

"The situation relative to drug users paroled from state hospitals after treatment is much the same as the unfortunate individuals paroled from state penitentiaries. They are social outcasts. The average layman knows them to be unreliable and therefore it is difficult to place them in the position that might save them from future pitfalls.

"Narcotic addiction or the peddling of narcotic drugs should definitely not be under-rated by any law enforcement agency. Any community that may be unfortunate enough to have experience with either condition may suffer from a general crime wave.

"It is therefore urged that whenever any violation of the Narcotic Act is brought to the attention of a police department, sheriff's office, etc., in any locality, that the office of the Division of Narcotic Enforcement be contacted that assistance might be rendered in bringing the party or parties involved to justice."

PUBLIC HEARINGS—SUBCOMMITTEE ON CRIME AND CORRECTION

Juvenile Narcotic Hearing
Civic Center Building
San Diego, August 16, 1951

PRESENT:

Honorables Vernon Kilpatrick, Chairman
Kathryn T. Niehouse
John B. Cooke
* Herbert R. Klocksiem, Mbr. Soc. Welfare Com.
* Frank Lanterman " " " "
* William A. Munnell " Judiciary Com.
* Frank Luckel, Visiting Assemblyman
* Fred H. Kraft, Senator

AGENDA FOR: PUBLIC HEARING—Thursday, August 16, 1951, 9:30 a.m.
310 Civic Center (Board of Supervisors Chm.)
1600 Pacific Highway, San Diego, California
HONORABLE VERNON KILPATRICK, Chairman
Subcommittee on Crime and Corrections

HON. KATHRYN T. NIEHOUSE, Acting Chairman, made introductions

Hon. John D. Butler, Mayor, City of San Diego, gave the official welcome and made a personal statement.

Dr. Benjamin B. Faguet, Chief Psychiatrist, San Diego State Mental Clinic

Hon Fred H. Kraft, Senator 40th District

Hon. James Don Keller, District Attorney, San Diego County

Sheriff Bert Strand, San Diego County (Sgt. Tom Isbel supplemented statements in afternoon)

Mr. Ted Boud, Foreman, San Diego County Grand Jury

Mrs. Edna Mae Martin, President, San Diego County Federation of Women's Clubs, presented by:

Mrs. Simon Healy, Chairman, Southern District of Narcotics

Mrs. G. D. Edwards, President, 9th District P. T. A. (San Diego County), presented by:

Mrs. Enola Rickey, 760 Rushville St., La Jolla—Chairman, Juvenile protection

Chief of Police, Elmer Jansen

Dr. Will Crawford, City Superintendent of Schools, presented by

Dr. Jack Falk, Member, International Border Committee

Mr. A. D. Catterson, Jr, Inspector U. S. Food & Drug Admin. Rm. 138 U. S. Customs & Courthouse, San Diego

Collector of Customs DeGraff Austin, San Diego

Mr. Charles T. Rogers, Chief Probation Officer, S. D.

Sgt. Isbel, Sheriff's Office

Dr. Cecil Hardesty, County Superintendent of Schools

* Present by invitation, were not members of subcommittee

Dr. Walter Hepner, President of State College, presented by: Herbert Pfeifer, Dean of Students

Hon. James Don Keller, District Attorney, further statements

Mr. Kenneth S. Beam, Director, County of San Diego Coordinating Council, 4105 Civic Center, San Diego 1, California

Sheriff Bert Strand and Charles T. G. Roberts (Prob. officers) presented an educational film.

MEETING ADJOURNED.

The following information and data was supplied by Messrs. S. Ernest Roll, District Attorney of Los Angeles County, and the late sheriff of San Francisco County, Daniel C. Murphy, respectively, to whom we express our sincere appreciation.

INFORMATION AND DATA

COUNTY OF LOS ANGELES
YOUTH COMMITTEE
LOS ANGELES 12, CALIFORNIA

SUPERVISOR ROGER W. JESSUP
Chairman
RALPH W. FISHER
Executive Secretary

February 5, 1952

Mr. S. Ernest Roll
District Attorney
County of Los Angeles

ATTENTION: Inspector William L. Yoakam,
in charge of Narcotics Squad

GENTLEMEN: In compliance with your request, I have brought up to date, by inclusion of figures for 1951, the attached copy of the report we prepared on the status of youth and narcotics in Los Angeles County.

In addition to the 1951 figures from the Los Angeles Police Department and from the sheriff's office, I wish to call your attention to the following statement which we received under date of February 1, 1952 from the Research Analyst of the Probation Department:

> "On checking with our statistical tabulating section I discovered that we did not start to tabulate narcotic figures separately until July 1, 1951. Because of this I am only able to send you figures for the six months' period running from July 1, 1951 through December 31, 1951.
>
> "During this six months' period a total of 2,814 Juvenile Court petitions were filed. Of these 2,124 were boys, 690 were girls. These filings represented all subdivisions of the Welfare and Institutions Code. Of this total group of 2,814 there were 55 petitions filed alleging use of or involved with narcotics. Of these 55, 48 were boys and 7 were girls. I feel reasonably certain that this represents nearly the total number of boys and girls involved in narcotics during this

period, as we select narcotics as the reason for the petition even though there are other offenses listed for the same petition, such as burglary or auto theft."

The comments listed in the attached report under "Other Approaches to the Problem," are still valid, but I wish to add the following: (continuing from the six listed on the second page)

7. The Delinquency Control Institute of the University of Southern California put on a one-day institute for juvenile peace officers on the subject of narcotics in December, 1951, and since then is scheduling this subject as part of their course of instruction for juvenile officers.

8. The Youth Services Division of the Welfare Council considered this subject at their January 3, 1952 meeting. Since then they have formed a committee to work out instruction material for youth leaders in private youth-serving agencies Law enforcement, PTA leaders, school people, and the County Youth Committee are represented on this committee.

9 The California State PTA is undertaking a state-wide survey of the problem of youth and narcotics, under the direction of their State Juvenile Protection Chairman, Mrs. Ralph E. Lewis.

10 There are reported to be several independent, privately-financed organizations that are active in the field of narcotics. The three I am aware of that seem to be adequately directed are:

a) A division of Alcoholics Anonymous, including those AA members who have overcome the narcotic or barbiturate habit. This group is extending its counseling service to narcotic addicts in custody in local penal institutions.

b) The Anti-Narcotic League of America, with offices at 1645 North La Brea Avenue, Los Angeles 28

c) The Narcotic Addicts Research Correlating Council (calling itself "Narco"), with offices at 5010 Sunset Blvd., Los Angeles 27 This organization was incorporated under the name "California Narcotic Hospital Committee," but is in process of changing its corporation name to the above.

11. The California State Juvenile Officers Association, in its annual conference planned for April 2 to 4, in Hollywood, plans to include a consideration of narcotics in its program.

I hope the above information, plus the attached report, will prove useful. As additional information is obtained, it will be available to you.

Sincerely yours,

RALPH W. FISHER, Executive Secretary

RWF-h
attach

From 1950-51 Annual Report of Youth Committee of Los Angeles County (1951 Figures Added)

II

Youth and Narcotics

The power of the press has been exerted to alert citizens throughout the United States to the shocking fact that some children and youth have

been exploited and victimized through the use of narcotics. Law enforcement agencies, school administrators, welfare agencies, and youth services of all kinds have become concerned with this serious problem.

At the request of Chairman Roger W. Jessup, the Youth Committee office summarized the information available to Youth Committee members on this problem. Our Delinquency Prevention Subcommittee and our Law Enforcement Subcommittee have considered aspects of the problem and are helping to plan for its control.

The difficulty in using figures to size up the problem lies in: 1) the tragic seriousness of each individual case; 2) the fact that not all youth involved with narcotics come to the attention of law enforcement; and 3) the fact that some who come to the attention of law enforcement for other reasons may, in addition, have a narcotics problem

The accompanying data from the Sheriff's office, Los Angeles City Police Department, the District Attorney's office, and the Probation Department Juvenile Court justifies the following statements:

1. The involvement of juveniles with narcotics is not a recent development of the last year or two.

2. The proportion of juveniles arrested for narcotics is extremely small compared with total juvenile arrests. (See tables I and II)

3 The proportion of juvenile narcotic arrests to total narcotic arrests is 6.1% for the seven-year period, 1944-1950, inclusive. (See table III combining L. A. P. D. and Sheriff's figures)

4. The 6.1% increased to 8.9% for the six-months period, January to June, 1951. (See table III) (It is suggested that it will take more time to evaluate this 2.8% increase, either as a reflection of a real increase in juvenile narcotic users or alternately as a more complete discovery of users) (The 6.1% increased to 8.7% for calendar year 1951)

5. Juveniles processed through the Probation Department Juvenile Division and Juvenile Court in 1950, plus youth aged 18, 19, 20, and adults prosecuted by the District Attorney's office in 1950, together totaled 1,091. 15.6% were youth, ages 18, 19, and 20; 5.7% were juveniles, ages 17 and under. (See table IV)

6. Boys greatly outnumber girls, both among juveniles and among the youth aged 18, 19, and 20. (See table IV)

Other Approaches to the Problem:

1. The Youth Committee, through its Field Advisor, sponsored area meetings with juvenile police officers from 23 cities in the county on the problem of narcotics. In addition, all other jurisdictions were consulted on the problem.

2. The Sheriff's Juvenile Division investigated conditions at each of 35 Junior and Senior High Schools in areas served by their substations * * * discovering widespread "hearsay" knowledge of narcotics but uncovering no alarming situations.

3. The Sheriff's Narcotics Squad and Juvenile Division put on courses of instruction for juvenile officers in smaller jurisdictions. In addition, arrangements were made so that police personnel from other cities could work with the Sheriff's Narcotics Squad to acquire first-hand information.

4. L.A.P D. Juvenile Division put into action a narcotics squad attached to the Juvenile Division Outside of arrest figures, no detailed information has as yet been released.

5. The Youth Committee co-sponsored a meeting between its Juvenile Delinquency Subcommittee and the parallel subcommittee of the Los Angeles Youth Project of the Welfare Council. Educators, recreation administrators, law enforcement and others planned together on this problem.

6. Current planning among educators is directed to three ends:

a) Provision in each Junior High School and Senior High School faculty of four or five teachers trained to understand the narcotics problem and to know what steps to take in any narcotics situation.

b) Revision and modernizing the curriculum as it relates to narcotics. (Dr C. C. Trillingham is on the State Curriculum Committee and is working on this)

c) Planning and carrying out of narcotics education in the schools so that not even one student will be excited or led to experiment, but all students will understand the dangers of all phases of illegal use of narcotics. Similar planning toward parent education.

See letter for No. 7-11.

Table I

Data obtained from sheriff's office:

Year	*Total juvenile arrests*	*Juvenile narcotic arrests*	*Juvenile narcotic arrests percent of total arrests*
1944	3,591	15	0.4
1945	3,914	8	0.2
1946	3,547	12	0.3
1947	4,463	39	0.9
1948	8,007	20	0.3
1949	12,862	40	0.3
1950	14,116	72	0.5
1951	16,148	87	0.5

Table II

Data obtained from Los Angeles Police Department:

Year	*Total juvenile arrests*	*Juvenile narcotic arrests*	*Juvenile narcotic arrests percent of total arrests*
1944	10,134	38	0.4
1945	10,363	35	0.3
1946	8,734	108	1.2
1947	7,949	115	1.4
1948	7,954	74	0.9
1949	8,881	69	0.8
1950	8,191	107	1.3
1951	8,822	216	2 6

Table III

Data from Los Angeles City Police Department and Los Angeles County Sheriff's Office indicating proportion of juveniles, aged 17 and under, coming to attention of Law Enforcement because of narcotics violations

* *Narcotics Arrests, 1944-1950, Inclusive*

	Total narcotics arrests adults and juveniles	*Juveniles 17 and under*	*Juvenile arrests percent of total arrests*
Sheriff	2,514	206	8.2
L. A. P. D.	9,748	546	5.6
	12,262	752	6.1

* *Narcotics Arrests, 1951*

	Total narcotics arrests adults and juveniles		*Juveniles 17 and under*		*Juvenile arrests percent of total arrests*	
	first half	*total*	*first half*	*total*	*first half*	*total*
Sheriff	431	970	62	87	12.6	9.0
L. A. P. D.	1,368	2,512	98	216	7.1	8.6
	1,799	3,482	160	303	8.9	8.7

* Peddlers and users

Table IV

Data obtained from District Attorney's report for 1950, issued June 12, 1951

	Total	*Ages 18, 19, and 20*	*Juveniles 17 and under*
All narcotics cases prosecuted by the district attorney	1,029	8 girls 162 boys	
All narcotics cases processed by probation department, juvenile division, and juvenile court	62 *		7 girls 55 boys
	1,091	170 or 15.6% of total	62 or 5.7% of total

* Verified by Probation Department

January 23, 1952

Evaluation of Narcotic Prosecutions Conducted by the District Attorney's Office of Los Angeles County, California

January 1, to July 1, 1951

Total Narcotic Cases Prosecuted 660
Marijuana Cases 450
Heroin, Opiates, Cocaine and Others, Excluding Marijuana Cases 210

S ERNEST ROLL
District Attorney
600 Hall of Justice
Los Angeles 12, California

Marijuana Cases		Heroin, Opiates, Cocaine and Others, Excluding Marijuana Cases	
Number of cases	450	Number of cases	210
Male	431	Male	170
Female	29	Female	40
Acquittals	34	Acquittals	20
Dismissals	42	Dismissals	15
Cases with priors	57	Cases with priors	42
Plead guilty	220	Plead guilty	95
State prison sentences	40	State prison sentences	49
Total cases probation granted	208	Total cases probation granted	61
Straight probation	35	Straight probation	12
Probation and county jail sentences	105	Probation and county jail sentences	37
Average county jail sentence, probation granted (days)	155	Average county jail sentence, probation granted (days)	192
County jail sentences	81	County jail sentences	47
Average county jail sentence, no probation (days)	195	Average county jail sentence, no probation (days)	262
Fine, probation granted	68	Fine, probation granted	12
Suspended county jail sentence only, no probation	2	Suspended county jail sentence only, no probation	1
Fine, no probation	6	Fine, no probation	0
Average fine	$157	Average fine	$235
Referrals to California Youth Authority	23	Referrals to California Youth Authority	5
Referrals to juvenile court	5	Referrals to juvenile court	0
Commitments to institutions	1	Commitments to institutions	1
Placed off calendar	3	Placed off calendar	11
Pending	5	Pending	0

The individuals in the cases surveyed herein are over the age of 17. A report by the Los Angeles County Youth Committee is available covering the juvenile narcotic arrests for the same period In reference to occupations of narcotic offenders, a survey has shown that the large majority of the individuals prosecuted, fall into the working persons classification and are not of the leisure class

There has been very little lag in disposition of these cases, as this survey will indicate, and the docket may be considered to be current.

Part Two

Age Distribution of Narcotic Offenders in San Francisco, California

Interest has been exhibited in a study of the incidence of narcotic offenders with respect to their individual ages at the time of arrest. A careful review of the records of the San Francisco Police Department indicates that the narcotic problem is not a major threat to the juveniles in this City in so far as can be illustrated by available statistics. While there is valid evidence of a general increase in the frequency of narcotic violations for the period from January 1st, 1944 to date, the same trend has not been found to exist with regard to juvenile offenders.* As a matter of fact, during the period above mentioned there were only twenty-three

* Throughout this report the term "juvenile" is restricted to persons under the age of 18 years

persons under the age of 18 years among the total of 3,366 arrested for violation of the narcotic statutes. In other words, the juvenile arrests represented less than 7/10 of 1% of the over-all narcotic enforcement problem.

Table "C" illustrates the distribution of arrests among persons over the age of 18 years for the selected years. The table also shows the percent of total arrests falling within each age group.

A careful analysis of the date in Table "C" over the selected time period indicates that there has been a shift in the over-all age grouping of persons engaged in illegal narcotic practices. This can best be portrayed by plotting the age distribution for the first three years of the period (1944-46) on a graph and then superimposing on the same chart the age distribution for the three years (1948-50) toward the end of this period * Chart Two *** presents this data. Whereas in the earlier period the model class occurred in the age group embracing persons between the ages of 30 to 34 inclusive, we find that toward the end of the time period the model class was the group embracing the ages of 21-24 inclusive.

Table "D" has been developed to permit an evaluation of the narcotic problem in San Francisco as compared to the same evil on a national scale.** This table shows the distribution of narcotic arrests in number and percent for various age groups. From this table it appears that the marked increase in illegal narcotic usage among the younger members of the community that is common on a national scale does not prevail in San Francisco. Chart Three illustrates this point.

Table "C"

Age Distribution of Persons Arrested for Narcotic Violations in San Francisco, California

Period	Age Grouping of Arrested Persons: Under 18	18-20	21-24	25-29	30-34	35-39	40-44	45-49	50 and up	Totals
Arrests										
1944	0	9	36	26	49	57	47	25	39	288
1945	3	7	33	34	41	42	28	21	37	246
1946	1	27	47	50	49	36	39	27	41	317
1947	1	29	58	48	52	50	26	22	38	324
1948	10	29	74	57	43	40	38	29	19	339
1949	1	30	159	116	77	56	71	23	29	562
1950	4	41	134	143	96	91	71	63	72	715
1951 *	3	30	124	115	86	68	55	43	51	575 *
Distribution in Percent:										
1944	0.0	3.1	12.5	9.0	17.0	19.8	16.3	8.8	13.5	100.0
1945	1.2	2.8	13.4	13.8	16.7	17.1	11.4	8.6	15.0	100.0
1946	0.3	8.5	14.8	15.8	15.5	11.4	12.3	8.5	11.9	100.0
1947	0.3	9.0	17.9	14.8	16.1	15.4	8.0	6.8	11.7	100.0
1948	3.0	8.6	21.8	16.8	12.7	11.7	11.2	8.6	5.6	100.0
1949	0.2	5.3	28.3	20.6	13.7	10.0	12.6	4.1	5.2	100.0
1950	0.6	5.7	18.8	20.0	13.4	12.7	19.9	8.8	10.1	100.0
1951 *	0.5	5.2	21.5	20.0	15.0	11.8	9.6	7.5	8.9	100.0

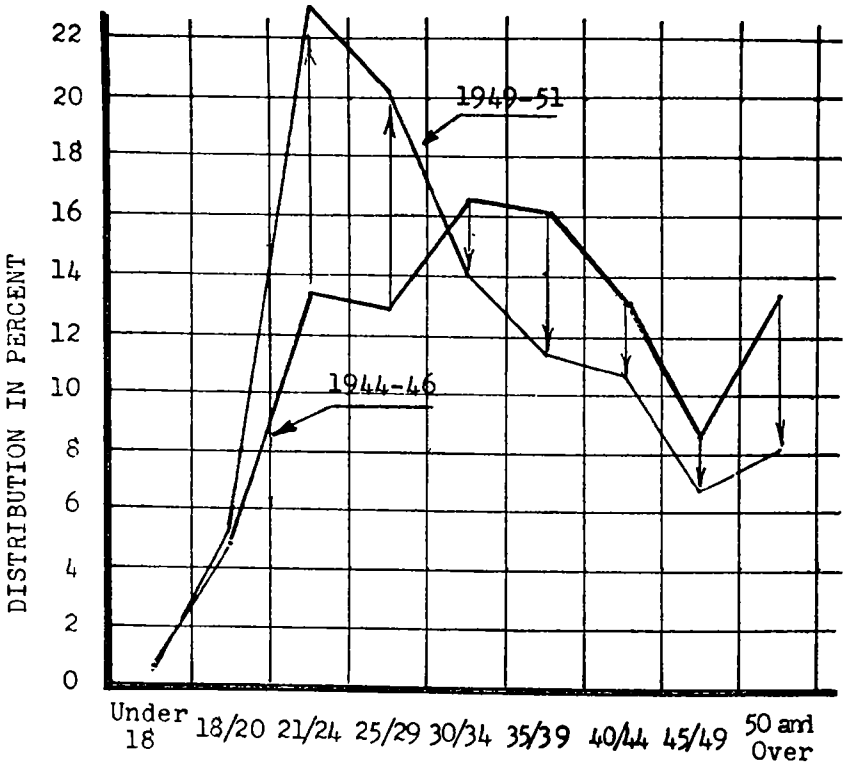
* For first nine months of 1951 only

* Distribution by age groupings i.e., 18 to 20, 21-24, 25 to 29, 30 to 34, 35 to 39, 40 to 44, 45 to 50, and over 50 years

** Chart One is omitted

*** Based upon official records of San Francisco Police Department and Uniform Crime Reports (Vol XXII—No. 1, 1951)

CHART TWO



Percent Distribution of Narcotic Offenders by Age Groups

Period	Under 18	18–20	21–24	25–29	30–34	35–39	40–44	45–49	50 and over
1944	0 0	3.1	12.5	9.0	17.0	19.8	16 3	8.8	13.5
1945	1 2	2.8	13 4	13.8	16 7	17 1	11.4	8 6	15.0
1946	0 3	8.5	14.8	15.8	15.5	11 4	12.3	8 5	11 9
Totals	1.5	14.4	40.7	38.6	49.2	48.3	40.0	25.9	40 4
Aver.	0 5	4 8	13 6	12.9	16.4	16 1	13 3	8 6	13.5
1949	0.2	5.3	28 3	20.6	13.7	10 0	12.6	4.1	5.2
1950	0 6	5 7	18.8	20.0	13 4	12.7	9.9	8 8	10 1
1951 *	0 5	5.2	21 5	20 0	15.0	11 8	9 6	7 5	8 9
Totals	1.3	16.2	68.6	60.6	42.1	34.5	32 1	20.4	24 2
Aver.	0 4	5 4	22.9	20 2	14.0	11.5	10.7	6 8	8 1

* Data for first nine months of 1951 only

Pursuing the study of the age distribution of known narcotic offenders the statistics for arrests in San Francisco has been compared with arrests for similar violations on a nation-wide basis. The results are contained in the following Table "D" A cursory examination of this data indicates that on the national level there is a greater tendency for offenders to fall into the younger age groups that has been the experience at the local level.

Table "D"

A Comparison of the Distribution of Narcotic Offenders by Age at Time of Arrest at the Local Level vs. the National *

(Data in Percent)

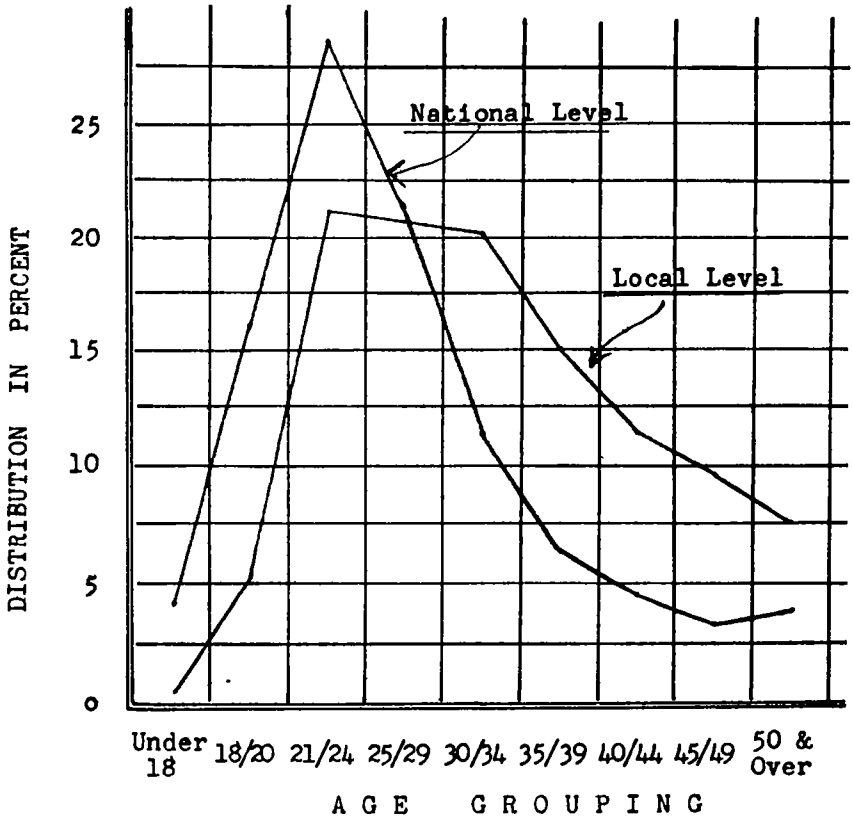
Area	Under 18	18–20	21–24	25–29	30–34	35–39	40–44	45–49	50 and over
National level	4.1	16.2	28.4	21.8	11.5	6.4	4.6	3.1	3 8
Local level	0.5	5.2	21.6	20.1	15.0	11.9	9.6	7.5	8 6

* Local data based upon official reports of the San Francisco Police Department for the first six months of 1951
National data based upon Uniform Crime Report Bulletin, Vol XXII, No 1, 1951

The information contained in Table "D" is illustrated graphically in Chart Three below.

CHART THREE

Comparative Distribution of the Age of Narcotic Offenders at the National Level vs. the Local Level



REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Kilpatrick asked for, and was granted, unanimous consent that the letter of transmittal and the report, printed above, be ordered printed as a separate document, and that 500 copies be printed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. McMillan asked for, and was granted, unanimous consent that a letter of transmittal and the Preliminary Report on the Activities of the Assembly Interim Committee on Boards and Commissions be ordered printed in the Journal, in 10 point type, as follows:

PRELIMINARY REPORT ON THE ACTIVITIES OF THE ASSEMBLY INTERIM COMMITTEE ON BOARDS AND COMMISSIONS

LESTER A. MCMILLAN, Chairman

L. H. LINCOLN, Vice Chairman
ROBERT L. CONDON
THOMAS J. DOYLE
VERNON KILPATRICK
THOMAS A. MALONEY
RICHARD H. MCCOLLISTER

THE AUTHORITY OF THE COMMITTEE

The Assembly Interim Committee on Boards and Commissions was created pursuant to House Resolution No. 177 during the 1951 Regular Session of the California Legislature Paragraph One and Sections A, B and C thereof provide as follows:

"1 The Assembly Standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to:

(a) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(b) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(c) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation."

Also, during the 1951 Regular Session of the California Legislature, there was referred to this interim committee for further study, pursuant to House Resolution No. 172, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees.

WHOLESALE-RETAIL LICENSE PROBLEM

In recognition of the importance of this problem, this committee has undertaken its study, and presents in this preliminary report, such evidence as has to date been available that points out the principles and

questions involved—principles and questions that must be and are being considered by this committee in working toward the solution of the problem.

COMMUNICATIONS

Pursuant to a general inquiry made by the committee, the following communications were received from the various parts of the State of California. It will be noted that one group of 18 names are retailers.

California Cold Storage and Distributing Company, Los Angeles

Louis Stores, Inc., Oakland

Southern California Beer Distributors, Los Angeles

Regal Pale Distributing Company, San Fernando

Brewery and Soft Drink Workers, Joint Local and Executive Board of California, San Francisco

Bottler's Local Union No. 896 of California, San Francisco

Brewery Drivers, Helpers and Distributors Local Union No. 888, San Francisco.

San Diego Beer Distributors Assn., Inc., San Diego

Excelsior Food Market, Eureka

Beer Drivers, Salesmen and Helpers Local Union No. 203, Los Angeles

Retailers

K. Marderasian, Fowler
J. A. Berry, Fowler
John T. Kahaian, Fowler
Clarence W. Clark, Clovis
Romeo Mazzei & Margaret Mazzei, Clovis
Yoshio Kajitani, Selma
Ralph Sherman, Selma
Vera Carpio, Selma
Ken Ota, Selma
S. LaMaseri, Selma
Roy M. Torii, Selma
Enedina Senteno
D. S. Ortiz, Selma
Louis DeLao
Jose M. Salazar, Selma
F. Pallares
Magdalena R. Martinez, Selma
W. D. Reilly, Kingsburg

COMMITTEE MEETINGS AND WITNESSES

On February 15, 1952, at 10 a.m., the committee held a meeting in the State Building, Los Angeles, California, during which the following witnesses were heard.

James A. Koford, representing Hagstrom's, a chain grocery company located in and about Alameda County.

Willard Johnston, representing Beverage Distributors, a subsidiary of Safeway Stores.

Harry Margolis, representing the Southern California Beer Distributors Association and the Northern California Beer Distributrs Association.

M. Koehn, representing the Northern California Beer Distributors Association.

B. C. Fields, representing the Southern California Beer Distributors Association.

Walter Aufderheide, representing the Wholesaler Distributors of Fresno, Madera, Tulare and Kings Counties

George L. Leonard, representing the Joint Local Executive Board of Brewery Workers of California.

Alexander O Loebig, representing Thrifty Drug Stores.

Allen Tingey, representing Mayfair Markets of Southern California, and Andrew Williams Stores located in and around Alameda County.

DEFINITION OF THE PROBLEM

The following is that part of Section 6-F of the Alcoholic Beverage Control Act sought to be amended by Assembly Bill No 3395 (1951 Session) and about which the present controversy is concerned

> "No wholesale license *shall* be issued to any other person who does not in good faith actually carry on or intend to carry on a bona fide wholesale business by sale to retail licensees of the alcoholic beverage designated in such wholesale license and the board *may* revoke any such wholesale license where such licensee fails for a period of 45 days actively and in good faith to engage in such wholesale business and shall revoke any distilled spirits wholesaler's license held by any person who fails to comply with other provisions of this section. Sale by a wholesale licensee to himself as a retail licensee *shall* not be held to be the transaction of a bona fide wholesale business"

Assembly Bill No. 3395 (1951 Session) · If adopted, this bill would have vitiated the last three lines of the foregoing paragraph by providing that a wholesale licensee might make delivery of wine and beer to himself as a retail licensee if said delivery is "from a central warehouse owned or leased by such wholesaler in which it is stored for delivery to himself as a retailer at other licensed premises".

THE HISTORY

Prior to 1941, it was lawful for the Board of Equalization to issue or renew a wholesaler's license to persons or firms also owning, controlling or otherwise connected with one or more retailers licenses. It appears that a number of such wholesale licenses were issued to various wholesalers having such connections with off-sale retail licensees.

In 1941, the A. B. C. Act was amended to its present form. Since that time, *no new* wholesalers license has been issued to persons of firms owning, controlling or connected with off-sale retail licensees, but, a number of *prior* wholesaler licensees also having off-sale retail licenses have been *renewed*.

Due to the language contained in the 1941 amendment (Section 6-F) the Board of Equalization has been uncertain as to whether or not it might, at its own discretion, revoke or renew wholesale licenses of persons or firms either owning, controlling or having as members retail off-sale outlets having retail licenses, or whether such revocation was mandatory As a result of this uncertainty, Assembly Bill No. 3395 was introduced into the 1951 Session of the Legislature.

DEFINITIONS OF TERMS

1 *Chain Stores:* This term, when used in this report, refers to retail organizations having more than one retail outlets, but who possess a wholesale wine and beer license. One or more of the retail outlets has an

off-sale wine and beer license. These firms do not sell wine or beer to any retail licensee other than their own stores. The profits from the wholesale operation ultimately accrue to the parent company.

2. *Cooperatives:* These firms are owned by their retail members. The cooperative has a wholesale license and sells only to such of its members who have retail licenses. The profits from the wholesale operation are rebated to the members.

3. *Franchise Distributors:* These firms are divided into two groups. Both groups are independently owned. They do not own an interest, have a control in or are not related in any way to their retail customers, except in the ordinary customer relationship. Their customers have no interest or control in them.

A. Some of these franchise distributors also possess one or more retail licenses.

These retail licenses are used exclusively for the purpose of selling beer at retail prices to their employees.

B. Others of these franchise distributors do not possess any retail licenses.

4. *Voluntary chain stores* These firms are organized by wholesale grocery firms and serve their own members in much the same manner as the cooperatives It does not appear that any of these firms have both wholesale and retail licenses. There is no evidence to point to the distribution of the profits from the wholesale operation, although it is assumed that some benefit accrues to the members of the voluntary chains in the way of rebates or reduced prices.

SUMMARY OF FUNDAMENTAL ISSUES

1 What is a wholesaler and its functions?

There appears to be a difference of opinion between the witnesses as to those functions performed by the so-called middleman that entitle him to be known and accepted in the business world as the middleman or wholesaler. Whether or not these differences of opinion are important in the consideration of this problem is a matter that has yet to be determined by the committee.

Representatives qualified to speak for the cooperative and voluntary chain store types of operation have not been heard by this committee.

2 Should an off-sale retail licensee be compelled to buy from a franchise distributor even though that retailer might more advantageously buy from its own wholesale organization?

Here again, no evidence has been obtained from representatives of the cooperative or voluntary chain store type of wholesale operation.

(a) If it is desirable to permit certain wholesale operations to own, control, rebate, or distribute the net profit of the wholesale operation to one or more off-sale retail licensees, what is the yardstick to be applied in determining the propriety of the wholesale operation that is to be given the privilege? Is the yardstick to be numbers of stores served, or type and amount of equipment used in the wholesale operation?

These and many other facets of this problem must be examined and weighed before a wide determination may be made. At this time, there is no agreement on these matters insofar as the witnesses representing the industry are concerned.

(b) How many chain stores, cooperatives and voluntary chain stores would be affected by legislation forbidding a wholesale license to chain stores, cooperatives and voluntary chain stores delivering to their own or member retail licensees?

To date, the exact number is not known. The best information can be furnished by the Board of Equalization, although at the present time it appears that the figure is approximately 343.

(c) How many off-sale retail licensees are presently served by chain stores, cooperatives or voluntary chain store wholesale licensees?

(d) If wholesale licenses were to be denied to chain stores, cooperatives and voluntary chain stores delivering or selling to their own or member retail licensees, what would be the effect on:

1 The chain stores.
2. The cooperatives.
3 The public
4 The franchise distributors.
5. The voluntary chain stores.

(e) If wholesale licenses were to be permitted to chain stores, cooperatives and voluntary chain stores delivering or selling to their own or member retail licensees, what would be the effect on:

1 The Board of Equalization
2. The franchise distributors.
3. The public.

NOTE: The need, if any, for legislation is considered under Question 2 and its various ramifications.

3. *Should any proposed legislation apply with equal force and effect to all four types of wholesale operations:*

(a) Chain stores.
(b) Cooperatives.
(c) Voluntary chain stores
(d) Franchise distributors.

THE BODY OF THE REPORT

The following questions have arisen from the testimony presented by the various witnesses appearing before the committee It will be seen that many of these questions are fundamental in nature and are vitally related to our economy and way of life

1 *What is a wholesaler and its functions?*

There appears to be a difference of opinion between the witnesses as to those functions performed by the so-called middleman that entitle him to be known and accepted in the business world as the middleman or wholesaler Whether or not these differences of opinion are important in

the consideration of this problem is a matter that has yet to be determined by the committee.

MR. JOHNSTON (representing Safeway Stores): "In the industry proper, we have the brewery at one end, the retailer at the other and the middleman in between. Now, the manufacturer, the brewery, has always recognized a difference and does recognize a difference in the price he charges a retailer for a case of beer and the price he charges the middleman, the wholesaler for a case of beer, the person who performs the function of getting the beer between the brewery and the retail store and roughly, as I understand it, there is a differential of about 50 cents a case, and it is that differential that we are talking about here today and the question, as I understand it, that is before this committee, is who should be entitled to receive that differential. The price that is paid for getting the beer, handling the beer between the brewery and retail store, and I think as a matter of principle the answer is simple

The differential should be paid to those persons who perform that function of middle distribution, the function of warehousing, trucking, and all services incident to making the beer from the manufacturer to the retail stores."

NOTE: The chain store, the cooperative and the franchise distributor claim to be bona fide wholesalers within the above definition as outlined by Mr. Johnston.

ASSEMBLYMAN LINCOLN: "Mr. Johnston, I would like to develop your theories as to who would qualify or who is entitled to qualify a little bit further. You speak of performing the bona fide middle distribution function, and to a man who is engaged in the distribution business, this means the warehouse we see the picture of, and the trucks, but it also means considerable management and it means credits and collections, it means a lot of selling in many instances. Now those, to me, are as important a part in the distribution as the warehouse itself, and if you are going to really be all inclusive in what the middle distribution functions are, I don't see how you can claim you are performing the middle distribution functions. You are performing a certain percentage of it, the part that is necessary to you, but it isn't as broad as that which is performed by the normal wholesaler in the true sense of the word."

CHAIRMAN MCMILLAN: "Mr. Margolis, what is the function of a wholesaler? You said that they are not performing the functions of a wholesaler. In what respect are they not performing the functions of a wholesaler?"

MR. HARRY MARGOLIS (representing the Southern California Beer Distributors Association and the Northern California Beer Distributors Association): "They are not bona fide wholesalers. They are purely a delivery organization. They have none of the costs our people have, and none of the problems our people have. We take a case of beer on 40 cents, and it costs us 38½ cents before we are through. We make a penny and a half. They take the same case at 40 cents, and it costs them 18 cents or less to handle the beer."

"I believe the functions of a wholesaler is No. 1, to stock the merchandise; No. 2, to sell the merchandise, to service an area, and we speak of

trading areas, generally they are by counties, and to handle empties, and to handle advertising material which we handle. We put up signs, point of sale material we call it, and I would say to carry the credit, the finances of the business."

ASSEMBLYMAN DOYLE: "Your organization is in favor of eliminating the middle man."

MR. WALTER AUFDERHEIDE: (representing the Wholesaler Distributors of Fresno, Madera, Tulare and Kings Counties): "No, we don't want to eliminate the middle man. The wholesaler is the middle man."

"You can't get good distribution without a middle man. You can get spotted distribution. Take, for instance, in Fresno County, we have areas out in the West side, if you remember it, where we have probably a settlement of a thousand people, and another area with 500 to 600 people. Who is going to distribute to those people if the wholesaler is not in existence. Who is going to the mountain areas where there are summer resorts? Somebody has to do the job. It is the wholesaler's job and has been in every line of endeavor to take care of the small businessman. Who will take care of the small businessman, the man with the 25 foot front or little corner grocery store and little tavern? We can't take of him if we haven't got the bulk of the business otherwise."

MR. JOHNSTON: Now it is said that we are just a delivery organization, we don't have the same costs as these others. I am going to explore that a good deal more specifically between now and the next hearing, but I have obtained some further information, and I find out that these facts are true: For one thing the breweries do a good deal of the selling for these distributors. They send out salesmen into the retail stores to promote their brands in various stores, and I am going to present further evidence with respect to that at the next hearing In many cases I am told the breweries will perform the delivery service for the wholesale distributors. They never do that for us. We always have that expense of distributing from our wholesale warehouse to the retail store, and of course the opposition concedes, they must concede that we have many of the same costs they have

MR. AUFDERHEIDE: "The wholesaler is one of the parts of the community that helped make the community when it started from its grass roots. The wholesaler in every other line of endeavor is a very important person to the community to help them make the community. He has helped build the community.

2. Should an off-sale retail licensee be compelled to buy from a franchise distributor even though that retailer might more advantageously buy from its own wholesale organization?

MR. ALLEN TINGLEY (Assistant Secretary of Mayfair Markets and Andrew Williams Stores): "The whole issue, fundamental issue, as it seems to me, is, must a person be required to deal with the middleman? Must we by law deal with a third person distributor? The only thing is that it rubs against me a little bit to think of the fact that the Legislature would be asked to say, you must deal with a third person or you must deal with

this middleman whether you like to or not, whether it is profitable to you or not, whether it is economically advisable or not.

"It seems to me that the other side is asking for the right to have a monopoly to require everyone to deal through a distributor. I think it is only fair that they take their turn in American business. If they can meet the demand, meet the opposition on a fair basis, I think they should be allowed to, but they shouldn't be asking to be set up a special category to require someone who doesn't need their services to partake of them and pay a higher cost whether it is needed or not.

MR. KOFORD (representing Hagstrom's): "They stand back and look at the chain stores, such as Hagstrom's, and say you have no selling problem. It is running too smoothly. We have just the men we would like to work on those selling problems. In other words, what is being asked for is a protection for the monopoly of the middleman and that is not a public interest question at all. It is a self-servicing question.

"We are profit-making organizations. Chain stores make profits and the beer distributors make profits and as between that, I don't think it is the function of the Legislature to sit here and say, 'well, one of you fellows is making too much profit—let's even it up. One of you fellows is able to operate more efficiently and doing better. Let's square thing off'."

(a) If it is desirable to permit certain wholesale operations to own, control, rebate, or distribute the net profit of the wholesale operation to one or more off-sale retail licensees, *what is the yardstick to be applied in determining the propriety of the wholesale operation that is to be given the privilege? Is the yardstick to be numbers of stores served, or type and amount of equipment used in the wholesale operation? These and many other* facets of this problem must be examined and weighed before a wise determination may be made. At this time, there is no agreement on these matters insofar as the witnesses representing the industry are concerned.

ASSEMBLYMAN LINCOLN: Reading the fine print of the bill as proposed, if I were an individual operator of a retail store, and if I leased an empty garage around the corner and called it a warehouse, and it cost me ten dollars a month, if I bought an old Ford pick-up truck for $100, I would apparently under this verbage be in the same position as the Safeway stores, and would then be able to qualify as a wholesale distributor, wouldn't I?"

"I think, and the fact that you had only one store right now, you may have intentions of being a Safeway Company in 10 or 20 years. The fact that one is big or small doesn't justify the one being able to keep a license and the other not."

"The problem is one of drafting a bill that is equitable to all without favoritism to the big person or little one. I think it is probably drafted that way in this language, but look what you are going to get, you are going to have everybody with a wholesale and retail license."

MR. JOHNSTON: "Isn't it the people who are actually in the business as a bona fide matter who are performing the economic function, who have a substantial investment in warehouses, trucking and so on; isn't that the kind of a place you should draw the line at?"

ASSEMBLYMAN LINCOLN: "But you have got to do it relatively. If I were the little man I spoke of before, and I rented the garage and bought the pick-up truck, I would have percentage-wise just as much investment in my venture as a large chain with several hundred trucks, etc You may have a million and a half in the venture. How much is it in relation to each individual license that you hold. You have to approach the thing on a relative basis, it seems to me."

MR. JOHNSTON: "If the person is in good faith conducting that business, performing the wholesale function of getting the beer from the brewery to the retail store it would be my position that he should in fairness and equality receive the same benefits certainly."

ASSEMBLYMAN LINCOLN: "You get down to a fine line of distinction of what is a wholesale function. Now if you want to speak of a wholesale function as one of a physical moving of bottles from one building to a retail outlet in another building, then I think you qualify. In the normal term to me a wholesaler in most lines of business is a man who bird-dogs business, he has to go out and hunt for it and has to fight for it, and he has to look for new customers and has to fight to keep the ones he has, and he has these other problems I spoke to you about, and I just don't see where you are performing those at all. You are performing the physical function of moving bottles, and that is all."

MR. JOHNSTON: "Of moving and warehousing the bottles, and of finding appropriate outlets in our stores, and as occasions arise obtaining new stores to service in the same way. In other words, somebody else may go out and get a new customer. We may go out and get a new location."

ASSEMBLYMAN LINCOLN: "There is a wide difference in my mind between those two points."

(b) How many chain stores, cooperatives and franchise distributor licensees are there who would be affected by this type of legislation?

To date, the exact number is not known. The information can best be furnished by the Board of Equalization, although at the present time the following are affected by this proposed legislation.

MR. JOHNSTON: "I think the figure is 343. That check was made as of the end of 1950, and I think it is quite significant in the light of the opposition that this group is making of our holding of the wholesale and retail license."

ASSEMBLYMAN MALONEY: "Those 343 you mentioned, they are independent operators and not chain stores?"

MR JOHNSTON: "Not chain stores "

ASSEMBLYMAN MALONEY: "Small going concerns?"

MR. JOHNSTON: "Well, I believe so."

ASSEMBLYMAN MALONEY: "You are not including in that statement the cooperatives?"

MR. JOHNSTON: "No, none of those that I mentioned."

MR. MARGOLIS: "This is not current—there would be Borun Brothers, Ledger's Liquor * * *"

CHAIRMAN MCMILLAN: Is this an authentic list? Is this coming from the board?"

MR. MARGOLIS: "From the Board of Equalization."

CHAIRMAN MCMILLAN: "Did you get the list from the board?"

MR. MARGOLIS: "Mr. Stracken gave it to me * * * Andrew Williams; Drexel Distributors. We have always considered them as one, although I do believe they hold perhaps three or four licenses for convenience sake in various parts of the State. There is one other that is not on my list that is a small liquor store here in Los Angeles, and I can get that for you during the noon hour, which did not give up the license. There are probably 13 licenses in nine hands.

ASSEMBLYMAN CONDON: "Do you agree with that, Mr. Johnston?"

MR JOHNSTON: "Yes, that is my understanding."

(c) An important facet of this problem is the number of off-sale retail licensees who are presently served by chain store or cooperative wholesale licensees. This information is important because it is a direct reflection upon the condition of the present situation between the chain store, cooperative wholesalers and the franchise distributors.

MR. JOHNSTON: "Of course as I have pointed out there are some 10,000 retail stores in the State of California which through connections with retailer cooperatives or voluntary chains actually do gain benefit from the wholesale licenses, so you have a large number benefiting now."

NOTE. From other testimony of Mr. Johnston, it was developed that the cooperatives serve approximately 5,000 retail licensees and the voluntary chain stores serve approximately 5,000 retail licensees.

Voluntary chains:

I. G. A. stores—200 stores
E Hoagland—250 stores
Cokus Bros., Ltd.—150 stores
Alfred M. Lewis—800 stores
Market Wholesale Co., Inc—200 stores
Bert McDowell Company—200 stores
Smith and Hansen—150 stores
Louis T Snow and Company—200 stores

Cooperative Stores

Allied Grocers—700 stores
Certified Grocers—1,500 stores
Coast Grocers Company—100 stores
United Grocers—2,000 stores
San Francisco Grocers Company—200 stores
Spartan Grocers—1,000 stores

MR MARGOLIS: "It would appear in these approximate nine licensees that the range of stores would be somewhere between 650 and 800 in number, that of that number eighty per cent approximately would be Drexel or Safeway stores, that the approximately case volume per year would be between a millon and a half and two million, that the approximate gallons would be three and a half million gallons to five million gallons, and the approximate overall percentage of beer sold in the State of California between 1½ and 2½ percent. On wine which of course is also involved here, because it is a common license, I believe the percentage would run a

little less, although I have no figures on which to base that hunch * * * as of November 30 there had been during the previous fiscal year 24,000 such licenses * * *''

(d) Before a retail licensee is compelled to buy from a franchise distributor rather than from its own wholesale organization or the wholesale organization of which it is an owner-member, it is important to analyze the effect of a law prohibiting such a right. The effect must be studied from the point of view of the present chain store wholesale licensees cooperative wholesale licensees and the public.

1. Chain store wholesale licensee:

MR. KOFORD: '' * * * the law was enacted after certain licenses were granted It doesn't seem to justify taking licenses away. It may justify granting licenses.''

MR JOHNSTON: ''We contend we are in legitimate business and perform it properly, and for that reason obviously we should be entitled by reason of engaging in this wholesaling function to receive compensation for the large investment which in the case of Safeway aggregates in excess of a million dollars which has existed over a period of many years, that that should not be forfeited, should not be taken away by these proceedings ''

ASSEMBLYMAN CONDON: ''First about the investment of Safeway, I believe you said you estimated or figured out that there was about one or one and a half million dollars in warehouses and other facilities. I assume that the major portion of that investment is in warehouses themselves, is that correct?''

MR. JOHNSTON: ''Yes, I may say this: There are detailed affidavits on file with the Board of Equalization showing the break-down of that. Now that includes, of course, the investment in both beer and wine facilities, warehousing with respect to beer and wine.''

ASSEMBLYMAN CONDON: ''In the event that Beverage Distributors no longer had a wholesaler's license, these premises wouldn't be lost, they can be used for other warehouse purposes, couldn't they?''

MR. JOHNSTON: ''Well, I suppose any assets would have a certain salvage value. That is certainly true if a business is forfeited, it isn't a complete loss, it has some salvage value.''

ASSEMBLYMAN CONDON: ''My point is I am looking at the pictures. It seems to be an ordinary warehouse that you could store milk or bread or cans of asparagus in, and you are not going to lose the warehouse if you don't have a wholesaler's license.''

MR. JOHNSTON: ''That would be true.''

ASSEMBLYMAN CONDON: ''Then we are not talking about a confiscation of a million and a half dollars because it won't be confiscated no matter what is done, because those facilities can be used by your organization.''

MR. JOHNSTON: ''I would like to say this that here you have a group of some forty employees who are employed exclusively in connection with the wholesale beer business. They are trained. They have ''know-how'' and technique. The company has built up good-will in connection with this field over a period of years, has its contacts with sources of supply and so forth, and maybe the loss wouldn't be a million and a half but

maybe it would be far more than a million and a half. It wouldn't be just in those physical premises, but it would be in all that goes into the make-up and operation of a going business concern."

MR ALEXANDER O. LOEBIG (representing Thrifty Drug Stores): "We warehouse all of our items, including our beers and wines, and it would be very, very difficult for us to decentralize our store deliveries and have several distributors bring in several different kinds of beers and wines. We have at the present time a certain number of deliveries from our warehouses to the stores per week, and if we kept adding to those and had in and out visits by various outside delivery organizations such as five or six or ten beer and wine distributors, it would be impossible for us to cope with it in a store and still take care of all the many routine items which are day to day routine which we have to observe in the stores."

CHAIRMAN MCMILLAN: "If you were buying from the wholesaler would you be able to offer the public the same wide choice of brands?"

MR. LOEBIG: "No, we couldn't, because the cut rate drug business is based on a very low price item and a very low profit. We have to cut our costs. We have to have a very tight operation as far as payment for merchandise goes, as far as handling goes, as far as housing goes, and we certainly would not be able to."

ASSEMBLYMAN CONDON: "How many retail outlets do you have?"

MR. LOEBIG: "We have over ninety."

ASSEMBLYMAN CONDON: "Are there other chain drug stores besides Thrifty?"

ASSEMBLYMAN CONDON: "Do the other drug stores carry beer and wine?"

MR. LOEBIG: "I believe most of them do. I can't say that for sure."

ASSEMBLYMAN CONDON: "They don't have these licenses, do they?"

MR TINGEY. "I am Assistant Secretary of the Mayfair Markets, and we are new to this problem in that we got into it by reason of a recent merger with the Andrew Williams stores up North, a big chain of four stores up there.

"Andrew Williams had four in the North. We had about twenty-five."

ASSEMBLYMAN CONDON: "How many brands of beer do you sell at the Mayfair stores?"

MR. TINGEY "It would only be a guess, but we sell all the major brands, and again we work with and deal with the distributors * * *"

ASSEMBLYMAN CONDON "In other words, you have been buying from distributors, but because of the fortuitous fact of a merger you now have a wholesale license, which otherwise probably wouldn't be yours because you are frozen out of the existing law"

2. Cooperative Store Wholesale Licensee

No witnesses appeared on behalf of the Cooperative Wholesale Licensee nor the Voluntary Chain Licensee, hence no evidence is available on the effect of such a prohibition on these types of operation insofar as their wholesaling facilities are concerned. The committee will have to seek further information from these people in order to have the necessary factual data upon which to base a decision.

MR. MARGOLIS: "The Board of Equalization Ultimately after years of controversy those licenses were revoked When it came before the courts they found a contradiction between the A.B.C. Act and the Corporation Code. There was no explanation for that contradiction, and certainly I have to honestly confess as a lawyer, regardless of my prejudices on one side, that there was much to justify the court in saying that if the Legislature had intended some exception from the Corporation Code they would have spelled it out more specifically because of the long history and the philosophy of the cooperative movement.

"The cooperative grocer is in a totally different position from Safeway because the cooperative grocery house buys that beer at the same price as the wholesaler or Safeway and delivers it at the posted price the same as we do, so it is competing with us * * *. Do you know that our people, independent wholesalers, sell in competition to United Grocers to its own stores and outsell them seventy-five to one on the basis of service, and do it every day in the week. We go there and make regular calls We pick up empties and do all of the grief of the business, and we sell on friendship, we sell on every other basis, and we get out and have all the wear and tear Competition of that sort we are not afraid of"

3 The effect on the public if a law is passed prohibiting a wholesale licensee from selling or delivering to a wholesale licensee which that wholesale licensee controls, has a financial interest in or to which wholesale licensee grants a discount, rebate or percentage of the profits derived from the wholesale operation

ASSEMBLYMAN CONDON: "As I understand it under the bill that was passed in 1949, the sales price of wine to the consumer, you can either sell above or below. I mean they fix the price at 79 cents a fifth. Safeway and every other distributor and retailer of wine is bound by that listed price, isn't that correct, assuming that the winery or whoever puts the wine out posts the price?

MR JOHNSTON: "I think that both as to beer and wine it is true. The price must be quoted"

ASSEMBLYMAN CONDON: "As to beer you have just the fair trade if you want to see it for two-bits instead of 13 cents a bottle—"

MR. JOHNSTON: "The prices have to be posted."

ASSEMBLYMAN CONDON: "You can't sell below, but nothing prevents you from selling above All I am getting to is this: I assume whether or not Beverage Distributors maintains and keeps a wholesaler's license, presumably Safeway stores is still going to distribute beer Well, it is assumed that they are And my point is this that whether you buy from yourself as a wholesaler there is nothing in it for the consumer one way or the other; beer whether it comes through your own wholesale organization or whether you buy from someone who is outside your organization is still going to be sold to the consumer at the posted price."

MR. JOHNSTON: "Yes."

ASSEMBLYMAN CONDON: So the great general public because of more efficient merchandising by your organization buying from itself is not realizing any savings on the commodity they buy over the counter at your stores.

MR JOHNSTON: "No, but I can comment on that a little. I can't give you figures, no I would like to comment on these points you have raised, Mr. Condon First with respect to the first point that you raised as to whether or not the public is or is not benefited by this present system, certainly assuming Safeway continues to operate exactly as it is now, in the event it loses these licenses the public will not be injured."

"It might mean in the Safeway stores there would be fewer brands available to the public Now in that respect the public might be injured I don t know that I suggest that as a very likely possibility."

4 Franchise distributors would apparently benefit to the tune of some 10,000 accounts if this law were passed, although there is no evidence contained in this transcript definitely prescribing the amount of benefit that would accrue

(c) The effect of a law *permitting* the issuance of a wholesale license to a person of firm delivering or selling to himself as a retail licensee or to a retail licensee to which a wholesale retail licensee is obligated to give a discount, rebate or percentage of the profits derived from said wholesale operation

1. It is claimed by those opposed to granting said permit in accordance with Paragraph "c" that the Board of Equalization would be overwhelmed by the job of processing the additional licenses and that said situation would be very costly to the Board. Before this point can be concluded, evidence will be required from the Board of Equalization pointing to the problem before Section 6-F was passed in 1941.

ASSEMBLYMAN CONDON: "You would open up the law to allow Lucky Stores to have a wholesaler's license and other organizations of that type?"

MR KOFORD: "That is what 3395 would do, and I think that would be fair"

ASSEMBLYMAN MALONEY: "On the same foundation or the same grounds should everybody be given a license such as Safeway and the cooperatives enjoy?"

MR. JOHNSTON: "Everybody who performs that economic function, that function of middle distribution, should we believe receive it. Now I might add right there I don't believe that they need open up the field so that any retailer is going to have a license. We say that people who maintain independent, separate warehousing and trucking facilities, people who engage in the business, in other words, service various stores from a central warehouse, that it is those groups that should have it."

MR MARGOLIS: * * * Prior to the amendment of the law in Section 6-F in 1937 it is true that there were literally hundreds of these dual capacities like Lucky Stores, Safeway and Hagstrom's."

MR. M KOEHN (representing the Northern California Beer Distributors Association): One thing that would happen if 3,395 went through, and we believe the subsequent result would be that there would be so many more wholesalers that the Board of Equalization would be snowed under as far as the price posting is concerned. As you know a retailer does not post his price, but the manufacturer and the wholesaler must post

their prices with the Board of Equalization, and they may sell at those prices or be subject to penalties. Now, they have difficulty in keeping track of the immense amount of postings that come in there now, and if this other flood should come down on them, there absolutely wouldn't be any chance of ever checking those price postings to see that they are existing * * *.

MR B C. FIELDS (representing the Southern California Beer Distributors Association): "Now then, gentlemen, when I tell you that a price changes comes along, like on November 1st of last year, when there was a federal excise tax increase, and that has to be passed along, and has happened in the last few weeks. The O.P X issued 117 permitting an entirely different set-up for price structures. Sacramento is so avalanched with new price posting sheets and schedules that it takes them weeks to crawl out from under. What do you suppose, gentlemen, is going to happen if you permit such a situation to grow as 3395 contemplates, and they get posting forms from 10,000 or 15,000 or 20,000 retailers holding wholesale licenses. It will be an impossible situation. It will be months before the authorities will know whether Joe Doakes, a wholesaler-retailer combined is selling at the posted prices or not."

MR. KOFORD: Mr. Margolis said something, and I believe that I am accurate in this that there were 500 liquor licensees in the Northern Association I would say of which about two hundred were active, and about three hundred were inactive, and yet it was said that if the law was repealed that everybody's garage would become a liquor, wholesale beer and wine licensee. There are inactive licensees now, and there is no reason to believe everybody is going into the wholesale business merely because the law was amended any more than the retail grocery or anything else are going to get wholesale licenses for groceries or anything else that they are doing. * * * There are inactive licensees now, showing that apparently it isn't a field into which a lot of people are just waiting to plunge. It requires an investment, it requires the investment of all kinds of facilities, warehouses and other things, and as the distributors have pointed out, they are in a selling business, and apparently they are doing a good enough job so that many of these licensees are not using their licensees."

2. What would be the effect on the franchise distributors? The committee is not satisfied with the evidence presented in this connection It is far from being complete or accurate, however, it presents the following testimony.

MR. FIELDS: "Because every retailer imaginable would certainly want to make the wholesaler's profit on every case of beer he handles."

ASSEMBLYMAN MALONEY: "They would want to make a double profit?"

MR. FIELDS: "Wholesale and retail combined."

CHAIRMAN MCMILLAN: "Would it be that simple?"

MR. FIELDS: "Certainly sir, just as simple as it is right now for Safeway."

CHAIRMAN MCMILLAN: "Wouldn't they have to put up warehouses?"

MR FIELDS: "It would depend on what you decided was a warehouse. Couldn't it be a garage?"

ASSEMBLYMAN CONDON: "I know a wholesaler that has a warehouse that is a quonset hut. It probably didn't cost more than $2,000 or $3,000 at the most."

CHAIRMAN MCMILLAN: "Is anyone being hurt right now by the present set-up, and would anyone be hurt if the Legislature passed no bill, or else passed a bill allowing a grandfather clause granting the people who have heavy investments in this set-up to continue and prohibited further licenses?

MR. KOLHN: "The Northern California Beer Distributors Association. Gentlemen, the situation seems to have been fairly well covered, however I would like to go back, because I was in the industry in the old days before prohibition, and I think the question of a Tied-House was gone over rather quickly. That was one of the abuses that existed in the industry pre-prohibition that I believe led to such public resentment that finally led to prohibition. It was one of the leading factors in it. I believe that this situation as outlined in 3395 is again one step in that direction, let alone the fact that we interpret it along the lines that it would open it wide open and put our wholesalers out of business.

"You may not think so, but by that I mean price cutting, free goods. But that leads to other things, which again brings us unfavorably before the public."

MR. AUFDERHEIDE: "I am interested in the wholesaler to see that he is protected, because he is the person that has helped make that community and start the community, and this bill is going to eventually put him out of business as the larger chain organizations put up enormous outlets. They will eliminate two or three licensees in that particular community that have tried to exist and have existed and built that community. They will come in and freeze him out. They have been customers of the wholesaler, and as a result, as they come in there, and eventually the smaller retailer cannot exist in that particular community, so this law would certainly jeopardize the position of the wholesaler and slowly put him back where he can't exist and can't make his living."

3. The effect upon the public is of vital concern to the committee. No definite conclusions can be drawn from the testimony so far presented on this subject. The testimony does, however, present avenues for investigation which the Committee will no doubt desire to pursue further in its effort to determine whether or not the public will be benefited or hurt by writing the law so that a wholesale license might be issued to a person or firm delivering or selling to himself as a retail licensee or to a retail licensee to which said wholesale licensee is obligated to give a discount, rebate or percentage of the profits derived from said wholesale operation

ASSEMBLYMAN MALONEY: "Just one question. How do you feel, Mr. Johnston, as to whether or not there is a conflict here between the legislative policy as contained in 3395 and the prohibition against retailer-wholesaler in the Tied-House policy?"

MR. JOHNSTON: "It would be my position that it has no bearing whatsoever on this problem. The Tied-House policy was a policy that developed before prohibition.

It was a policy that related to the brewery ownership and control of the saloon. The Tied-House policy never, as I understand it, applied to

the sale of beer in a retail store. The records and history show that the sale of beer in the retail store was a negligible factor before prohibition. It did not exist as a big factor. When they talked about Tied-Houses that is what they were talking about."

"Now I was pointing out that historically the Tied-House policy certainly didn't apply to the retail store. Now in addition to that Section 54, which contains other Tied-House restrictions, does not prevent the ownership by a retailer of a wholesale beer and wine business. It does prevent any other tie-in between them, but it doesn't relate to the retail store. And in that connection I think it would be well to consider also Section 54-D which expressly allows wholesaler owned cooperatives from holding certain types of wholesale liquor licenses. In other words, there is a plain recognition that the Tied-House policy shouldn't apply to the retail store There are no evils result from that. The sale of beer in the retail store encourages consumption in the home which is a good thing from the standpoint of broadening the distribution of the beer and keeping it out exclusively of the saloon. Section 54-D expressly provides that, it says, 'Any person who held an interest in or was a member of a cooperative wholesale grocery company on May 1, 1947, which cooperative holds a distilled spirits wholesaler's license may hold and renew his off-sale general license and may acquire an off-sale general license or licenses for bona fide retail grocery store or stores.' We say that same policy should be applied here."

MR. MARGOLIS: "You want to remember these are independent stores here serving on the grounds that it gives rise to practices which they may be of a little different form than they were in prohibition, the same Tied-House practices of painting the place for the fellow, supplying him with icing equipment, of excluding certain brands, and don't kid yourself when the gentlemen who previously testified and was making that statement, they can and will use economic pressure to exclude certain brands."

"I can think of a dozen things: price posting, taxation, the most important ones are perhaps hours of sale, minor sales, all of the free goods propositions, all of them that were believed to be evils in this industry, and here too, gentlemen, I think we must remember in the face of what these two very fine gentlemen have told you, that we are not dealing with salt or pepper. We are dealing with a privileged industry. We are dealing with an industry that has been very much in the public eye, and we are dealing with one that over eighteen years of philosophy has developed not only in the State of California but all over the United States, and I make this point without fear of contradiction that no place in the United States is the type of distribution these people contended was supported by legislation. Other states have similar problems, but most of them follow our principle of the A B.C Act or have State ownership."

"Every wholesaler, whose names in support you have learned during the legislative session, have been advised by their own brewers not to testify before the board and this committee because of the threat of economic reprisal to the particular beer."

"Safeway is getting it cheaper, and hence there is the pressure from the retailers to get our people to violate the law by giving concessions that

the law doesn't permit them to give. It is an economic pressure that exists. These are only 1½ or 2 percent of the licenses in volume, yet the pressure is on everybody else. It is the old story, if one man gets a 10 cent chiseling in rebate in violation of the law, immediately the law administration and enforcement breaks down, and pressure exists all over the State."

"In the case of cooperative grocers that is true, because we are permitted to compete with them, and there is no Tied-House problem when competition exists. The Tied-House problem exists when there is no competition."

"There is voluntary fair-trading, and also under A.B.C. You have beers that have come into the State that came in under neither, but generally speaking it is true that all of, I would say 95 percent of the beer sold in California is sold at the same price in every store."

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Interim Committee on Agriculture, in Room 4202.

Standing Committee on Agriculture (upon adjournment of above mentioned meeting), in Room 4202

Public Health, at desk of Mr. Connolly Subject: Senate Bill No. 8.

Tomorrow, Wednesday, March 26th, at 8 a.m.—

Rules, in Lounge Room.

ADJOURNMENT

At 2:05 p.m., on motion of Mr. Hinckley, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, March 26, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 26, 1952

The Assembly met at 9 30 a m.
Hon Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holl-baugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln Lind-say, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord our God, we invoke Thy blessing upon the leaders of our government, and pray unto Thee to enlighten with Thy wisdom and sustain with Thy power, those whom the people have set in authority, the President, his counselors and advisers, the judges, law-givers and executives and all who are entrusted with our safety and with the guard-ianship of our rights and our liberties Teach them O Lord to lead our Nation with sin-cerity and truth, and may they set the example of the honor and dignity of man that we may all follow.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Cooke, on motion of Mr. Lowrey.

Mr. Crowley, on motion of Mr. Lowrey.

Mr. Brady, on motion of Mr. Connolly.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr Beck.

COMMUNICATIONS

By the Chief Clerk:

A communication from Rev Eddie Clayton of Santa Barbara, requesting that a law be passed which will prohibit smoking in hotels, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

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

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO 14, March 24, 1952

Mr Arthur A. Ohnimus
Chief Clerk of State Assembly
Assembly Chamber, State Capitol
Sacramento 14, California

DEAR MR OHNIMUS: I am this day forwarding to the State Treasurer a check in the sum of $34,000 to be placed to the credit of the Legislative Printing Fund representing proceeds from the sale of legislative publications and service by the Legislative Bill Room from April 1, 1951, to February 1, 1952.

Very truly yours,

PAUL E. GALLAGHER, State Printer

By the Chief Clerk:

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

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO 14, March 24, 1952

Mr. Arthur A. Ohnimus, Chief Clerk of State Assembly
Assembly Chamber, State Capitol
Sacramento 14, California

DEAR MR. OHNIMUS: I am this day forwarding to the State Treasurer a check in the sum of $9,787.53, to be placed to the credit of the Legislative Printing Fund, representing proceeds from the sale of Legislative publications by the Documents Section of the Printing Division from July 1, 1951, to December 31, 1951.

Your very truly,

PAUL E. GALLAGHER, State Printer

By the Chief Clerk:

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

Letter of Transmittal

STATE OF CALIFORNIA, SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION
DATE: March 24, 1952

To: Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT: REPORT ON PROPERTY TAX ASSESSMENT—MODOC COUNTY

From: State Board of Equalization
Dixwell L. Pierce, Secretary

In furtherance of my letter of March 3, 1952, sent pursuant to Section 15645 of the Government Code, I am transmitting herewith for filing with the Assembly, copy of an

additional survey completed under Sections 15640 and following of the Government Code since the March 3d communication was written.

The Property Tax Administration Report to which this letter relates concerns Modoc County. When included among the others sent previously it accounts for 46 of the 58 counties.

As explained in our earlier communication, reports as to the remaining 12 counties are in process and most of these should be available for distribution before the close of the current fiscal year.

DIXWELL L. PIERCE

Above transmitted copy of survey ordered referred to the Committee on Revenue and Taxation.

By the Chief Clerk:

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

Letter of Transmittal

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA
PUBLIC WORKS BUILDING, SACRAMENTO 5, CALIFORNIA, March 25, 1952

Honorable Arthur A. Ohnimus, Chief Clerk
California State Assembly, State Capitol

DEAR MR. OHNIMUS: Pursuant to Senate Concurrent Resolution No. 48, 1951 Session of the Legislature, and in accordance with the resolution of the Water Project Authority, adopted at the special meeting held on March 25, 1952, there is transmitted to you a copy of the report prepared by the State Engineer entitled, "Feasibility of State Ownership and Operation of the Central Valley Project, California," dated March 17, 1952.

A copy of the resolution of the authority is also enclosed.

Very truly yours,

FRANK B. DURKEE
Director of Public Works Chairman

Above transmitted copy of report ordered referred to the Committee on Agriculture.

By the Chief Clerk:

A communication from Mrs. Esther C. Howard of Los Angeles, requesting information on social security benefits, was received, and ordered referred to Mr. Chapel.

By the Chief Clerk:

An unsigned communication from a citizen in San Jose, requesting the Legislature to pass a strong law to eliminate rape cases, was received, and ordered referred to Mr. Smith.

ANNOUNCEMENT

Speaker Sam L. Collins announced that copies of Assembly Bill No. 1, the Budget Bill, appear in binder form on the desks of all members, and are not to be destroyed but carefully preserved.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER BE PRINTED IN JOURNAL

Mr. Hahn asked for unanimous consent that a letter be ordered printed in the Journal.

Mr. Kirkwood withheld unanimous consent.

Letter ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Clarke asked for, and was granted, unanimous consent that a letter of transmittal, and a Progress Report of the Assembly Interim Committee on Agriculture Relative to Fairs and Expositions be ordered printed in the Journal, in 10-point type.

Above report will appear prior to the motion to adjourn.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Clarke asked for, and was granted, unanimous consent that the above letter of transmittal and report be printed as a separate document, and that 500 copies be printed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that a letter of transmittal and the First Progress Report of the Assembly Interim Committee on Agriculture Relative to Public Lands, Grazing, and Forest Practices be ordered printed in the Journal, in 10 point type.

Above report will appear prior to the motion to adjourn in tomorrow's Journal.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr Lowrey asked for, and was granted, unanimous consent that the above printed letter of transmittal and report be printed as a separate document, and that 500 copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 42: By Mr Stanley—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to, the Education Code, all relating to automobile driver training in public schools, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 43: By Messrs. Shaw and Hinckley—An act to amend Section 1 of, and to add Section 2 to, and act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the municipal court of the City of San Bernardino.

Referred to Committee on Judiciary.

Assembly Bill No. 44: By Messrs Shaw and Hinckley—An act to add Section 2 to an act entitled "An act providing for the constitution

of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to fees in such court.

Referred to Committee on Judiciary.

Assembly Bill No. 45: By Messrs. Shaw and Hinckley—An act to amend Section 1 of an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 46: By Messrs Dunn, Dickey, Lincoln, Rumford, Caldecott, and Sherwin—An act to amend Section 14744 of the Education Code, relating to continuation of membership in school district retirement plans after discontinuance of service.

Referred to Committee on Education

RESOLUTIONS

The following resolution was offered:

By Mr Connolly:

House Resolution No. 18

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of one thousand nine hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail, and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Connolly asked for, and was granted, unanimous consent to take up House Resolution No. 18, at this time, without reference to committee or file.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

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

Assembly Bill No. 33

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

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

Assembly Bill No. 19

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 30

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

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

Senate Concurrent Resolution No 3

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

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

Assembly Joint Resolution No. 2

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1952

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

Assembly Bill No. 39

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

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 39—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of

California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or a water supply and the sale or other disposition of water; to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion, and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof; to provide for certain powers, rights and liabilities of member units located within or partially within said district; to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and issuing and selling of bonds, the voting and levying and collection of special assessments; the levying and collection of taxes; to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds; to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities, irrigation districts, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 13, line 19, of the printed bill, strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendment No. 2

On page 13, lines 37 and 38, of said bill, strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 39

Mr. Clarke asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 39.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 8—An act to add Chapter 18 to Division 3 of the Education Code, relating to school districts which through error in fixing the tax rates have become ineligible for any part of the state aid provided by Chapter 15 of Division 3 of the Education Code and providing for aid and assistance to such districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 11—An act to amend Sections 9, 16, 160, 253, 320, 321, 455, 559, 566, 640 and 641 of the Military and Veterans Code and to add Section 643.2 to the Military and Veterans Code, relating to the Uniform Code of Military Justice, the administration of oaths, command of the California National Guard, appointment of noncommissioned officers, determination of longevity and state service, the California National Guard Reserve and enlistment and service therein, restoration to employment after military service, Good Conduct Medal and Medal of Valor, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 19—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holbbaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Lucke1, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Stanley, Thomas, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 33—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code and to add Sections 30605, 30606, 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr McCarthy moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 25, 1952, strike out "30605, 30606, 30607," and insert "30607"

Amendment No. 2

On page 1, line 1, of said bill, strike out "30605, 30606, 30607," and insert "30607".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 16, inclusive; strike out page 2; and on page 3, strike out lines 1 to 7, inclusive, and insert

"SEC. 2 Section 30607 is added to said code, to read."

Amendment No. 4

On page 4, line 1, of said bill, strike out "5", and insert "3".

Amendment No. 5

On page 6, line 8, of said bill, strike out "6", and insert "4"

Amendments read.

Roll Call Demanded

Messrs Dolwig, Silliman, and McCarthy demanded a roll call.

The roll was called, and the amendments offered by Mr. McCarthy to Assembly Bill No. 33 adopted by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Elliott, Erwin, Gaffney, Grant, Hahn, Hawkins, Hinckley, Kilpatrick, Klocksiem, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Munnell, Niehouse, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—36.

NOES—Belotti, Brown, Clarke, Coats, Davis, Dickey, Dills, Dolwig, Doyle, Fleury, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Lanterman, Lindsay, Lowrey, McCollister, McFall, McGee, Moss, Parker, Porter, Silliman, and Thomas—28

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 33

Mr McCarthy asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No 33.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal in 10-point type:

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON BOARDS AND COMMISSIONS

Letter of Transmittal

Hon Sam. L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: In accordance with the provisions of House Resolution No 177 of the 1951 Regular Session, we are herewith submitting our Preliminary Report of the activities of the Assembly Interim Committee on Boards and Commissions.

Respectfully submitted,

LESTER A. McMILLAN, Chairman
L. H. LINCOLN, Vice Chairman
ROBERT L. CONDON
THOMAS J. DOYLE
VERNON KILPATRICK
THOMAS A. MALONEY
RICHARD A. McCOLLISTER

Above report appeared in the Assembly Journal of the First Extraordinary Session for Tuesday, March 25, 1952.

RECESS

At 9.59 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.15 a.m.

REASSEMBLED

At 11.15 a.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

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

Assembly Joint Resolution No. 5—Relative to the use of money collected by federal gasoline, diesel fuel, and lubricating oil taxes.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 7—Relative to the Central Valley Project and the Feather River Project.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Beck asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Concurrent Resolution No. 7, and that he be recorded as voting "Aye".

Assembly Concurrent Resolution No. 8—Relative to the Central Valley Project and the Feather River Project.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Nicholse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 30—An act relating to toll crossings of San Francisco Bay, including approaches thereto, and expenses of maintaining, operating and insuring such crossings, providing for studies of an additional crossing and making an appropriation therefor, and in connection therewith, to amend Section 30605 and repeal Sections 30606, 30607 and 30608 of the Streets and Highways Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Request for Unanimous Consent That All Proposed Amendments to Assembly Bill No. 30 Be Considered Prior to Sending the Bill to Be Reprinted

Mr. Caldecott asked for, and was granted, unanimous consent that all proposed amendments to Assembly Bill No. 30 be considered prior to sending the bill to be reprinted.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in the Assembly on March 25, 1952, after "Bridge," insert "but in no event shall the San Francisco terminus of said bridge be north of Army Street,".

Amendment No. 2

In line 3 of the title of said bill, after the comma, insert "including the repayment to the State Highway Fund of certain of such expenses already paid,".

Amendment No. 3

Strike out lines 7 and 8 of the title of said bill, and insert "ways Code."

Amendment No. 4

On page 3 of said bill, strike out lines 43 to 49, inclusive; and on page 4, strike out lines 1 to 9, inclusive, and insert

"SEC. 6. There shall be repaid into the State Highway Fund the sum of thirteen million, four hundred eleven thousand, eight hundred seventy-five dollars ($13,411,875) by the California Toll Bridge Authority to reimburse that fund for moneys heretofore expended therefrom for maintenance, operation and insurance of the toll bridge. The moneys so repaid shall be credited to the money available for construction of state highways in County Group No. 1 as specified in Section 187.

Whenever, after the effective date of this section, any bonds secured by a pledge of the tolls and revenues of the toll bridge are refunded or retired, in the total then outstanding, the California Toll Bridge Authority shall include in the proceedings for any new issue of bonds for such purpose bonds in an amount fully sufficient to repay to the State Highway Fund the amount provided by this section.

If the amount provided to be repaid to the State Highway Fund by this section is not repaid from the proceeds of the sale of bonds, then, after all revenue bonds issued and sold by the California Toll Bridge Authority in the sum of twenty-one million dollars ($21,000,000) and designated as "San Francisco-Oakland Bay Bridge 1951 Refunding and Improvement Toll Bridge Revenue Bonds, Series A" and after all revenue bonds issued and sold as provided in Section 30654 (if any are so issued) have been fully redeemed and paid, the authority and the department shall fix and collect

tolls on the toll bridge at a rate sufficient to include provision for such repayment until the amount required to be paid into the State Highway Fund by this section has been paid thereto."

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 30

Mr. Caldecott asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 30.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 7 HOLD PLACE ON FILE

Messrs. McFall and Parker asked for, and were granted, unanimous consent that Senate Bill No. 7 be passed on file, and hold its place on file on the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Mr. Evans:

House Resolution No. 19

Relative to augmenting the funds of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, The Assembly Interim Committee on Public Utilities and Corporations was formed to study matters relating to public utilities and corporations and subjects pertinent thereto; and

WHEREAS, The committee has been unable to complete its study of some of the numerous items referred to it due to a shortage of funds; and

WHEREAS, New and additional inquiries are constantly being referred to the committee on the subjects committed to it for its consideration and study, now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 167, 1951 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 ordered referred to the Committee on Rules.

By Messrs. Stewart, Hinckley, Lincoln, Rumford, Brown, Gubser, Lipscomb, McDee, Lanterman, Thomas, McCarthy, Evans, and Waters:

House Resolution No. 20

Relative to augmenting the funds of the Assembly Interim Committee on Governmental Efficiency and Economy

Resolved by the Assembly 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 Assembly for the expenses of the Assembly Committee on Governmental Efficiency and Economy (created by House Resolution No. 186, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer

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

RECESS

At 11.07 a.m., on motion of Mr. Dickey, the Assembly recessed until 2.45 p.m.

REASSEMBLED

At 2.45 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 30
And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 33
And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 39
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 21

Relative to the adjournment of the Assembly in memory of the Honorable George Burke

WHEREAS, The attention of the members of the Assembly has been called to the untimely passing of the Honorable George Burke, brother of our esteemed colleague, Assemblyman Montivel Burke; and

WHEREAS, The Honorable George Burke passed away at the age of 47 and at that time was a resident of Powell, Wyoming, and had been for 12 years a State Senator of the State of Wyoming, and during the year 1950 was elected President of that honorable body and in that capacity acted as Governor in the absence of the Governor during periods in 1951; and

WHEREAS, The passing of the Honorable George Burke on Monday, March 24, 1952, was a shock not only to the members of his family but to the people of the State of Wyoming who thereby suffered a severe loss in the death of a good public servant and loyal American citizen; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day it does so out of respect to the memory of the late George Burke; and be it further

Resolved, That suitably prepared copies of this resolution be transmitted to the Honorable Montivel Burke and to Mrs. George Burke, the widow of the deceased, and her three children.

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

By Mr. Shaw:

House Resolution No. 22

Relative to needless blocking of highway traffic by railroads in the City of Colton and other cities in this State

WHEREAS, The City of Colton is traversed with a railroad artery with five sets of tracks, which intersects, at grade, that community's only north and south arterial highway; and

WHEREAS, On frequent occasions railroad traffic at said intersection has needlessly and carelessly blocked said highway and held as many as 200 motorists at a standstill for as long as one-half hour at a time; and

WHEREAS, Public indignation in said community has risen to the point of threats of physical violence against the railroad property and personnel because of the neglect of the railroads involved to make even a reasonable effort to remedy this situation; and

WHEREAS, Similar situations exist in other communities in this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Public Utilities Commission of the State is hereby requested to take any appropriate action necessary to correct the situation described in the whereas clauses of this resolution, and particularly with respect to the City of Colton; and be it further

Resolved, That the Assembly Interim Committee on Public Utilities and Corporations, created by House Resolution No. 167 of the 1951 General Session, is hereby authorized and directed to ascertain, study and analyze all facts relating to the unnecessary blocking of highways by railroads in this State, and particularly all facts relating to that problem as it exists in the City of Colton, and to report thereon to the Legislature including in its report its recommendations for appropriate legislation; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Public Utilities Commission of the State of California and to each member thereof.

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

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 30—An act relating to toll crossings of San Francisco Bay, including approaches thereto, and expenses of maintaining, operating and insuring such crossings, providing for studies of an additional crossing and making an appropriation therefor, and in connection therewith, to amend Section 30605 and repeal Sections 30606, 30607 and 30608 of the Streets and Highways Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, Connolly, Conrad, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54

NOES—Clarke—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 33

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 33.

CONSIDERATION OF ASSEMBLY BILL NO. 33

Assembly Bill No. 33—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code and to add Sections 30605, 30606, 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making and appropriation therefor.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—54.

NOES—Clarke and Sherwin—2.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Moss:

Resolved, That Assembly Bill No. 39 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None

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

CONSIDERATION OF ASSEMBLY BILL NO. 39

Assembly Bill No. 39—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or a water supply and the sale or other disposition of water; to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire

or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof; to provide for certain powers, rights and liabilities of member units located within or partially within said district; to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district; to authorize the incurring of indebtedness, the voting and issuing and selling of bonds, the voting and levying and collection of special assessments; the levying and collection of taxes; to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds; to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities, irrigation districts, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 38

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

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 38—An act to add Division 3.5, the Civil Defense Street and Highway Bond Act, to the Streets and Highways Code, relating to the issuance and sale of bonds to finance the immediate construction

or reconstruction of state highways, county roads, and city streets necessary for civil defense purposes, such bonds to be payable solely from certain portions of the State Highway Fund and the Highway Users Tax Fund, and authorizing the immediate expenditure of the proceeds from the sale of such bonds for the construction or reconstruction of such streets and highways.

Bill read second time, and ordered engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Sherwin:

House Resolution No. 23

Relative to augmenting the funds of the Assembly Interim Committee on Ways and Means

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Ways and Means (created by House Resolution No. 204, 1951 Regular Session) and its members, and for any charges, expenses or claims it may incur under said resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

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

The following resolutions were offered:

Assembly Concurrent Resolution No. 9: By Messrs. Sherwin, Fleury, Moss, and Stewart—Relative to merit awards to state employees.

Referred to Committee on Rules.

Assembly Joint Resolution No. 13: By Messrs. Belotti, Lindsay, Chapel, Clarke, Connolly, and Hansen—Relative to the Trinity River diversion.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT PERMISSION BE GRANTED THAT BILL BE INTRODUCED AND HELD AT DESK

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to introduce a bill, at this time, that it be numbered, and held at the desk temporarily, pending the addition of the signatures of all members desiring to be co-authors.

ANNOUNCEMENTS

Mr. Kirkwood announced that the above mentioned bill relates to a revision of provisions in the Budget Act which will increase the School Foundation program by $3; and that the other change pertains to a readjustment of federal school assistance; and that all members desiring to be co-authors on said bill should affix their signatures to the bill, at this time.

Mr. Evans announced that the bill, mentioned above by Mr. Kirkwood, is the result of compromise, and that there will be no need for a meeting of the Committee of Eight which was appointed by Chairman Hollibaugh of the Los Angeles Delegation for the purpose of effecting a compromise.

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

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

Assembly Bill No. 47: By Messrs. Kirkwood, Dunn, Beck, Moss, Burke, Chapel, Coats, Conrad, Dolwig, Doyle, Elliott, Evans, Fleury, Geddes, Grant, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, McFall, Morris, Munnell, Parker, Rumford, Shaw, and Stanley—An act to add Sections 5153.6, 7000.1, 7036.5, and 7123.1 to the Education Code, to amend Sections 5153.3, 7011, 7035, 7037.1, 7037.2, 7036, 7091, 7109.1, 7109.2, 7109.3, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education

FAIRS AND EXPOSITIONS

Progress Report of the Assembly Interim Committee on Agriculture

PREFACE

A continual appraisal of fairs and expositions is essential to maintaining the interest and participation of the public.

It is vitally significant to learn not only what attracts customers to the fairs and which interests draw their attention, but also to determine the underlying reasons for nonattendance.

Only through the utilization of information from both sources can maximum benefit be attained in terms of improved drawing-power, strengthened programs, and increased satisfaction to the public.

The committee has taken into consideration both the negative and positive aspects of the problem through public opinion surveys, and will submit their findings and recommendations in a subsequent report to the 1953 General Session.

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, MARCH 25, 1952

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER and Members of the Assembly: In accordance with House Resolution 241, 1951 Session, the Assembly Interim Committee on Agriculture submits a progress report prepared by its subcommittee on Fairs and Expositions.

Respectfully submitted,

GEORGE A. CLARKE, Chairman
JOHN B. COOKE, Vice Chairman
JOHN D. BABBAGE
WALLACE D. HENDERSON
FRANK P. BELOTTI
H. W. KELLY
RALPH M. BROWN
FRANCIS C. LINDSAY
RALPH R. CLOYED
LLOYD W. LOWRLY
ARTHUR W. COATS, JR
RICHARD H. MCCOLLISTER
LESTER T. DAVIS
JOHN J. MCFALL
THOMAS M. ERWIN
CARLEY V. PORTER
CHARLES S. GUBSER
STANFORD C. SHAW
HARLAN HAGEN
MARVIN SHERWIN
WILLIAM W. HANSEN
JAMES W. SILLIMAN

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, MARCH 25, 1952

Hon. George A. Clarke, Chairman
Assembly Interim Committee on Agriculture
State Capitol, Sacramento, California

The Subcommittee on Fairs and Expositions, appointed by you under provisions of House Resolution 241, 1951, submits herewith its progress report.

To evaluate, assimilate, reproduce and centralize public opinion of fairs, the subcommittee employed The John B. Knight Company to conduct a scientific and impartial survey.

The first field of investigation deals with the California State Fair, and consists of a public opinion survey of 2,748,000 potential customers who did not attend in 1951. The second study comprises a composite customer audit made at 10 fairs during 1951, representing all geographical areas of California, at which attendance was more than 3,000,000 persons.

The subcommittee has not altered, edited or commentated upon the results tabulated, nor have they drawn conclusions from the information contained therein.

Respectfully submitted,

LESTER T. DAVIS, Chairman
CHARLES S. GUBSER
WILLIAM W. HANSEN
H. W. KELLY
STANFORD C. SHAW

SECTION ONE

PUBLIC OPINION SURVEY OF THE CALIFORNIA STATE FAIR

1951

PURPOSES OF THE SURVEY

There were four fundamental purposes to be served by this study of the adult residents living within the primary marketing area of the California State Fair.

1. One was to define the *potential* number of customers that might *reasonably* be expected to attend the California State Fair.
2. A second purpose for this survey was to learn the *reasons* why more people do not attend the fair each year.
   These reasons are separated into two categories, neither of which is totally exclusive of the other:
   (a) One category consists of those reasons why people *could* not attend the fair. The reasons given indicate circumstances beyond the control of the customer or of fair management. They could probably not be overcome by further stimulation on the part of fair management.
   (b) The other category consists of those reasons why people *did* not attend the California State Fair, but which might be overcome by fair management.
3. A third purpose was to procure information that would help fair management and the Legislature of the State of California to overcome the reasons why people are not now attending the California State Fair—increase the number of people who see the fair each year—and thereby make the California State Fair of greater service to the people and the economy of the State of California.
4. The fourth purpose was to appraise the facilities at the California State Fair with respect to requirements for present and future attendance.

PERTINENT QUESTIONS

In considering the data contained in this report, we believe it important for the reader to answer for himself the following questions, that are intended to clarify the fundamental issues about which this data is concerned.

1. Should the California State Fair be:
   (a) County fair;
   (b) Regional—Northern California;
   (c) State.
2. Should the State Fair:
   (a) Be subsidized, and if so, how much;
   (b) Break even without state aid except for support from the racing funds;
   (c) Make a profit.

3. Should the State Fair be operated as a business, and as such:
   (a) Increase sources of revenues in line with increased expenses.
      1. Concessionnaires
      2. Exhibitors
      3. Admissions
   (b) Set aside reserves for depreciation and new facilities.
4. Should all interim use (now charged against the fair):
   (a) Be subsidized;
   (b) Break even;
   (c) Make a reasonable profit.
5. If a regional or State Fair is desired:
   (a) Should the present caliber of commercial and industrial exhibits be improved sufficiently to attract a more representative number of fair customers from the region or State?
   (b) Do the present grounds offer enough space in which to handle the expected increase in attendance?
   (c) Do present facilities offer enough space in which the handle the improved and additional exhibits under "5a"?
6. Should a California State Fair area and facilities be:
   less; equal to; or greater than those at the Los Angeles County Fair at Pomona?
7. Should the California State Fair season be extended to spread the present attendance over a larger number of days?

SUMMARY OF CONCLUSIONS

1. Additional Practical Potential Customers:

There is a practical potential of approximately 696,000 additional adult fair customers for the California State Fair.

NOTE: The foregoing practical potential was determined on the basis of the following formula:

A. There are approximately 2,948,000 adults residing within a 175-mile radius of the California State Fair. Approximately 200,000 of these people attended the 1951 California State Fair, leaving a total additional potential of 2,748,000.

B. Approximately 15 percent or 413,000 do *not* want to see the California State Fair because they don't like fairs * * * *reducing* the potential to approximately 2,335,000 additional adult customers. Surveys have proven that no appreciable percentage of these people who do not like fairs attend a fair.

C. Those who do like to see a fair have a decided preference as to the interval between fairs. Some like to see more than one fair a year, others only one fair each year, and others want to see a fair at less frequent intervals, such as every other year. The frequency of desire to see a fair is fundamental.

D. Approximately 664,000 potential customers will go to a county fair instead of a State Fair. To this extent, at least, the county fairs are in direct competition with the State Fair.

E. Approximately 664,000 prospective customers will be unable to go to the California State Fair for reasons beyond their control as listed below:

	100.0%
Worked every day of the fair	34.6%
Costs too much	19.9
Illness	13.5
Out of town	13.1
Children too small	12.1
Weather	6.8

F. Approximately 311,000 prospective customers are people who do not care to attend the California State Fair every year, and whose year to attend will not be 1952.

2. Reasons Why Practical Potential Customers Did NOT Attend·

A. Approximately 696,000 *might* have gone but did not do so for reasons as listed below:

	100 %
Busy doing other things	36.7%
Too far away	22.7
Too much traffic	14.3
Fair too crowded	12.1
Saw previous State Fair	6.8
More or less the same as local fair	3.5
Miscellaneous	3.9

B. As explained later in the body of the report, there is a total of approximately 1,195,520 adults who share the reasons listed above, although these are secondary reasons for not attending for all but the 696,000.

C. The reasons listed above are definitely those that might be overcome by staging a better fair. By "better fair," we mean *more powerful exhibits* of the "exposition" type—exhibits powerful enough to successfully compete with distance, traffic, crowds and other forms of entertainment, amusement or relaxation. In short, the people of this area confirmed the report prepared by Raymond Loewy Associates that on page 24 stated as follows: "From the foregoing, we can but conclude that the present California State Fair is not meeting the full scope of its objectives, and in no way reflects the title it bears. In our opinion, its only dynamic force is degenerative. The progress and development of other fairs in the State are lowering the relative status of the California State Fair."

3. Appraisal of California State Fair Facilities:

NOTE: While a comparison is not necessarily conclusive, it serves the purpose of bringing the problem into focus. It is for that reason that the following comparisons are made with the Los Angeles County Fair.

A. *Total acreage*:

California State Fair—207 acres—Los Angeles County Fair—400 acres

B. *Total Acreage for fair purposes*:

California State Fair—175 acres—Los Angeles County Fair—160 acres

NOTE: Approximately 25 or 30 acres of the 175 acres is used by the mile race track at the California State Fair. The Los Angeles County Fair has a half-mile track. This means that for general fair purposes other than racing, the Los Angeles County Fair would have between 10 and 15 more acres than the California State Fair.

At present, there are approximately 145,000 people who believe that they should not attend the California State Fair because it is too crowded.

C. *Daily Attendance*:

The California State Fair's largest day was 126,848 admissions compared to the Los Angeles County Fair's of 133,696—a difference of 6,848.

The average daily attendance for the California State Fair was 69,275 admissions, while the Los Angeles County Fair had an average of 63,332—a difference of 5,943 admissions.

The average fair customer spent 5.3 hours on the fairgrounds This is a four-year average. It does not include exhibitors, employees of the fair or other participants. It demonstrates that the crowd tends to accumulate rather than disperse and be supplanted by a new crowd each day. The big majority of the admissions occur after 2 p.m. on week days.

D. *Total Acreage for Parking Purposes*:

California State Fair—34 acres—Los Angeles County Fair—240 acres

NOTE: Efficient parking permits approximately 150 to 200 cars per acre. Under this measurement, the California State Fair can accommodate between 5,100 and 6,800 cars. The Los Angeles County Fair can accomodate between 36,000 and 48,000 cars.

The Customer Audit Survey conducted on the fairgrounds in 1951 showed that there was an average of three people per party. This would indicate that on the day having the smallest attendance (41,633), there was need for approximately 13,877 parking spaces, while on the largest day (126,848), there was need for 42,282 parking spaces.

E. *Inside Exhibit Space* (not including livestock or junior fair):

The California State Fair has a *gross* of 268,500 square feet, including 14,000 condemned in 1948 by the State Fire Marshal, and 110,000 square feet with a dirt floor . . . leaving approximately 144,000 square feet of space suitable for the better exhibits, both commercial and noncommercial.

The Los Angeles County Fair has a total of 397,215 square feet—all suitable for the better exhibits.

There is every indication that this fair can neither solicit nor accommodate sufficient exhibits of the type powerful enough to materially increase its attendance with the present exhibit housing facilities. Each year sees additional scientific exhibits of the type that would attract a larger portion of the public turned away due to this inadequacy. Such was the case of the Pacific Gas and Electric Company, General Electric Company, Wine Institute, Crosley Company and others in 1952, and in the case of the General Motors Company and Kelvinator-Nash in 1951. *For example*: the Machinery Building, containing 110,00 square feet, has a dirt floor and is, therefore, unsuitable for scientific exhibits susceptible to damage by dirt. The General Motors Company refused to exhibit in this building for this reason. They had a $65,000 cut-out motor, which they felt would be damaged.

The present electric and plumbing systems are inadequate to carry additional loads or even the load required of them on the largest days or for certain types of exhibits.

G. *Advertising and Publicity*:

The California State Fair Budget for this item has remained the same, at approximately $40,000 per year, since 1947. The Los Angeles County Fair spent $104,104.29 for advertising and publicity in 1951.

4. The California State Fair is the only fair in California that can attract any number of the exhibits of an "exposition" type from any appreciable number of industries with this type of exhibit material. This is due to a general policy against company exhibits in county fairs, regardless of size. This conclusion was borne out by a survey conducted during December of 1949, during which 55 major manufacturing organizations in the Midwest and East were personally interviewed on this subject.

It is likewise a fact that only the California State Fair can give the products of California the prestige that comes from competitive display.

The California State Fair, because of its name, is in a unique position to benefit the economy of the State of California.

METHODS AND PROCEDURES

A. The Survey:

The questionnaire used in this survey was the end result of several conferences with interested parties and persons, whose knowledge of conditions assisted in defining the scope of the inquiry and the problems

connected therewith. Two pilot studies were also conducted, during which a miniature cross section of the public to be ultimately interviewed were interrogated for the purpose of testing the questionnaire.

The findings of this final study are based upon 1,209 personal interviews with a representative cross section of the adults permanently residing within a 175-mile radius of the California State Fair.

None of the persons interviewed had seen the 1951 California State Fair The interviewing was thus restricted because the study was concerned only with opinions of people who had not seen the fair and who could, therefore, best tell us why they had not seen it. The 175-mile radius was chosen because the customer audit survey conducted on the premises of the California State Fair (during the 1951 fair) proved that 92 percent of the fair customers lived within this area.

The total area was then broken down into subareas so that a proportionate share of the interviews were conducted within 50 miles of the fairgrounds, another between 50 and 100 miles, and another between 100 and 175 miles. This distance factor was considered important because it could possibly have a material bearing on the reasons the respondents might have for not attending the fair—distance itself might impose different problems.

The sample was also stratified for city size; rural farm, rural nonfarm and urban dwellers; age; sex; and occupation.

Inasmuch as the answers to several questions must depend upon whether or not the respondent had seen a county fair, no interviewing was conducted until after all of the fairs held within this area had closed.

Each person interrogated, hereinafter referred to as the respondent, was personally interviewed, and the replies of each respondent were recorded on an individual questionnaire. The interviewer carefully read verbatim each question contained on said questionnaire in the order in which the question appeared on the questionnaire, and without any explanation or any other conversation which would or could in any manner, shape or form, influence the response. The identity of the sponsor of the survey was withheld, even from the interviewers, to avoid any unintentional bias on their parts.

B. Other Research:

Data was procured from the Los Angeles County Fair, State Fair exhibitors, prospective exhibitors at the State Fair, and State Fair department heads. In addition, previous customer opinion surveys and other sources of data were examined for material pertinent to this study.


STATE-WIDE DISTRIBUTION OF ACTIVE REPRESENTATIVES
NORTH VALLEY
NORTH COASTAL
SOUTH VALLEY
SAN FRANCISCO - BAY
SOUTH CENTRAL
CENTRAL COASTAL
SOUTH COASTAL
EUREKA
REDDING
RED BLUFF
CHICO
UKIAH
MARYSVILLE
PLACERVILLE
SACRAMENTO
SANTA ROSA
MILL VALLEY
SAN FRANCISCO
STOCKTON
SAN JOSE
MERCED
SALINAS
FRESNO
TULARE
PASO ROBLES
BAKERSFIELD
SAN LUIS OBISPO
SANTA MARIA
SANTA BARBARA
VENTURA
LOS ANGELES
SAN BERNARDINO
SAN DIEGO
EL CENTRO
JOHN B. KNIGHT COMPANY

INTERVIEWING AREAS

50-mile Radius

Amador
Jackson
El Dorado
Placerville
Placer
Auburn
Roseville
Sacramento
North Sacramento
Sacramento
San Joaquin
Lodi
Stockton
Solano
Fairfield
Yolo
Davis
Woodland
Yuba
Marysville

50-100-mile Radius

Alameda
Oakland
Pleasanton
Butte
Chico
Calaveras
Angels Camp
Contra Costa
Pinole
Richmond
Napa
Napa
San Francisco
San Francisco
Sonoma
Healdsburg
Stanislaus
Modesto
Tehama
Red Bluff
Tuolumne
Sonora

100-175-mile Radius

Fresno
Fresno
Madera
Madera
Merced
Merced
San Benito
Hollister
Santa Cruz
Capitola
Santa Cruz
Santa Clara
Gilroy
Los Gatos
Mountain View
San Jose
Santa Clara

CONTROLS

The interviewing was controlled by the following factors

	Survey	*Census*
Sex	100.0%	100.0%
Men	48.4%	49.0%
Women	51.6	51.0
Age	100.0%	100.0%
21-24	8.2%	9.0%
25-34	24.3	25.0
35-64	55.6	54.0
65-up	11.9	12.0
Occupation of Head of House	100.0%	100.0%
Owner-Manager-Official-Professional	24.0%	26.0%
Clerical sales	21.5	22.0
Skilled workers	39.7	40.0
Unskilled workers	11.8	12.0
Urban-Rural	100.0%	100.0%
Urban	82.4%	80.0%
Rural farm	5.0	5.0
Rural nonfarm	12.6	15.0

Area	*Percent of interviews*	*Number of interviews*
	100.0%	1,209
50-mile radius	25.0%	300
50-100-mile radius	50.0	609
100-175-mile radius	25.0	300

U. S. Bureau of Census—State of California, 1950.

1. How long have you lived in *Northern* California?

Respondents	100.0%
1 year	4.0%
2 years	2.5
3 years	2.3
4 years	4.4
5 or more years	86.8

The sample was stratified and controlled by sex, occupation, age and area, but not by length of residence While there is no available information with which to compare the data in this table, the fact that 87 percent of those interviewed had lived in Northern California five years or more may indicate that a larger proportion of this group may not attend the fair than those with shorter residences.

This may be evidence to demonstrate that many people who have had an opportunity to see the Fair, do not attend it every year because they think that the fair does not change enough from year to year.

2. Which fair or fairs, if any, did you see *this* year (1951)?

Respondents	100.0%
Have seen a fair in 1951	37.7%
Have *not* seen a fair in 1951	62.3

3 About how often do you *like* to see a fair (if you can)?

	All respondents 100.0%	*Question 2* *Those who have seen a fair in 1951 say they like to see a fair:* 100.0%	*Those who have not seen a fair in 1951 say they like to see a fair:* 100.0%
More than once a year	17.1%	24.5%	12.6%
Once a year	54.2	63.0	48.9
Once every 2 or 3 years	11.9	8.8	13.8
Once every 4 years or less often	6.0	2.9	7.8
Never	10.8	.8	16.9

1. There are approximately 2,948,000 adults living within 175 miles of the California State Fair.

2 For the purposes of this report, we will refer to this area as the "Marketing Area" of the California State Fair. This particular area was chosen because the Customer Audit Survey conducted on the grounds of the California State Fair indicated that it was from this area that the fair drew approximately 92 percent of its customers. It is, therefore, from this area that the fair might expect to draw the great preponderance of its customers for the next several years at least.

3. Inasmuch as approximately 6.7 percent or 200,000 of these adults attended the 1951 California State Fair, and no one was interviewed who had attended the State Fair in 1951, this report concerns itself only with the 2,748,000 people who did *not* attend.

4. It will be noted that 62 percent or approximately 1,700,000 did NOT attend ANY fair in 1951, while approximately 1,048,000 did see a county fair.

5. 54 percent of those who said they like to see *more* than one fair a year *did* see a county fair in 1951.

   44 percent of those who said they like to see *one* fair a year said they *did* see a county fair in 1951.

   28 percent of those who said they like to see a fair every 2 or 3 years *did* see a county fair in 1951.

   18 percent of those who said they like to see a fair every 4 years or less often said they *did* see a county fair in 1951.

6. Only eight-tenths of 1 percent of those who said they did not like to see any fair actually did see one in 1951. This indicates that those without the desire are not potential customers in significant numbers.

The foregoing paragraphs numbered 5 and 6 indicate that there is a definite relationship between the attitude of a person toward attending a fair and his actual attendance—the greater the desire, the greater the possibility of attending a fair. From this, we can conclude that the "desire" is a prime premise upon which to base further findings concerning estimates of potential attendance.

4. (If like to see a fair "less than once a year" in answer to Question 3, ask) is that because:

Those who like to see a fair less often than once a year	17.9%
Fairs are about the same every year	9.6
Don't care much for fairs	8.0
Cost (large family)	.3

It will be noticed that in response to Question 3, "About how often do you like to see a fair (if you can)?", approximately 17.9 percent or 491,189 of the 2,748,000 people who did not see the California State Fair this year said they like to see a fair less often than once a year. The purpose of this question was to learn why these people did not care to see a fair every year.

The above tabulation indicates that slightly more than half (55.8 percent) of those who do not care to see a fair every year say that it is because "fairs are about the same every year." This means that in the absence of other reasons affecting their attendance, approximately 274,083 people do not desire to see a fair once a year because of the feeling that the current fair will be too much the same as the previous fair they had seen.

The remaining 43.9 percent say that they do not attend a fair every year because they "don't care much for fairs." It must be assumed that they have other reasons for not caring to see a fair every year besides the feeling of "sameness."

It would seem that "cost" is not too important a factor in attendance insofar as these people are concerned.

From the foregoing, we can conclude that irregular fair attendance is the fault and responsibility of the fairs in California insofar as a large segment of the public is concerned.

5. When did you *last* see the California State Fair at Sacramento?

	Those who like to see fairs	*Those who like to see fairs, including the California State Fair, but who do not want to see the State Fair in 1951 say they last saw the State Fair:*
	100.0%	100.0%
Before 1947	19.3%	22.6%
1947	4.5	5.4
1948	6.6	5.7
1949	11.1	13.4
1950	17.1	11.9
Never	41.4	41.0

This question recognized certain unreliabilities of the human memory over as long a period of time as a year. For that reason, it is not practical to attempt to project the percentage of alleged attendance year by year. It does prove useful in determining the approximate percentage of people who have never seen the California State Fair, those who have seen it since the war, and those who last saw it before the war.

This question was also useful in focusing the attention of the respondent on Question 8 as it relates to the California State Fair.

An analysis of this question by zone definitely establishes the relationship between distance and attendance at the fair. The following table demonstrates this fact.

The last year in which the California State Fair was attended by those who like to see some fair at various intervals	*50-mile radius*	*50-100-mile radius*	*100-175-mile radius*
	100.0%	100.0%	100.0%
Before 1947	10.7%	21.3%	15.4%
1947	2.7	5.0	3.8
1948	7.3	6.4	3.3
1949	17.7	9.4	3.0
1950	33.0	12.2	3.7
Never	22.3	32.0	61.9

6. If you could, about how often would *like* to see the California State Fair?

Those respondents who like to see fairs	(89.2%) 100.0%
Every year	66.5%
Every 2 years	13.9
Every 3 or 4 years	15.3
Never	4.3

7. Did you want to see the California State Fair this year?

Those respondents who like to see fairs, including the California State Fair	(85.3%) 100.0%
Yes	74.1%
No	25.9

The purpose of these two questions was to introduce for the first time in the questionnaire the California State Fair, and to orient and mature the thinking of the respondents with respect to the questions that were to follow.

The fact that none of these people saw the California State Fair in 1951 indicates that their responses to Questions 6 and 7 must be considered as an expression of attitude—that is—the degree of their interest in the California State Fair. The more immediate reasons why they did not attend the California State Fair are considered in other questions.

It is significant to note that approximately 59 percent of the people in this area want to see the California State Fair every year, while approximately 71 percent would like to see some fair every year.

A further analysis of the tabulation on this page reveals that approximately 63 percent of all the respondents say that they would like to have seen the California State Fair in 1951. This is approximately the same—just a little higher—as the percentage who said they would liked to have seen the California State Fair in response to Question 6 when no particular year was involved.

Three and nine-tenths percent of the people said they never wish to see the California State Fair. When this is added to those who do not care to see any fair, we find that there are approximately 15 percent, or approximately 413,000 of the people in this area, who are not prospects for the California State Fair.

Here again, as in Question 3, we must consider that this additional 3.9 percent are people who, fundamentally, do not care for the California State Fair, and when added, in accordance with the foregoing paragraph, constitute a substantial body of people who cannot be considered potential California State Fair customers.

8 (If respondent saw a county fair in answer to question 2, ask)
You saw a county fair this year but did not see the California State Fair. We would appreciate it if you would go over this list and tell us which, if any, of these were your reasons for *not* going to see the California State Fair at Sacramento—August 30 through September 9, 1951.

Those who like to see fairs, including the California State Fair		100.0%
(a) Those who could not have attended		48.8%
Worked every day of the fair	16.9%	
Costs too much	9.7	
Illness	6.6	
Out of town	6.4	
Children too small	5.9	
Weather	3.3	
(b) Those who might have attended		51.2
Busy doing other things	18.8%	
Too far away	11.6	
Too much traffic	7.3	
Fair too crowded	6.2	
Saw previous State Fair	3.5	
More or less the same as local fair	1.8	
Miscellaneous	2.0	

NOTE: The qualifying instruction given in connection with the question and as noted above was disregarded. Sufficient responses in both categories replied to this question to permit analysis.

The list of reasons from which the respondent was asked to choose originated with another survey, and was further refined by the two pilot studies conducted for that purpose in connection with this survey. This technique is presently considered by the research profession to be the most advanced and reliable method of obtaining the reasons governing the respondent's course of action. An examination of this question on the questionnaire will reveal that in addition to this list from which to choose, the respondents were asked to give any other reasons they might have for not attending the California State Fair in 1951

After an intensive analysis of the responses to this question in the pilot studies, as well as the final survey, it was determined that the responses could be grouped into the two major classifications shown in the tabulation—neither of which is totally exclusive of the other. Each classification contains one or more reasons that to some extent might have applied to the other classification.

The *following* two tables of projections are based upon the thinking that the basic desire to see or not to see a fair as shown in connection with the tabulation for Question 3 is the prime premise from which all other analysis must begin.

The following table shows the reasons why approximately 2,335,000 people *say* they did not attend the California State Fair in 1951. Opposite each reason is shown the number of people having that reason. (This does not include the 200,000 who saw the 1951 California State Fair, nor the 413,000 who do not like fairs.)

Those who like to see fairs at various intervals including the California State Fair		2,335,000
(a) Those who could not have attended		1,139,480
Worked every day of the fair	394,615	
Costs too much	226,495	
Illness	154,110	
Out of town	149,440	
Children too small	137,765	
Weather	77,055	
(b) Those who might have attended		1,195,520
Busy doing other things	438,980	
Too far away	270,860	
Too much traffic	170,455	
Fair too crowded	144,770	
Saw previous State Fair	81,725	
More or less the same as local fair	42,030	
Miscellaneous	46,700	

It is important to note that approximately 1,195,520 people *say* they *might* have attended but for the reasons listed under part "b." As indicated by the next chart, we do not believe that these were the *prime* or more important reasons why *many* of these people did not attend. Part "b" of *this table is significant because it shows how many people have these thoughts in their minds.*

For example: Approximately 144,770 people think the Fair grounds are too crowded. While this might not have been the decisive reason why all these people did not attend, it is not only an influencing factor, but is a strong deterrent to other people who may be influenced by this large group.

While all of those people shown in the preceding table had those thoughts, we do not believe that that many people indicated in part "b" of the table actually failed to attend because of those reasons. There was still another and stronger reason why *many* of them did not attend.

This and other surveys indicate that next to the desire *not* to see *any* fair or California State Fair, the "*frequency of desire to see a fair*" or the desired interval between fairs is the most dominant factor (see Question 3) (excluding, of course, those who were actually precluded from attending for reasons given in part "a" of the preceding table).

For that reason, we submit the following table that in our opinion provides a conservative estimate of the number of people who might have but definitely did not attend the California State Fair in 1951 for each of the reasons listed.

	696,113
Busy doing other things	255,473
Too far away	158,018
Too much traffic	99,544
Fair too crowded	84,230
Saw previous State Fair	47,336
More or less the same as local fair	24,364
Miscellaneous	27,148

The above table is based upon the following hypothesis. Approximately 19 percent of those who like to see a fair or 443,650 of the 2,335,000 people who did not attend the California State Fair in 1951 and who like to see a fair, say they would like to see *more than one fair a year,* but 48 8 percent (or 216,500) of these people were unable to go to the California State Fair for one or more reasons listed under "a" in the above tabulation. This leaves approximately 227,150 who might have attended if the desire had been strong enough.

Approximately 61 percent of those who like to see a fair, or 1,424,350 people, want to see *one fair a year* (this includes the 3 9 percent who in answer to Question 6 said they did not care to see the California State Fair). An analysis of Questions 2 and 3 shows that approximately 44 percent or 626,714 of those people who want to see one fair a year saw a County Fair in 1951. This is one measure of the extent to which the County Fairs compete with the California State Fair for attendance.

The remaining 56 percent or 797,636 people who want to see one fair a year did *not* see a County Fair in 1951, but, approximately 48 8 percent or 389,246 were "those who could not have attended: for reasons listed under part "a." Approximately 51.2 percent or 408,390 people are "those who might have attended" but who did not attend for reasons listed under "b."

Approximately 20 percent or 467,000 of the 2,335,000 people *want to see a fair at intervals of less than once a year*, but possibly not less often than every three years. This means that from this group of people, there is an average of 155,666 people per year who will want to see a fair.

Twenty-four percent or 37,360 of these people went to a County Fair—not the California State Fair. This is another measure of the extent to which the county fairs compete with the California State Fair for attendance. One hundred eighteen thousand three hundred six did not go to a County Fair. Forty-eight and eight-tenths percent or 57,733 of these people were "those who could not have attended a fair" for reasons listed under part "a" in the foregoing tabulation, while 51 2 percent or 60,573 are "those who might have attended" but who did not attend for reasons listed under part "b" in the foregoing tabulation.

From the foregoing, we conclude that:

1. The county fairs are successfully competing with the California State Fair for the attendance of approximately 664,000 people; and
2. The total potential market for the California State Fair of those people who might attend, if sufficiently stimulated, is approximately 696,000 people.
3. Those who *could not* go to the California State Fair totaled to approximately 664,000.

DAILY ATTENDANCE

The following tabulation shows the total gate count for each Fair during its entire season. It is presented to provide a reasonable comparison of the size of the crowd imposed upon each fair's facilities.

	California State Fair	*Los Angeles County Fair*
Friday		45,580
Saturday		84,095
Sunday		84,732
Monday		33,419
Tuesday		39,323
Wednesday		39,982
Thursday	41,633	42,307
Friday	47,421	54,810
Saturday	89,837	132,999
Sunday	126,848	133,696
Monday	98,800	39,149
Tuesday	47,503	46,400
Wednesday	52,974	50,766
Thursday	58,309	48,470
Friday	53,041	48,310
Saturday	80,777	87,024
Sunday	64,029	65,592
	762,029	1,076,654
Average daily admissions	69,275	63,332

From this tabulation, we believe it is fair to conclude that each fair's facilities are handling approximately the same size crowd.

NOTE: It will be observed that the Los Angeles County Fair runs 17 days, while the California State Fair runs 11 days.

COMPARISON OF GROSS INSIDE EXHIBIT SPACE

(Not including Livestock, Poultry, Junior Fair)

California State Fair		*Los Angeles County Fair*	
Number of Building	*Square Feet*	*Number of Building*	*Square Feet*
2	32,000	3	13,000
38 (condemned 1948)	11,600	3a	26,000
36 (dirt floor)	110,000	4	98,800
35	12,000	6	29,700
21	87,000	7	29,700
18	6,600	7a	39,600
16	9,300	17	54,600
		33	64,800
Totaling	268,500	*	41,015
		Totaling	397,215

* Floral Building now under construction

S716 October, 1951

THE JOHN B. KNIGHT COMPANY

NOTE: Interview only respondents who did *not* see the California State Fair at Sacramento this year—August 30 through September 9, 1951.

The respondent must also be a regular resident of the city or town in which you are conducting the interviewing.

1. How long have you lived in *Northern* California? 1 yr. 2 3 4 5 or more years. (Circle the year)

2. Which fair or fairs, if any did you see *this* year (1951)? None X

3. About how often do you *like* to see a fair (if you can)?

More than once a year	1	Once every 4 years or less often	4
Once a year	2	Never	X
Once every 2 or 3 years	3		

If "never" in answer 3, discontinue interview but *fill in control section.*

4. (If "less than once a year" in answer to question 3, ask) Is that because:

One answer only!

You don't care much for fairs 1 or,
Fairs are about the same every year 2 or,
Other reason (be specific)

5. When did you *last* see the California State Fair at Sacramento?

1950 1949 1948 1947 Before 1 Never X

6. If you could, about how often would you *like* to see the California State Fair?

Every year	1	Every 3 or 4 years	3
Every other year	2	Never	X

If "never" in answer to question 6, skip to control section.

7. Did you want to see the California State Fair this year? Yes 1 No 2

8. (If respondent saw a county fair in answer to question 2, ask)

You saw a County Fair this year but did not see the California State Fair. We would appreciate it if you would go over this list and tell us which, if any, of these were your reasons for *not* going to see the California State Fair at Sacramento—August 30 through September 9, 1951.

Didn't know about it	01	Weather	08
More/or/less the same as local fair	02	Fair too crowded	09
Illness	03	Saw previous State Fair	10
Worked every day of fair	04	Busy doing other things	11
Out of town	05	Too much traffic	12
Children too small	06	Too far away	13
Costs too much	07		

Other (be specific) _____

Control Section

Man 1	21-24 1	Owner-mgr.-official-prof. 1	Urban 1
Woman 2	25-34 2	Clerical-sales 2	Rural 2
	35-64 3	Skilled workers 3	Rural nonfarm 3
	65-up 4	Unskilled workers 4	Interviewer _____

(Occupation head of house)

Name of Respondent _____ Date _____

Address _____ Area: 1 2 3 4 5 6 7 8 9

City or town _____

SECTION TWO

COMPOSITE OF FAIR CUSTOMER AUDIT SURVEYS

1951

This study is a composite of the findings of customer audit surveys conducted at the following California fairs during 1951:

San Diego County Fair;
Los Angeles County Fair;
Ventura County Fair;
Fresno County Fair;
Merced County Fair;
San Joaquin County Fair;
California State Fair;
Humboldt County Fair;
Sonoma County Fair;
Santa Clara County Fair.

The findings are presented for only those questions used in all or nearly all of the fair questionnaires. Some findings are not presented here because the questions were individual to one or two fairs.

Total admissions and participant admissions were provided by the individual fairs. In this connection, it should be borne in mind that participant admissions were estimated by some fairs. Because of this and differences in the way of handling and counting children under 12 years of age and student admissions, these figures cannot be precisely accurate—they do, however, provide a reasonable basis for comparison.

Attendance Statistics

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Participant admissions [1]	---	209,321	137,688	30,273	31,500	52,928	15,417	76,121	1,841	29,000	12,039
Paid admissions [2]	---	867,333	624,341	171,727	188,708	167,845	140,000	126,901	38,844	60,507	44,495
Total admissions	---	1,076,654	762,029	202,000	220,208	220,773	155,417	203,022	40,685	89,500	56,534
Number of people [3]	---	456,491	309,697	122,662	104,838	104,903	66,667	74,648	19,422	37,816	20,225
Number of adults	---	361,084	220,662	91,384	77,895	77,773	49,134	59,494	13,459	26,660	14,360
Number of children [4]	---	95,407	89,035	31,278	26,943	27,170	17,533	15,154	5,963	11,156	5,865
Under 12 years	---	65,278	70,451	25,146	19,080	18,568	15,133	10,824	4,720	9,000	4,490
12-18 years	---	30,129	18,584	6,132	7,863	8,602	2,400	4,330	1,243	2,156	1,375
Percentage of paid admissions [5]	78.3%	80.6%	81.9%	85.0%	84.9%	73.7%	90.0%	62.5%	95.5%	67.6%	78.7%
Percentage of people [6]	43.4%	42.3%	40.6%	60.7%	47.6%	47.5%	42.8%	36.7%	47.7%	42.3%	35.8%

[1] Includes concessionnaires, exhibitors, employees of fair and all other participants—all tax free recorded or estimated admissions
[2] Includes survey count of all children under 12 admitted free
[3] Counts each person attending fair only once—does not include repeat admissions
[4] Does not include children not accompanied by an adult
[5] The percentage of paid admissions are of total admissions
[6] The percentage the people are of total admissions

General Statistics

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Average days per customer	1.9	1.9	2.2	1.4	1.8	1.6	2.1	1.7	2.0	1.6	2.2
Average hours per customer	4 8	5.0	4 8	5 5	4.6	4.6	4.6	4.6	5 7	3.4	5.4
Average number of people per party	3.0	3.1	3.0	3.6	3 6	2 9	2 9	2.8	2.8	2.8	2.8
Home owners	64.0%	58.0%	57.3%	--	53.1%	77.9%	--	69.2%	66.9%	62.0%	68.0%
Home renters	36 0%	41.6%	42.7%	--	46 9%	22.1%	--	30 8%	33.1%	38.0%	32.0%
Average income per fair family	$4,956	$5,338	$4,605	$4,355	$4,671	$4,787	$4,932	$4,946	$5,200	$5,070	$5,662

Customer Source

Adult population of fair county	4,664,284	3,243,667	†214,229	385,465	155,143	199,920	73,791	207,685	47,137	86,797	50,450
Number of adults attending fair	991,970	361,084	220,662	91,384	78,000	77,733	49,134	59,494	13,459	26,660	14,360
Number of adults from fair county attending fair	732,353	300,424	†92,000	79,870	64,500	67,705	30,951	50,392	12,126	22,021	12,364
Percent of adult population of fair county attending fair	15.7%	9.3%	43.0%	20.7%	41 6%	33.9%	41.9%	24.3%	25.7%	25.4%	24.5%
Percent of fair customers who reside in fair county	78 9%	83.2%	42.0%	87.4%	82.7%	87.1%	63.0%	84.7%	90.1%	82.6%	86.1%
Percent of fair customers who reside outside fair county	21.1%	16.8%	58.0%	12 6%	17 3%	12.9%	*37.0%	15.3%	9 9%	17.4%	13.9%

* Includes 25 6 percent from Bay area
† Sacramento County.

Which of the following comes closest to your one real reason for coming to the fair?

Respondents	--	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Education	55.3%	53.9%	49.4%	58.2%	48 7%	43.8%	71.6%	53.7%	46.9%	65.0%	62.2%
Entertainment	26.6%	29.1%	32.6%	26.9%	29 8%	23.2%	24 0%	27.6%	32.4%	17.7%	22.9%
Bring the children	17.0%	17.0%	18.0%	12.7%	21.5%	33.0%	4.4%	18.7%	12.5%	17.3%	14.9%
Habit	--	---	---	2.2%	---	---	--	--	8 2%	---	--

How did you *first* learn of the fair *this* year?

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Respondents	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Newspapers	40.1%	31.0%	44.7%	44.1%	40.0%	45.2%	27.6%	45.8%	37.2%	41.8%	43.7%
Word of mouth	16.5	23.8	20.8	14.1	21.4	10.3	9.3	23.9	8.9	19.7	12.6
Billboard-posters	15.8	26.6	17.8	18.1	20.5	12.2	6.4	15.7	11.0	13.9	16.2
Radio	14.8	6.7	14.8	11.5	14.2	11.1	3.3	5.9	37.0	15.8	27.5
Television	1.7	10.5	--	5.2		--	---	1.7	---	---	---
Habit	7.3	---	--	-	---	20.8	51.9	---	---	---	---
Miscellaneous	3.8	1.4	1.9	7.0	3.9	0.4	1.5	7.0	5.9	8.8	---

When did you *last* buy a *new* car?

Those respondent who are new car purchasers	65.7%	59.7%	56.6%	66.3%	53.9%	66.1%	71.2%	63.9%	75.9%	69.1%	74.8%

Do you ever buy or assist in the buying or selection of farm equipment and machinery?

Those respondents who buy or assist in the buying or selection of farm equipment and machinery	16.3%	6.2%	15.4%	8.9%	14.0%	26.9%	15.1%	12.6%	22.7%	10.6%	30.8%

Have you delayed the purchase of any item or items (appliances, home furnishings, machinery) until you could see the fair this year?

Respondents	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Yes	15.6%	25.2%	26.2%	3.8%	17.2%	10.1%	16.2%	15.5%	13.0%	7.6%	21.4%
No	84.4	74.8	73.8	96.2	82.8	89.9	83.8	84.5	87.0	92.4	78.6

How much do you think *you* will spend during the next year for each of the following items?

	Total	Los Angeles	California State	San Diego	San Joaquin	Fresno	Sonoma	Santa Clara	Humboldt	Ventura	Merced
Total	$116,082,883	$53,660,372	$24,126,123	$23,472,708	$8,630,356	$5,011,719	$5,276,833	$15,300,691	$4,042,625	$4,714,516	$1,846,740
New automobile	55 378 969	29,835,278	7,165,158	6,548,885	1,700,180	611,430	3,298,021	2,830,628	1 297,682	1,692,511	398,896
Building materials	24,759,963	6,117,305	1,930,089	6,917,922	379,736	330,773	448,531	6 365,087	857,036	325,302	1,058,182
Household appliances	19,572,841	1,936,773	4,759,837	3,826,051	3 735 823	616,441	464 361	1,315 859	561,925	485,595	70,176
Household furnishings	14,773,062	3,380,616	1,761,206	3,239,233	1,018,382	1,413,305	111,593	2,203,300	618,522	678,890	48,015
Farm machinery	†10,240,291	1,126,872	3,522,411	915,436	284,802	1,829,277	79,152	749,731	367,879	70,718	234,536
Flowers and shrubs	5,361,802	1 287,854	651,105	1,290,999	345,214	90,211	131,921	382,517	133,407	1,037,194	11,080
Camping and sporting equipment	1,706,269	751,218	217,135	258,200	8 630	20,047	12,215	244,812	44,469	108,433	11,080
Garden equipment and furniture	*	536,606	313,639	*	*	5,012	*	183,608	*	18,858	1,848
Radio, television		*	3,691,297	*	1,838,266	80,188	385,209	902,741	*	278,156	12,927
Office equipment		*	313,639	117,364	*	*	15,830	122,405	*	*	*
Dairy supplies		*	*	*	*	5,012	*	*	68,725	4,715	*
Horsemen's supplies		*	*	*	*	10,023	*	*	*	14,144	*
Outdoor living (patio, barbeque)		858,569	*	*	319,323	*	*	*	*	*	*
House trailers		2,951,331	*	*	*	*	*	*	*	*	*
Rabbit and poultry supplies		1,824,459	*	*	*	*	*	*	*	*	*
Winter sporting goods		53,661	*	*	*	*	*	*	*	*	*
Boats, fishing equipment		*	*	*	*	*	*	*	92,980	*	*
Musical instruments		*	*	164,309	*	*	*	*	*	*	*
Other		*	*	164,309	*	*	*	*	*	*	*

* Included under "farm machinery"
† Includes garden equipment and furniture, except for San Joaquin and Humboldt Fairs, where this category was excluded altogether
* Item not included on questionnaire.

The Cost of Showing to Fair Customers

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Building having largest attendance		Agri., Flowers, Wines	Counties Bldg	Flower, Garden Show	Flower Show	Agriculture	Main Exhibit Bldg	Commercial and Indust	Tent	Flower	Hobby Show
Number of customers going through building	-- --	325,000	202,000	86,000	58,000	70,504	47,500	54,437	12,638	24,340	12,048
Cost per customer impression	$0.0028	$0.0003	$0.0005	$0.0012	$0.0017	$0 0014	$0.0021	$0.0018	$0.008	$0.004	$0 008
Fraction of 1¢	3/10	3/100	5/100	1/10	2/10	1/10	2/10	2/10	8/10	4/10	8/10
Building containing commercial exhibits		Commercial Building	Industrial and Home Appliance	Electric Appliance Building	Home Appliance	Commerce	Main Exhibit Building	Commercial and Industrial	Tent	Commercial Arts	Appliance Show
Number of customers going through building		218,817	129,087	75,000	53,000	66,617	47,500	54,437	12,638	23,754	9,377
Cost per customer impression	$0.0031	$0 0005	$0.0008	$0 0013	$0.0019	$0.0015	$0 0021	$0.0018	$0.008	$0.004	$0 01
Fraction of 1¢	3/10	5/100	8/100	1/10	2/10	1/10	2/10	2/10	8/10	4/10	1¢

NOTE The buildings containing the commercial exhibits for the Sonoma, Santa Clara and Humboldt fairs were also the buildings having the largest attendance

Which of the following buildings or areas did you visit?

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Flowers	86.0%	90.2%	77.4%	94.5%	74.3%	82.7%	92.3%	89.6%	--	91.3%	81.8%
Agricultural	83.9	--	91 5	76.3	70.3	90.7	--	86.4	--	88.2	--
Commercial	79.1	60.6	58 5	82.2	67.7	85.7	96.7	91.5	93.9	89.1	65.3
Home economics	70.6	62.6	35.6	91.3	57.3	80.9	--	85.7	--	90.7	60.8
Automobile show	61.9	55.6	--	78.6	20.5	--	--	--	--	89.4	65 3
Arts and crafts	60.9	67.9	32.1	41.1	--	--	--	84.5	--	--	78 8
Farm machinery	57.1	--	40 6	43.4	26 0	86.5	68.6	78.6	--	46.3	66.4
Livestock	55 5	44.2	36.9	75.5	44.6	81.9	47.3	61.1	58.2	49.4	--
Poultry, pigeons, rabbits	50 9	48.3	44.6	48.8	44.6	69.1	41.0	61.6	52.1	47.8	--
Junior Fair (4-H)	50.4	33.2	20.9	33.4	43.8	67.8	65.0	56.8	85.4	46.9	--
Swine, sheep, goats	38.7	--	14.2	50.1	16.4	--	38.5	56 5	47.1	48.1	--

Which *one* of these buildings or areas did you find *most* interesting?

	* Over-all average
Flowers	28.5%
Agricultural	18.6
Commercial	11.3
Home economics	10 8
Livestock	9.7
Arts and crafts	5 3
Automobile show	5.3%
Farm machinery	4.4
Poultry, pigeons, rabbits	2.4
Junior Fair (4-H)	2.0
Swine, sheep, goats	1.3
All other buildings and areas	18.4

* NOTE: These findings are not conclusive because composition of some classifications differ materially

Did you go into the carnival area?

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Respondents	100.0%	100.0%	100.0%	*	100.0%	100.0%	*	100.0%	100.0%	100 0%	100 0%
Yes	60.9%	49.9%	37.5%	---	66 2%	67.6%	---	68.6%	48.3%	79.5%	69 6%
No	39.1	50.1	62.5	---	33.8	32.4	---	31.4	51.7	20.5	30.4

(IF YES) Did you personally play any of the games, go on any of the rid es or see any of the side shows?

Those who went into carnival area	60.9%	49.9%	37.5%	*	66.2%	67.6%	*	68.6%	48.3%	79.5%	69.6%
Did spend money	28.2%	23.0%	15.9%	---	29 7%	36 6%	---	29 3%	10.3%	40.9%	39 6%
Did not spend money	32.7	26 9	21.6	---	36.5	31.0	---	39.3	38.0	38.6	30.0
Those spending money	(28.2) *	(23.0) *	(15.9) *	*	(29.7) *	(36.6) *	*	(29.3) *	(10.3) *	(40.9) *	(39.6) *
Games	18.0%	21.2%	13.7%	---	26.9%	17.5%	--	18.7%	2.7%	24.4%	18 8%
Rides	14.2	5.4	5.7	--	7 4	25.7	---	18.8	8 9	19 4	22.5
Side shows	8.6	2.4	1.9	---	7 1	3 6	---	5.4	1.1	18 1	28 9

* Totals to more than 100 0 percent because of multiple answers
* Not included on questionnaire.

How would you rate the eating facilities on the following points?

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
Respondents	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Ate on grounds	62.3%	62.1%	45.4%	42.4%	29.4%	72.5%	53.5%	79.9%	81.1%	75.5%	81.4%
Did not eat on grounds	37.7	37.9	54.6	57.6	70.6	27.5	46.5	20.1	18.9	24.5	18.6
Those who ate on grounds	(62.3)	(62.1)	(45.4)	(42.4)	(29.4)	(72.5)	(53.5)	(79.9)	(81.1)	(75.5)	(81.4)
Selection	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Good	73.2%	61.1%	66.4%	62.2%	51.0%	74.0%	85.1%	81.5%	72.4%	88.8%	89.7%
Fair	20.2	27.3	25.6	28.4	36.1	20.1	11.0	14.7	19.6	9.5	10.0
Poor	6.6	11.6	8.0	9.4	12.9	5.9	3.9	3.8	8.0	1.7	0.3
Cleanliness	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Good	82.8%	75.9%	85.9%	82.0%	68.3%	77.8%	89.8%	91.7%	78.2%	93.2%	85.3%
Fair	14.2	18.7	11.2	16.9	24.5	19.6	7.5	6.8	16.2	6.3	14.2
Poor	3.0	5.4	2.9	1.1	7.2	2.6	2.7	1.5	5.6	0.5	0.5
Availability	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Good	87.0%	86.1%	88.0%	86.7%	64.9%	87.3%	92.8%	93.3%	82.2%	94.5%	94.2%
Fair	10.0	11.6	9.0	12.6	24.0	9.9	4.2	5.4	12.8	4.6	5.5
Poor	3.0	2.3	3.0	0.7	11.1	2.8	3.0	1.3	5.0	0.9	0.3
Prices	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	*	100.0%	100.0%
In line	77.6%	61.8%	69.0%	72.2%	85.9%	77.0%	74.2%	75.3%	---	85.9%	97.0%
Out of line	22.4	38.2	31.0	27.8	14.1	23.0	25.8	24.7	---	14.1	3.0

Do you think there were enough resting places on the grounds?

	(88.6)	(98.4)	(94.7)	(94.7)	(78.0)	(93.4)	(82.4)	---	(92.3)	(81.9)	(81.7)
Those using facility	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	*	100.0%	100.0%	100.0%
Yes	78.3%	91.6%	96.0%	96.1%	54.4%	87.9%	54.0%	---	60.4%	67.3%	96.7%
No	21.7	8.4	4.0	3.9	45.6	12.1	46.0	---	39.6	32.7	3.3

* Not included on questionnaire.

Do you think the restroom (toilet) facilities were good, fair or poor?

	Over-all average	*Los Angeles*	*California State*	*San Diego*	*San Joaquin*	*Fresno*	*Sonoma*	*Santa Clara*	*Humboldt*	*Ventura*	*Merced*
	(79.7)	(92.1)	(87.7)	---	(74.0)	(81.4)	(65.6)	---	(87.4)	(59.3)	(90.3)
Those using facility	100.0%	100.0%	100.0%	*	100.0%	100.0%	100.0%	*	100.0%	100.0%	100.0%
Good	75.4%	95.0%	92.9%	---	41.8%	73.6%	73.0%	---	68.8%	74.6%	83.3%
Fair	17.5	4.1	6.1	---	41.4	17.7	18.6	---	21.6	14.1	16.0
Poor	7.1	0.9	1.0	---	16.8	8.7	8.4	---	9.6	11.3	0.7

Did you enjoy the fair sufficiently to want to come back next year?

Respondents	100.0%	100.0%	100.0%	*	100.0%	100.0%	100.0%	*	*	100.0%	*
Yes	92.5%	---	---	95.0%	79.9%	98.2%	94.0%	---	---	95.2%	---
No	1.7	---	---	1.2	3.1	1.3	0.9	---	---	2.2	---
Don't know	5.8	---	---	3.8	17.0	0.5	5.1	---	---	2.6	

* Question not included on questionnaire

Did you see last year's fair here?

Respondents	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Yes	65.0%	54.5%	62.4%	45.3%	59.5%	79.4%	58.0%	70.1%	59.4%	72.6%	88.4%
No	35.0%	45.5%	37.6%	54.7%	40.5%	20.6%	42.0%	29.9%	40.6%	27.4%	11.6%
Fair customers who reside in county in which fair is located	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Yes	71.5%	56.0%	78.4%	50.4%	63.2%	83.9%	72.8%	76.1%	64.2%	77.4%	92.7%
No	28.5%	44.0%	21.6%	49.6%	36.8%	16.1%	27.2%	23.9%	35.8%	22.6%	7.3%

NOTE This table is shown as an indication of the carryover power of the fairs only. Its reliability tends to suffer from an inherent inability on the part of the respondent to correctly remember over a period of a year, and the possibility of confusion with attendance at another fair—either some other fair in 1950, or an attendance at the same fair but prior to 1950 For these reasons, it is quite likely that the actual percentage of attendance is less than that shown in the table

About how much did you spend at the fair today?

	Over-all average	[c] Los Angeles	[b] California State	San Diego	[b] San Joaquin	[c] Fresno	Sonoma	[a] Santa Clara	[b] Humboldt	[a] Ventura	[a] Merced
Amount of money spent	$6.99	$6.63	$6.91	[d]	$7.50	$6.27	[d]	$6.38	$8.54	$4.95	$8.70
Number persons per party	3.0	3.1	3.0	..	3.6	2.9	---	2.8	2.8	2.8	2.8
Amount spent per person	$2.33	$2.14	$2.30		$2.08	$2.16	---	$2.28	$3.05	$1.77	$3.11

[a] No horse racing
[b] Fairs having horse racing, but not specified to exclude wagering
[c] Fairs having horse racing, but specified to exclude wagering
[d] This question not included on questionnaire

About how many times have you been to these fairgrounds since the fair last year?

Respondents	100.0%	[a]	100.0%	[a]	100.0%	100.0%	[a]	100.0%	100.0%	100.0%	100.0%
Have been on grounds	27.9%	-	24.0%	--	9.0%	27.0%	---	11.0%	8.0%	36.0%	80.0%
Have not been on grounds	72.1%	---	76.0%	---	91.0%	73.0%	---	89.0%	92.0%	64.0%	20.0%
Average times per person on grounds	2.9%	---	2.7%	---	2.4%	2.1%	---	1.6%	2.8%	3.7%	5.1%

[a] This question not included on questionnaire

Would you please tell us what value you think this fair is to this community?

Respondents	*	*	*	[a]	*	*	[a]	*	*	*	*
Educational	35.0%	27.5%	31.2%	---	29.3%	65.7%	---	33.6%	30.4%	21.4%	40.9%
Stimulates tourist trade	17.8%	24.8%	26.1%	---	13.9%	8.6%	---	18.9%	16.9%	20.5%	12.8%
Entertainment	15.4%	8.3%	9.1%	---	21.3%	20.1%	---	9.9%	11.1%	10.9%	32.5%
Advertises county	14.1%	14.3%	9.7%	---	8.1%	14.3%	---	7.9%	13.3%	16.8%	28.1%
Improves products	10.0%	5.7%	8.2%	---	5.7%	8.8%	---	7.1%	22.7%	6.2%	15.0%
Encourages young people	6.0%	4.1%	4.7%	---	5.1%	7.9%	---	5.6%	13.9%	2.5%	3.9%
Builds pride in the community	5.6%	0.5%	1.1%	---	6.6%	2.1%	---	8.7%	14.8%	9.9%	0.9%
Social value	4.1%	2.3%	2.1%	---	5.8%	1.3%	---	4.4%	6.9%	4.3%	6.0%
Encourages cooperation between communities	2.5%	0.4%	0.2%	---	10.1%	0.1%	---	---	---	1.9%	7.1%
Miscellaneous	3.1%	-	5.5%	---	11.4%	--	---	1.3%	6.0%	---	---
Don't know	14.7%	25.9%	24.3%	---	17.9%	8.9%	---	16.0%	0.2%	22.9%	1.5%

* Totals to more than 100.0 percent because of multiple answers
[a] This question not included on questionnaire

SECTION THREE

WHY EXHIBIT?

Brochures have been published for the 1952 State Fair and the nine district fairs. The brochures are identical in presentation, each individual to its area. The following reproduction of "Why You Should Exhibit at the Fresno District Fair" will serve as a typical example.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Subcommittee on Elections and Reapportionment, in Room 2170.

At 2.30 p.m.—

Wildlife Conservation Board, in Room 4164.

Finance and Insurance (special meeting by unanimous consent)

At 8 p.m.—

Education, in Room 3184, instead of 4202.

Today upon adjournment—

Governmental Efficiency and Economy, in Room 3184.

Tomorrow, Thursday, March 27th—

At 9 a.m.—

Rules, in Lounge Room.

Upon adjournment—

Judiciary, in Room 4202, (subject: Senate Bill No. 9).

ADJOURNMENT

At 2.59 p.m., on motion of Mr. Lincoln, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, March 27, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 27, 1952

The Assembly met at 10 a m

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

Lord Our God! We are bowed down with grief when we see millions of men in the world living in slavery We pray unto Thee for their redemption. Through all the ages tyranny has been overthrown with Thy help O Lord, peoples redeemed from bondage and the light of faith kept burning in days of darkness. We pray unto Thee O God to grant strength unto the weak and hope to the oppressed Teach them to preserve their patience in the vale of tears In the words of the poet:

"Be with all who in thrall
To their tasks are driven
By Thy power speed the hour
When their chains are riven
Earth around will resound
Joyful hymns to Heaven"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Crowley, on motion of Mr. Lyon.

Mr. Cooke, on motion of Mr. Lyon.

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

Mr Babbage, on motion of Mr. Klocksiem

Mr. Rosenthal, on motion of Mr. Beck.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lipscomb, Fleury, McGee, Moss, Stewart, Levering, Rumford, and Geddes:

House Resolution No. 24

Relative to a study of salary adjustments in the state civil service

WHEREAS, Numerous state positions are vacant in various classes at the present time; and

WHEREAS, The payment of adequate salaries for state employees is necessary to obtain and retain competent personnel in the state service; and

WHEREAS, Competent personnel is essential to the economical and efficient operation of State Government; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, in addition to the duties imposed upon it by H. R. 186 of the 1951 Regular Session, is authorized and directed through an appropriate subcommittee to make a thorough study and analysis of the methods and techniques practiced by the State Personnel Board in surveying, fixing, and adjusting salaries of state employees, to determine if the intent of the Legislature as set forth in the applicable provisions of the Government Code is being carried out in the setting of salaries for state positions Auditing classes are to be used as a pilot study as considerable data has been made a matter of record in connection with hearings held on the petition of this group for pay increases

Resolution read, and ordered referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 2—Relative to the imposition of duties on the importation of tuna fish

Resolution read.

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 measure, strike out "or frozen tuna fish", and insert "tuna fish, frozen tuna fish, and tuna fish in brine".

Amendment No. 2

On page 1, line 7, of said measure, strike out "fresh or frozen tuna", and insert "such tuna fish".

Amendment No. 3

On page 1, line 14, of said measure, strike out "fresh and frozen", and insert "such".

Amendment No. 4

On page 1, line 15, of said measure, after "duty", insert a comma.

Amendment No. 5

On page 1, line 19, of said measure, after "tuna", insert ", and tuna in brine".

Amendment No. 6

On page 1, line 22, of said measure, after "5693", insert ", with an amendment to include tuna in brine,".

Amendment No. 7

On page 2, line 4, of said measure, strike out "in its present form,".

Amendment No. 8

On page 2, line 5, of said measure, after "a", insert "temporary".

Amendment No. 9

On page 2 of said measure, strike out line 6, and insert "and frozen tuna,".

Amendment No. 10

On page 2, line 7, of said measure, strike out "whole", and insert "and an equivalent duty on tuna canned in brine".

Amendment No. 11

On page 2, line 11, of said measure, after the comma, insert "to the Chairman of the Senate Finance Committee, to the Chairman of the House Ways and Means Committee."

Amendments read, and adopted

Resolution ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 3—Relative to "I Am an American Day."

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, as amended in the Senate on March 21, 1952, strike out lines 6, 7, and 8

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 26 1952

MR SPEAKER Your Committee on Education, to which was referred Senate Bill No 20

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

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 20—An act to add Section 5035 to the Education Code, relating to state school building aid

Bill read second time, and ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

MR. SPEAKER: Your Committee on Education, to which was referred: Assembly Bill No. 32

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

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 32—An act to validate certifications made by the State Allocation Board to the State Controller under Section 5065 of the Education Code, 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 Education:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert

"An act to add Section 5083.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect"

Amendment No. 2

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

"SECTION 1. Section 5083.3 is added to the Education Code, to read

5083.3. Whenever, subsequent to the date when a conditional apportionment is made to a district and before such conditional apportionment becomes final, the boundaries of such district are changed so that the territory of the district is reduced by not to exceed 1 percent of the assessed valuation of the district, as determined by the last equalized assessment roll immediately preceding the effective date of such change of boundaries, and the superintendent of schools of the county having jurisdiction over the district has failed to file the certificate required by Section 5088, showing such change of boundaries, and prior to the effective date of this section the board has certified to the State Controller that the apportionment made to the district has become final, such final apportionment is hereby confirmed, ratified, and validated, and any expenditure of money from the Public School Building Loan Fund according to the terms of such final apportionment is hereby confirmed, ratified, and validated."

Amendment No. 3

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

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 32

Mr. Porter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 32.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

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

Senate Bill No. 4

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

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIOMUS CONSENT)

Senate Bill No. 4—An act to validate, confirm, ratify and declare legally effective certain contracts between cities and housing authorities and counties and housing authorities for the acquisition from the United States of temporary war housing projects in critical defense housing

areas, the operation of such projects, the use and disposal of the revenues from the operation of such projects, the sale or other disposal of the property so acquired and the termination of such projects.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1952

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

Assembly Bill No. 27

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

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 27—An act to add Section 6.5 to an act entitled "An act to provide for the expansion of publicly supported higher education by the establishment of a state college in the City of Los Angeles; and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the system of publicly supported higher education," approved April 25, 1949 (Chapter 86, Statutes of 1949), relating to the Los Angeles State College of Applied Arts and Sciences.

Bill read second time, and ordered engrossed

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 38

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

Assembly Concurrent Resolution No 9

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 9—Relative to merit awards to state employees.

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

On page 1, line 2, of the printed resolution, strike out "that".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

Assembly Joint Resolution No. 13

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Joint Resolution No. 13—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 21, of the printed measure, after "Board", strike out "and until all other possible units of the Central Valley Project have been completely developed"

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

Assembly Bill No. 27

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

House Resolution No. 21

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

Assembly Constitutional Amendment No. 2

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

House Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Public Utilities and Corporations.

SAM L. COLLINS, Chairman

Above reported resolution ordered re-referred to the Committee on Public Utilities and Corporations.

RECESS

At 10.29 a.m , on motion of Mr. Dickey, the Assembly recessed until 10.46 a.m.

REASSEMBLED

At 10.46 a.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

MR. SPEAKER: Your committee on Legislative Procedure has examined Assembly Constitutional Amendment No. 2

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

RESOLUTIONS

The following resolution was offered:

By Messrs. Dickey, Lindsay, Dolwig, Dunn, Geddes, Hagen, Hansen, Lincoln, Luckel, McCollister, and McMillan:

House Resolution No. 25

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works was directed to study all matters relating to conservation of natural resources, state and local planning laws, and public works programs, including special subcommittee studies on state-wide pollution problems, bay area regional problems, and ground water rights; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 242, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 38

Mr. Dolwig asked for, and was granted unanimous consent to take up Assembly Bill No. 38, out of order.

CONSIDERATION OF ASSEMBLY BILL NO. 38

Assembly Bill No. 38—An act to add Division 3.5, the Civil Defense Street and Highway Bond Act, to the Streets and Highways Code, relating to the issuance and sale of bonds to finance the immediate construction or reconstruction of state highways, county roads, and city streets necessary for civil defense purposes, such bonds to be payable solely from certain portions of the State Highway Fund and the Highway Users Tax Fund, and authorizing the immediate expenditure of the proceeds from the sale of such bonds for the construction or reconstruction of such streets and highways

Bill read third time.

Demand for Previous Question

Messrs. Grant, Morris, Klocksiem, Lanterman, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 38.

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

AYES—Belotti, Berry, Brown, Chapel, Clarke, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Geddes, Gubser, Hawkins, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Porter, Stanley, and Thomas—32.

NOES—Beck, Brady, Burke, Burkhalter, Cloyed, Coats, Collier, Condon, Conrad, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McFall, McGee, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—36.

REQUEST FOR UNANIMOUS CONSENT THAT SUBJECT MATTER OF ASSEMBLY BILL NO. 38 BE REFERRED TO INTERIM COMMITTEE

Mr. Dolwig asked for, and was granted, unanimous consent that the subject matter of Assembly Bill No. 38 be referred to the Joint Fact Finding Committee on the State Highway System and on Major Highways in Metropolitan Areas, if, and when, created.

RESOLUTIONS

The following resolutions were offered:

By Mr. Clarke:

House Resolution No. 26

Relative to augmenting the funds of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of ($) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Agriculture (created by House Resolution No. 241, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

RECESS

At 11:46 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1952

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

Assembly Bill No. 32

And reports the same correctly engrossed.

BURKE, *Chairman*

Above reported bill ordered to third reading.

COMMUNICATIONS

By the Chief Clerk:

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

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
STATE BUILDING, SAN FRANCISCO, March 26 1952

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

DEAR MR. OHNIMUS: This will acknowledge receipt of Resolution No. 14 adopted by the California Assembly.

Please be assured that our office is doing everything within its power to see that all acts of violence against any individual are prevented and, if they occur, to see that the culprits are apprehended

If the Assembly desires any further information on this matter I will be very happy to advise them.

Sincerely,

EDMUND G BROWN, Attorney General

By the Chief Clerk:

A communication from Frank M. Wright, Associate Superintendent of Public Instruction, and copies of the Child Care Center Program Report were received, and ordered referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 32

Mr. Porter asked for, and was granted, unanimous consent to take up Assembly Bill No. 32, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 32

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Porter:

Resolved, That Assembly Bill No. 32 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Nicholson, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr Speaker—56.

NOES—None.

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

Assembly Bill No. 32—An act to validate certifications made by the State Allocation Board to the State Controller under Section 5065 of the Education Code, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr Speaker—56.
NOES—None.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 10: By Messrs. Geddes and Levering—Relative to encouragement of academic training for engineers.

Referred to Committee on Rules.

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

Senate Bill No. 7—An act to amend Sections 6340, 6341, and 6344 of the Harbors and Navigation Code relating to the powers of port districts.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—54.
NOES—None.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 8—An act to add Chapter 18 to Division 3 of the Education Code, relating to school districts which through error in fixing the tax rates have become ineligible for any part of the state aid provided by Chapter 15 of Division 3 of the Education Code and providing for aid and assistance to such districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr Speaker—57.

NOES—None.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 11—An act to amend Sections 9, 16, 160, 253, 320, 321, 445, 559, 566, 640 and 641 of the Military and Veterans Code and to add Section 643.2 to the Military and Veterans Code, relating to the Uniform Code of Military Justice, the administration of oaths, command of the California National Guard, appointment of noncommissioned officers, determination of longevity and state service, the California National Guard Reserve and enlistment and service therein, restoration to employment after military service, Good Conduct Medal and Medal of Valor, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

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

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

Assembly Bill No. 48: By Messrs. Dunn, Dickey, Lincoln, Rumford, Caldecott, and Sherwin—An act to amend Section 14744 of the Education Code, relating to continuation of membership in school district retirement plans after discontinuance of service, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PRELIMINARY REPORT BE PRINTED IN JOURNAL

Mr Evans asked for, and was granted, unanimous consent that a letter of transmittal, and a Preliminary Report of the Assembly Interim Committee on Public Utilities and Corporations, be ordered printed in the Journal, in 10-point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS

Hon Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR SPEAKER AND FELLOW MEMBERS OF THE ASSEMBLY: In accordance with the provisions of House Resolution No. 167 of the 1951 Regular Session, we are herewith submitting our Preliminary Report of the activities of the Assembly Interim Committee on Public Utilities and Corporations

Respectfully yours,

JOHN W. EVANS, Chairman
BERNARD R. BRADY, Vice Chairman
WILLIAM S. GRANT
HARLAN HAGEN
AUGUSTUS F. HAWKINS
FRANK LUCKEL
G. DELBERT MORRIS
ALBERT I. STEWART

WILLIAM C. BERRY
MONTIVEL A. BURKE
EVERETT G. BURKHALTER
RANDAL F. DICKEY
CLAYTON A. DILLS
PATRICK D. MCGEE

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS

March 25, 1952

MEMBERS OF COMMITTEE
JOHN W. EVANS, Chairman

BERNARD R. BRADY, Vice Chairman
WILLIAM C. BURRY
MONTIVEL A. BURKE
EVERETT G. BURKHALTER
RANDAL F. DICKEY
CLAYTON A. DILLS
WILLIAM S. GRANT
HARLAN HAGEN
AUGUSTUS F. HAWKINS
FRANK LUCKEL
G. DELBERT MORRIS
PATRICK D. MCGEE
ALBERT I. STEWART

HOUSE RESOLUTION NO. 167

Relative to the Creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject, now, therefore, be it

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

1. The Assembly standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

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

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

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

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

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

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

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

5. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

SUBJECTS CONSIDERED

During the period of the 1951 Legislative Session more bills were referred to this committee for interim study than at any time in its previous history. Among these were the following:

S.B. 327—Rural Electric Cooperatives.
A.B. 674—Regulation of "Affiliated Interests".
A.B. 3253—Regulation of "Holding Company" contracts
H.R. 246—H. R. 176—Committee on Traffic Control.

In addition to the subjects specifically referred to the committee during the 1951 Session as listed above, we have had under consideration and investigation a number of others that had been referred in the course of previous legislative sessions, such as the following:

Discrimination in the use of landing fields.
Truckers and their use of public highways
Public transportation problems of the Los Angeles area.

During the interim since the adjournment of the 1951 Session of the Legislature the committee has also found it advisable to launch inquiries in to several other activities. These are:

Transit fare increases in the Los Angeles area.
Overhead power lines in San Fernando Valley,
3 percent gross receipts tax on highway carriers.

The committee has been seriously handicapped by the lack of sufficient funds to carry on adequately the investigations that should be made, and as a consequence it has been able only to look briefly into these various matters. It is the desire of the committee to continue these studies and

prepare and submit a final and conclusive report with recommendations to the 1953 Regular Session of the Legislature

This preliminary report therefore is simply a report of the progress made to date under this handicap

SPECIAL SUBCOMMITTEE REPORT ON SENATE BILL NO. 37— RURAL ELECTRIC COOPERATIVES

During the time the Legislature was in session in 1951 the above mentioned Senate bill was referred to this committee for consideration On committee motion, the chairman appointed a special 5 member subcommittee to hold hearings and investigate the need for this particular legislation. This subcommittee held a series of hearings during February and March at various points in the State After a review of the extensive testimony taken at these hearings the subcommittee submitted a special report, (published as an Assembly document under date of April 2, 1951) recommending against the particular Senate bill, but also recommending that the full Committee of Public Utilities and Corporations give continuing investigation to the matter to the end that electrical needs of rural areas might be brought to legislative attention wherever required While no further hearings have been held on this subject, it is still on the committee agenda and is being closely watched

Members of the special subcommittee submitting the report and recommendations on Senate Bill No 327 were G. Delbert Morris, Chairman, Patrick D McGee; Bernard R Brady, Montivel A Burke, and Clayton A Dills

Following the 1951 Session and in accordance with the provisions of House Resolution No 167 creating this committee as an interim committee, a meeting for the purpose of organizing and discussing policy was held in Los Angeles on October 4, 5, and 6, 1951

Briefly stated, policies adopted at this meeting were as follows

(a) Special subcommittees would be appointed by the chairman to take up and act on the various bills and resolutions referred to the committee for action, and to consider also any special related subject that might be called to committee attention during the interim

(b) Special reports to be submitted by the subcommittees to the main committee for approval and consideration

SUBCOMMITTEE APPOINTED

In accord with the adopted committee policy, the following special subcommittees have been appointed and are now functioning.

1 Discrimination in the use of Public Landing Fields·
(Problems of Air Transportation)
William S Grant, Chairman
Everett G Burkhalter
Augustus F Hawkins
Harlan Hagen

2 Utility Holding Companies. (A B 327 and A B 3253)
Patrick D McGee, Chairman
Augustus F. Hawkins
G Delbert Morris

3 Public Transportation Problems of the Los Angeles Area:
Everett G Burkhalter, Chairman
William S Grant
Bernard Brady

PRELIMINARY PROGRESS REPORT

During the interim period this committee has held hearings, both subcommittee and general committee, and given consideration to the subjects as set forth hereinafter in this report.

A Problems of Air Transportation

1 Purpose

In line with our 1951 Semifinal Report on this subject we have continued to investigate possible discrimination against certain airline companies in their use of public airports and terminal facilities

2 Meetings

On request our special subcommittee having charge of this subject held a special hearing in Los Angeles on December 10, 1951 This particular hearing was devoted to testimony regarding the use of the public facilities at the Los Angeles International Airport with special reference to the public address system in notifying passengers of all airlines using the airport

3 Witnesses

The following witnesses appeared at this hearing for the purpose of giving testimony relative to the matters under consideration

Courtland G Smith, Administrative Assistant Department of Airports, City of Los Angeles
Theo J Karcher Southwest Airline
Burk Smith, American Airlines
David G Shearer, TWA Airline
R L Dobie, United Air Lines
Art LaVerne, Pan American Airlines and CMA
Emmett Reardon, TWA
Tony Beard, Vice President, California Central Airlines
Hal Peyer California Central Airlines

4. Report

The committee reports that this same type of investigation was carried on during 1950 and some of the causes of complaint eliminated as a result of committee recommendations In the present instance it appeared the desire of all parties to get together and find the answer so it is the feeling that this has been accomplished At the same time it was learned that similar discrimination possibly exists at other important airports in the State and there is need for further investigation

5. Recommendations

The committee is anxious to pursue further these studies but lack of adequate funds makes this impossible We are of the opinion that there are sufficient grounds to justify these further studies and it is our recommendation that this be done

B. Trucks and Their Use of Public Streets and Highways

Owing to the lack of funds the committee was unable to devote further time to this subject during this interim In our last progress report we submitted specific recommendations for further study and possible legislation The need for this study still exists

C. Public Transportation Problems of the Los Angeles Area (Rapid Transit)

The special subcommittee under the chairmanship of Hon Everett G Burkhalter is submitting a separate progress report on this subject

SUBJECTS REFERRED BY THE 1951 SESSION

D. Regulation of Holding Company Contracts (A. B. 674 and 3253)

These two Assembly bills have been referred to a special subcommittee under the chairmanship of Patrick D McGee No hearings have been held to date

E Traffic Control (H. R. 176 and H. R. 246)

The subject matter of this resolution has also been referred to the special subcommittee under the chairmanship of Hon Everett G Burkhalter and will be fully covered in the special separate report being submitted by his committee.

OTHER MATTERS UNDER COMMITTEE INVESTIGATION

In addition to subjects referred to the committee through the legislature as hereinbefore reported upon, several special matters have come to our attention and we are engaged in preliminary studies relating to these items. These subjects are as follows.

F. Transit Fare Increases in the Los Angeles Area

Individual members of the committee have been authorized to attend and observe the Public Utilities Commission hearings on the subject of fare increase applications by the transit lines in the Los Angeles area As yet no committee action has been taken pending the further reports of these individual members.

G. 3 Percent Gross Receipts Tax on Highway Carriers

Several requests have been received that the committee give some further study to this special carrier tax It has been the subject of much controversy in the Legislature for years However, in the absence of a specific referral of the matter by the Legislature we have not deemed it advisable to take it up at this time In the event of such a referral at subsequent sessions the committee will be prepared to carry out such investigations as are necessary.

H. Overhead High Tension Lines in San Fernando Valley

1. Foreword

The filing of a condemnation suit under eminent domain against about 186 owners by the Department of Water and Power of the City of Los Angeles to acquire a right of way for a high tension power line through thickly settled portions of the San Fernando Valley precipitated an immediate storm of protest. Main features are·

Condemnation action No. 595206 filed in the Superior Court of Los Angeles County against some 186 parcels of property

The city council must make a finding of "Convenience and Necessity" and adopt resolution or ordinance to that effect

Proposed resolution is now pending before a committee of the city council where it is being held at the request of this committee pending complete investigation

The proposed high tension tower line (150 foot towers) would stretch across the Valley for a distance of approximately *21* miles, crossing Ventura Boulevard in a highly developed section

The property owners contend that the line should be placed underground in this thickly settled area—that a tower line is ruinous to adjoining property and would seriously depreciate all property over a wide area

2. Hearings

In response to public demand our special subcommittee under the chairmanship of Patrick D McGee arranged a special hearing on this matter at Tarzana on February 21, 1952 Assemblyman McGee also represents the affected district in the Legislature Present for the hearing were the following committee members

Subcommittee	*Other*
Patrick D McGee, Chairman	John W Evans, Chairman, Com on Public Utilities & Corporations
Augustus F Hawkins	Montivel A Burke
G Delbert Morris	Vernon Kilpatrick

3. Witnesses

The following persons appeared at this hearing and gave testimony relative to this proposed high tensions power line

Representing the Department of Water and Power of the City of Los Angeles.

Samuel G Morris (Gen'l Mgr and Chief Engineer)
James D Laughlin (Eng'r of Design and Construction)
Arthur Williams (Asst Eng'r of Design and Construction)
Boris Gray (Eng'r of Underground Construction)
E L. Kanouse (Eng'r of Transmission Design)
L T Mariner (Senior Eng'r on Line Location)
Rex Goodsel (Ass't City Attorney—Dept of Water & Power)
Ed Davenport (City Councilman, Los Angeles)
Arthur DeVorin (City Planning Department, Los Angeles)

Representing citizens and property owners of the San Fernando Valley area.

S A Neal
J E Droge
Byron McCandless
Eugene Bedell
Fred Rusk
Carl Dentzel, Pres Northridge Chamber of Commerce
Sam S Taylor, Pres West Valley Home Owners Protective Assn.
Graham Taylor
Also some 200 other citizens

4. Recommendations

This hearing developed testimony to the effect that the Department of Water and Power is pursuing an arbitrary course in this case, and that although its plan for such high tension line construction had been under way for three or more years, the affected citizens were not even advised until the filing of the condemnation proceedings

This committee is of the opinion that not only this particular case should be further and completely investigated, but that in addition a thorough study on a state-wide basis should be made of the feasibility and desirability of placing all such lines through highly populated areas underground. To this end the committee recommends such a continued study and the outlining of any legislation that is needed to deal adequately with this and similar situations

The position of the committee was later substantiated and confirmed by the position taken by the heads of the United States Government civilian and military intelligence experts, who have stated that "Construction of overhead power lines in west San Francisco Valley would cause 'serious interference' with the national defense effort"

Publicity in proof of these later developments is attached.

Los Angeles Examiner, March 26, 1952

POWER LINE REPORT BY BOWRON AWAITED

Meeting Due on Problem This Week

U. S. Fights Overhead Line in Valley

City Council Told Power Wires Would Hurt Defense Effort

Construction of overhead power lines in west San Fernando Valley would cause "serious interference" with the national defense effort, the Government's top intelligence agency warned yesterday

The warning was contained in a letter to the City Council from the Central Intelligence Agency, Washington, D C , composed of the Nation's foremost civilian and military intelligence experts

Bulwarking the arguments of west valley property owners who have been advocating underground rather than overhead installation of the proposed lines, the letter, signed by George G Carey, declared·

"It has come to my attention that the Los Angeles Department of Water and Power is planning construction of a high voltage power line from the Northridge area through Reseda and Tarzana across the Santa Monica Hills to West Los Angeles

Bad Signals

"If this power line is to be carried on steel towers rather than underground, it will cause serious interference in the form of power hash radiation and re-radiation of spurious signals to the Foreign Broadcast Information Service monitoring station near Reseda.

"The Foreign Broadcast Information Service is an activity of the United States Government serving the National Security Council and very important to our national defense effort.

"In view of the rapid growth of the Los Angeles area, plans are now under way to transfer the monitoring station to a more isolated locality probably in Northern California

"It is unlikely that this new station can be activated before mid-1955 and therefore the schedule which you propose would jeopardize our operations for a period of six months to one year if the overhead installation is decided upon.

"This information is called to your attention since it is believed all the facts should be available to the City Council when it meets to decide the issue"

The "issue" before the council is the department's request for an "ordinance of necessity" which would constitute legal proof for the courts of the project's public convenience and necessity.

Bottled Up

It has been bottled up in the council's water and power committee since last January 31st, two days after the department suddenly announced the scope of the project.

Councilman Charles Navarro, committee chairman, has indicated his group will not act until Mayor Fletcher Bowron had made his views known on the subject.

The Mayor, who toured the 21-mile route on a personal "fact finding" survey last March 14th, is expected to meet with Water and Power Commissioners and a delegation of valley property owners this week

Out of that meeting, he said, he hopes a "satisfactory settlement" will be reached.

Referred

The letter from the CIA, which operates the "hush-hush" monitoring station one and one-half miles west of Reseda, also was referred to Navarro's committee

Councilman Ed J Davenport, an outspoken foe of overhead construction, predicted the letter would solidify council opposition to granting of the ordinance

"If we did grant it," he declared, "it would be denying the people involved their day in court Furthermore, the department is only using the council as a short cut to circumvent the people"

Plan Pressed

Davenport said he would press for the adoption of his own proposed city charter amendments which would curb the virtual autonomy of the department They, also, are under committee consideration

Arrayed behind the property owners' stand is the Assembly Subcommittee on Public Utilities and Corporations, headed by Patrick McGee, which expressed unanimous opposition to the project after a public hearing last month

Under the department plan, 53 homes would be condemned Scores of others would be drastically depreciated, it is alleged

Against the National Security

In their hasty and arbitrary attempt to condemn San Fernando Valley homes, the top brass of the Los Angeles Department of Water and Power have run up against a vital bulwark of national defense

If the department's legal bulldozer razes these homes and puts up ugly transmission towers instead of running lines underground, they will jam foreign radio broadcasts of critical value to the defense effort

The City Council has been so warned by the Central Intelligence Agency, which gathers and sifts all foreign information for the armed services and the National Security Council

The department has been obstinately wrong by every rule of fair human relations in the San Fernando case

Now it is also completely wrong with regard to the country's safety.

The CIA operates a radio monitoring service at Reseda The overhead transmission lines the department plans in an area just a hop-skip-and-jump away, would cause "serious interference in the form of hash radiation and reradiation" at the monitoring station

Thus, by insisting on an overhead line, the department would be plugging up a listening post of crucial importance to the country

There was no excuse for the arrogant way the department's executives were kicking around the little home owners on a flimsy financial pretext

But to kick the national security around, is something for which no conceivable pretext exists

---

The City Council should promptly put an end to the whole sorry affair by telling the department that the case now admits no further argument, and to bow out with speed if not grace

The department's brass would do well to accept the decision as a humiliating but necessary lesson First, in how to treat human beings in the future, and then in how to find out and take into account simple facts and clear consequences like those brought out by the CIA

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Evans asked for, and was granted, unanimous consent that the above mentioned letter of transmittal, and report, be ordered printed as a separate document, and that 300 copies be printed

PUBLIC LANDS, GRAZING AND FOREST PRACTICES

FIRST PROGRESS REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON AGRICULTURE

(H. R. No. 193, 1951)

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 25, 1952

Hon. Sam L. Collins,
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: In accordance with House Resolution No. 193, 1951 Session, the Assembly Interim Committee on Agriculture submits a progress report prepared by its Subcommittee on Public Lands, Grazing, and Forest Practices.

Respectfully submitted,

GEORGE A. CLARKE, Chairman
JOHN D. BABBAGE
FRANK P. BELOTTI
RALPH M. BROWN
RALPH R. CLOYED
ARTHUR W. COATS, JR.
LESTER T. DAVIS
THOMAS M. ERWIN
CHARLES S. GUBSER
HARLAN HAGEN
WILLIAM W. HANSEN
JOHN B. COOKE, Vice Chairman
WALLACE D. HENDERSON
H. W. KELLY
FRANCIS C. LINDSAY
LLOYD W. LOWREY
RICHARD H. McCOLLISTER
JOHN J. McFALL
CARLEY V. PORTER
STANFORD C. SHAW
MARVIN SHERWIN
JAMES W. SILLIMAN

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 25, 1952

Hon George A Clarke, Chairman
Assembly Interim Committee on Agriculture
State Capitol, Sacramento, California

Your subcommittee presents the following Progress Report on Public Lands, Grazing, and Forest Practices

At the 1951 Session of the Legislature the Assembly, pursuant to House Resolution No 193, authorized a Subcommittee on Public Lands, Grazing, and Forest Practices

"* * * to ascertain, study and analyze all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the state, federal and local government relationships involved therein including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies, all facts relating to the recordation and registration of land titles, all facts relating to grazing lands, including but not limited to the conversion of brush-covered lands to grazing lands by controlled burning, and all facts relating to forest practices, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendation for appropriate legislation"

This report covers only the activities of the State Division of Forestry in the range improvement program It includes a brief exposition of more detailed information presented by the Division of Forestry at hearings held in Shasta and Mendocino Counties in October, 1951, and at San Francisco in February, 1952 Further field trips and hearings are planned for early summer when some of the actual results of the program can be observed first hand and a more conclusive evaluation made

The activities of other state and federal agencies in the range improvement program are being studied, the results of which will be presented as the material is briefed and compiled

Your committee is particularly fortunate in having a friendly working relationship with the state agencies involved Furthermore, the subcommittee members take this opportunity to express their appreciation for the continuing full cooperation of the United States Forest Service and the Federal Bureau of Land Management

The range improvement program as it relates to the public lands of the State of California is growing so fast that several instances of duplication of research studies have already occurred Aware of this costly and unnecessary expense, your committee has aimed at correlating the activities of the many agencies involved to achieve the economy and efficiency of close cooperation

Respectfully submitted,

LLOYD W LOWREY, Chairman
FRANK P BELOTTI
ARTHUR W COATS, JR.
FRANCIS C LINDSAY
MARVIN SHERWIN

SECTION ONE

RANGE IMPROVEMENT PROGRAM OF THE STATE DIVISION OF FORESTRY

The basic purpose of the range improvement program of the California Division of Forestry is to increase the carrying capacity of foothill range lands for domestic livestock and wildlife, and to encourage wise use of the range resource throughout the area of our responsibility Further objectives include fire prevention and protection, watershed protection and conservation, and the prevention of soil erosion

The program was first authorized by legislation in 1945 Statutes adopted at that time, as modified in 1949,* authorize and govern the range improvement activity of the division This legislation outlined a procedure for issuing permits for controlled burning of brush covered lands and charged the Division of Forestry with administrative duties in connection with its general responsibilities in fire control

THE ACTION PROGRAM

The action phase deals with the range improvement projects of ranchers It includes land clearing by controlled burning and mechanical clearing, reseeding, and management of the cleared areas In this phase the State Division of Forestry functions in an administrative capacity to inspect areas proposed for burning, advise on preparations and issue permits Our active participation here is through furnishing stand-by crews for protection of adjacent property Our technicians are available to assist ranchers in their brush range problems

LAND CLEARING

Fire, under controlled conditions, is employed in most land clearing projects on the foothill ranges There is some acreage where brush is cleared by bulldozing and piling, in many of these cases no burning is done, while in others fire is used during that part of the year when permits are not required

Controlled Burning

During 1951 ranchers made 558 applications to the Division of Forestry for permits to do controlled burning These applications covered a total of 189,531 acres of land Controlled burns were completed by 438 permittees during the year Many of these involved several ranchers, so a total of 286 burns were made Of these, 229 were completed by individuals, while the remaining 57 were cooperative projects by two or more ranchers

The total area burned under permit was 133,885 acres In addition, 19,653 acres were burned by escapes, making an aggregate of 153,538 acres treated by fire during the calendar year The figure just given includes 14,847 acres which were reburned during the year; when the area reburned is subtracted, it leaves a net total of 138,691 acres

* Public Resources Code, Secs 4871-4883

Mechanical Treatment

The brush on 8,194 acres was broken down or bulldozed into windrows and piles before burning An additional 3,411 acres was cleared by mechanical methods, mainly bulldozing, where no burning was done under permit (Our figures on mechanical clearing are not complete, as much of this work is done under the PMA program and does not require the use of fire Unless the brush is disposed of by burning under permit our personnel do not ordinarily contact ranchers on mechanical clearing activity) These data indicate some type of mechanical treatment was applied to more than 11,600 acres during the year

A summary of land clearing data for range improvement, from the time the program was started in 1945 through 1951, is given in Tables 1 and 2

TABLE 1 SUMMARY OF LAND CLEARING DATA, 1945-1951, INCLUSIVE

Activity	*1945*	*1946*	*1947*	*1948*	*1949*	*1950*	*1951*	*Total*
No of applications	*	266	216	180	408	469	558	2,097
No of permittees	252	212	170	154	344	337	438	1,907
Acres burned under permit	50,424	54,164	32,945	24,462	87,909	83,249	133,885	467,038
Acres burned by escape	15,232	9,320	6,106	1,786	14,628	14,125	19,653	85,850
Acres cleared mechanically	*	2,250	15,873	1,910	19,289	5,059	3,411	47,792
Total acres treated	65,656	65,734	54,924	33,158	121,826	102,433	156,947	600,680
Less Acres reburned	*	*	*	*	*	*	14,847	14,847
Net acreage	*	*	*	*	*	*	142,100	586,833
Acres reseeded	*	24,574	17,253	15,103	34,760	28,493	35,469	155,652
Percent reseeded	*	38 6	44 2	48 3	33 9	29 3	23 1	---
Average size permit burn	200	255	194	159	256	333	468	---

* Data not available

TABLE 2 SUMMARY OF CONTROLLED BURN STATISTICS, 1951

County	No of appl	No. of permits used	No of burns	Acres to burn	Acres burned under permit	Excess acres burned	Total acres control burned	Acres bulldozed and burned	Acres reburned	Acres seeded	Standby requested	Standby used
DISTRICT I												
Colusa	2	2	2	900	900		900			500	2	2
Humboldt	41	25	22	7,023	3,995	600	4,595	430	1,170	2,482	4	1
Lake	22	13	11	6,506	2,129		2,129		150	530	4	5
Mendocino	86	47	38	22,185	8,930	541	9,471	431	1,500	3,775	25	12
Napa	13	7	7	5,495	1,870	6,690	8,560				1	1
Sonoma	29	19	14	11,320	6,712	239	6,951	170		1,574	9	5
Yolo	4	3	3	1,840	1,250	685	1,935					
Total	197	116	97	55,269	25,786	8,755	34,541	1,031	2,820	8,861	45	26
DISTRICT II												
Butte	12	10	2	3,790	3,460	60	3,520			100	9	10
Shasta	10	10	8	3,200	2,810	1,640	4,450	490		1,420	9	9
Siskiyou	4	4	4	2,240	2,240	90	2,330		1,760	1,760	4	4
Tehama	3	3	3	5,280	2,780	10	2,790				3	3
Total	29	27	17	14,510	11,290	1,800	13,090	490	1,760	3,280	25	26
DISTRICT III												
Amador	27	23	21	3,860	2,930		2,930	1,365	310	735	23	19
Calaveras	11	10	9	2,050	1,957	32	1,989	265		15	11	8
El Dorado	18	16	14	1,676	1,029	137	1,166	320		27	13	13
Nevada	24	23	16	2,561	2,401	76	2,477	464	537	331	10	9
Placer	1	1	1	400	400		400			400	1	1
Tuolumne	8	6	6	3,455	1,335		1,335	160	50	15	7	5
Yuba	8	8	5	2,110	2,070	60	2,130	250		300	8	8
Total	97	87	72	16,112	12,122	305	12,427	2,824	897	1,823	73	63

TABLE 2 SUMMARY OF CONTROLLED BURN STATISTICS, 1951—Continued

County	No of appl	No of permits used	No. of burns	Acres to burn	Acres burned under permit	Excess acres burned	Total acres control burned	Acres bulldozed and burned	Acres re-burned	Acres seeded	Standby requested	Standby used
DISTRICT IV												
Fresno	37	37	17	7,335	6,835	302	7,137	1,404	80	2,308	34	37
Kern	12	10	5	12,495	11,815	185	12,000			7,350	9	10
Madera	60	60	12	23,210	23,110	942	24,052	100	6,408	3,746	57	54
Mariposa	28	26	10	14,065	12,965	3,558	18,523	230	2,780	730	26	24
Merced	1	1	1	1,300	1,300		1,300				1	1
Tulare	30	24	5	8,368	4,783	450	5,233	66	102	3,531	23	19
Total	168	158	50	66,773	60,808	7,437	68,245	1,800	9,370	17,665	150	145
DISTRICT V												
Monterey	12	12	12	7,590	6,184	51	6,235	1,040		70	5	6
San Benito	4	3	3	3,068	2,068	64	2,132				3	3
San Luis Obispo	9	9	9	2,830	2,830		2,830	260		2,255	2	2
Santa Clara	12	9	9	6,100	5,918	831	6,749			315	12	9
Santa Cruz	3	3	3	189	189		189	189		160		
Stanislaus	1	1	1	2,000	2,000	410	2,410			30	1	1
Total	41	37	37	21,777	19,189	1,356	20,545	1,489		2,830	23	21
DISTRICT VI												
Orange	1	1	1	150	100		100				1	1
Riverside	2	1	1	700	600		600				1	1
San Diego	23	11	11	14,240	3,990		3,990	560		1,010	7	7
Total	26	13	13	15,090	4,690		4,690	560		1,010	9	9
Grand total	558	438	286	189,531	133,885	19,653	153,538	8,194	14,847	35,469	325	290

RESEEDING

Reseeding was planned on nearly 35,500 acres of the area controlled burned this year While this is the largest actual acreage to be reseeded since we began to collect data in 1946, it is also the smallest percentage (23 1 percent) of treated area to be reseeded in any year during that period.

Reseeding is mainly to annuals, but perennials are well represented Species most commonly used include rye grasses (both annual and perennial), orchard grass, oats brome grasses fescue Harding grass, vetch, and subterranean and rose clovers

Areas larger than 70 to 100 acres generally are seeded by plane, while those of smaller size usually are seeded by hand methods

STAND-BY SERVICES FOR RANGE IMPROVEMENT PROJECTS

The Division of Forestry continued to provide stand-by crews for range improvement projects in accordance with the authorization of the State Legislature The purpose of these crews is to provide additional fire protection for lands which may be endangered by controlled burning activities For the third season regular suppression forces were supplemented by crews whose primary responsibility is stand-by service

During 1951 requests for stand-by crews were received from 325 ranchers who planned controlled burns Since a total of 438 permittees completed controlled burns, this means that 74 2 percent of them requested stand-by services. This is a considerable increase over 1950, when only 54 percent of permittees made requests for stand-by crews

Twenty-nine of the ranchers requesting stand-by crews later canceled their plans for burning, for various reasons Stand-by services were provided for 290 (98 percent) of the remaining 296 permittees requesting this service.

Range Improvement Stand-by Crews

In 1949, the Division of Forestry was authorized to provide and equip two eight-man fire crews for "stand-by" service on controlled burns Two additional six-man crews were authorized, beginning on July 1, 1951 one of these was activated in the south coast during the summer season; the other is being used in Southern California during the winter period.

During the 1951 season these supplemental crews provided stand-by services on 64 controlled burns conducted by 78 permittees These burns had a total area of 39,454 acres Thus, these supplemental crews serviced 22 4 percent of the controlled burns, for 17 8 percent of the permittees, on 29 5 percent of the area controlled burned

In addition to their work on controlled burns, these crews assisted in suppression of 16 wildfires, where assignment to wildfire suppression did not conflict with their duties in controlled burning

A summary of the work of these crews is given in Tables 3 and 4

TABLE 3 ACTIVITY OF RANGE IMPROVEMENT STAND-BY CREWS, 1951

Number of permittees		78
Number of controlled burns		64
Acreage:		
Of controlled burns	39,454	
Of escape	2,804	
Total serviced		42,258
Number of wildfires attended		16
Mileage		
On controlled burns	4,424	
On wildfires	1,039	
Between stations	10,592	
Total		16,055

TABLE 4 MAN-HOUR DISTRIBUTION, RANGE IMPROVEMENT STAND-BY CREWS, 1951

(Average day in excess of 12 hours)

Activity	*Man-hours*	*Percent*
Controlled burns	4,544	40 7
Travel time	2,506	22 5
Wildfire suppression	1,961	17 6
Training	329	2 9
Equipment maintenance	942	8 4
Range improvement studies	876	7.9
Totals	11,158	100 0

Stand-by Services of Regular Suppression Crews

Regular suppression crews are used for stand-by services on controlled burns when this activity does not interfere with their primary responsibilities in wildfire suppression The major part of the stand-by service throughout the State is provided by these crews During 1951 services of these crews were made available to 212 permittees, comprising 73 2 percent of the cases where stand-by was furnished

RANGE IMPROVEMENT CONTROLLED BURN ESCAPES

The 19 653 acres burned by escapes this year amounted to 12 8 percent of the area controlled burned This was a decrease from last year's figure of 14 5 percent, as well as a reduction from the average of 16 0 percent since the present program started in 1945 Certain data on escapes of range improvement controlled burns are summarized in Table 5 A study

TABLE 5 SUMMARY OF ESCAPES OF RANGE IMPROVEMENT CONTROLLED BURNS, 1945-1951, INCLUSIVE

Year	*Area burned by escapes*		*Number of escapes*	*Percent of*	
	Acres	*Percent of total*		*Permittees*	*Burns*
1945	15,232	23 2	--	--	--
1946	9,320	14 6	29	13.7	*
1947	6,106	18 5	20	11 8	*
1948	6,786	21 6	26	16 9	*
1949	14,628	14 3	54	15 7	*
1950	14,125	14 5	34	10 1	13 2
1951	19,653	12 8	57	13 0	19 9
Totals and averages	85,850	16 0	220	13 3	17 0

* The number of permittees and number of burns was nearly the same for these years

of causes of escapes, made early in 1951, showed about 32 6 percent were due to such causes as shifts of the wind and whirlwinds, about 43 5 percent were due to spot fires, and about 21 7 percent were due to inadequate patrol and other improper methods Escapes due to natural causes cannot be eliminated but they can be minimized by careful planning, adequate preparation and skillful execution of the controlled burn

TRENDS IN RANGE IMPROVEMENT ACTIVITY

The trends in certain phases of range improvement activity are illustrated in Figures 1 through 4 In 1951 there were marked increases in both number of permits used and total area controlled burned The average size of permit burn increased for the third successive year, due chiefly to the effect of a small number of very large controlled burns, nearly 75 percent of the controlled burns are smaller than this average size, and the most frequent size remains below 40 acres (Table 6)

TABLE 6 VARIATIONS IN SIZE OF PERMIT BURNS, 1951

Size (acres)	*Number of burns*	*Cumulative number*	*Percent*	*Cumulative percent*
0 - 39	59	59	20 5	20 5
40 - 79	45	104	15 7	36 2
80 - 119	27	131	9 4	45 6
120 - 159	17	148	5 9	51 5
160 - 199	16	164	5 6	57 1
200 - 239	18	182	6 3	63 4
240 - 279	7	189	2 5	65 9
280 - 319	11	200	3 9	69 8
320 - 359	7	207	2 5	72 3
360 - 399	2	209	7	73 0
400 - 499	11	220	3 9	76 9
500 - 599	14	234	4 9	81 8
600 - 699	11	245	3 9	85 7
700 - 799	2	247	7	86 4
800 - 899	4	251	1 4	87 8
900 - 999	3	254	1 1	88 9
1000 - 1999	17	271	5 9	94 8
2000 - 2999	12	283	4 2	99 0
3000 - 3999	2	285	.7	99 7
4000 - 4999	--	---	--	---
5000 plus	1	286	3	100 0
Totals	286		100 0	

The number of acres on which reseeding was planned increased for 1951, but the percentage of total area reseeded continued to decline This is due in part, at least, to ranchers selecting only the areas occupied by very dense stands of brush for reseeding

The trend toward increased use of mechanical equipment both for preparation of firebreaks and during the burning operation, pointed out in previous annual reports, has continued A number of ranchers have learned that a much more effective burn results when the brush is broken down with mechanical equipment and allowed to dry several months before burning The breaking down can be done during winter and early

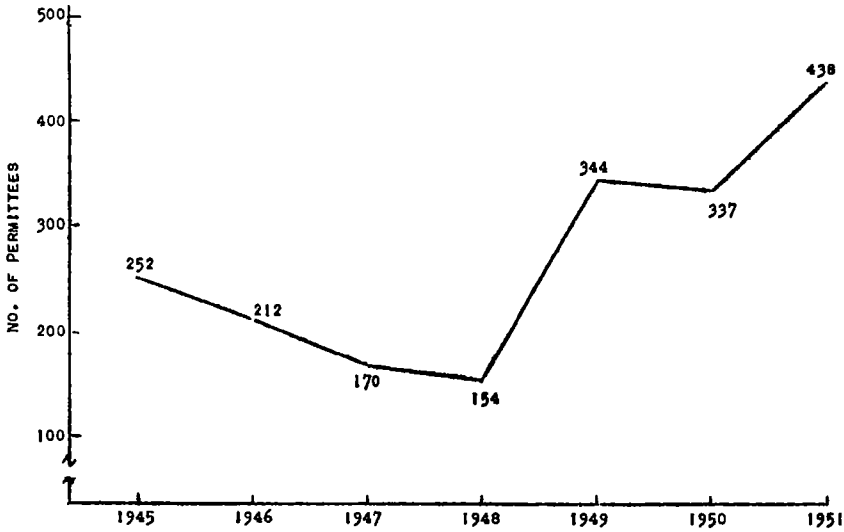


Figure 1 Number of Permits Used

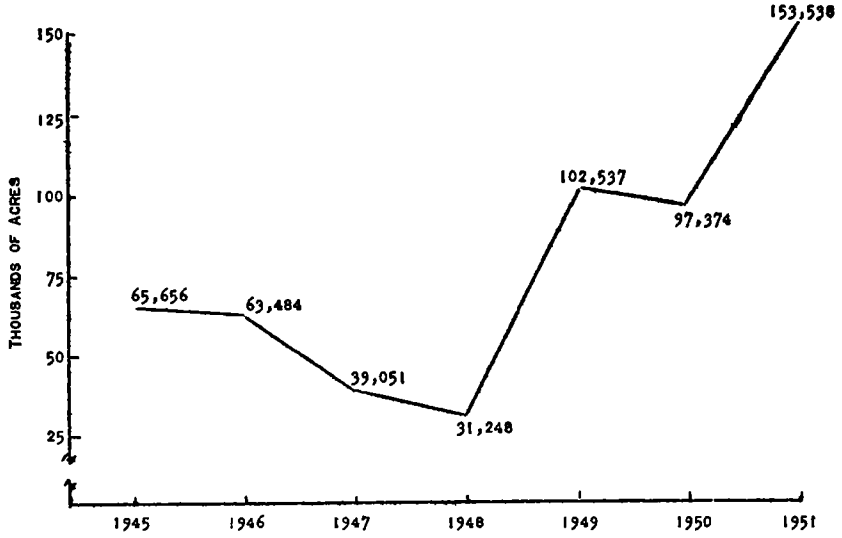


Figure 2 Total Area Burned

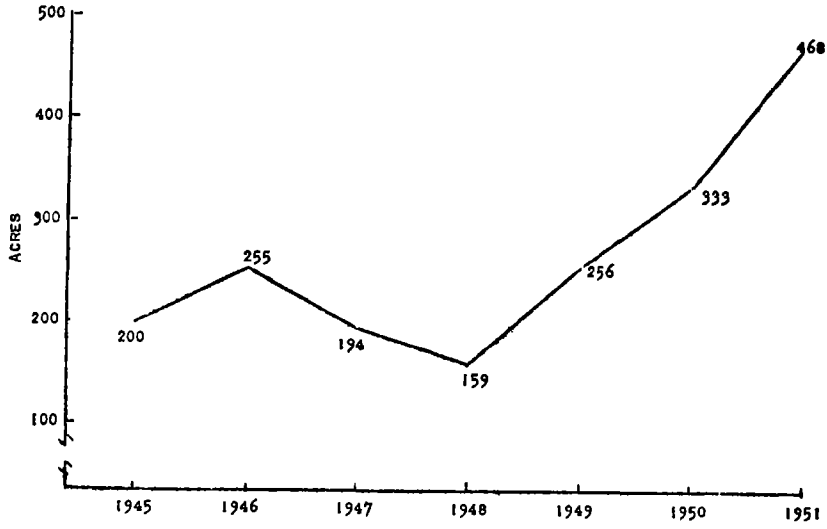


Figure 3 Average Size of Permit Burns

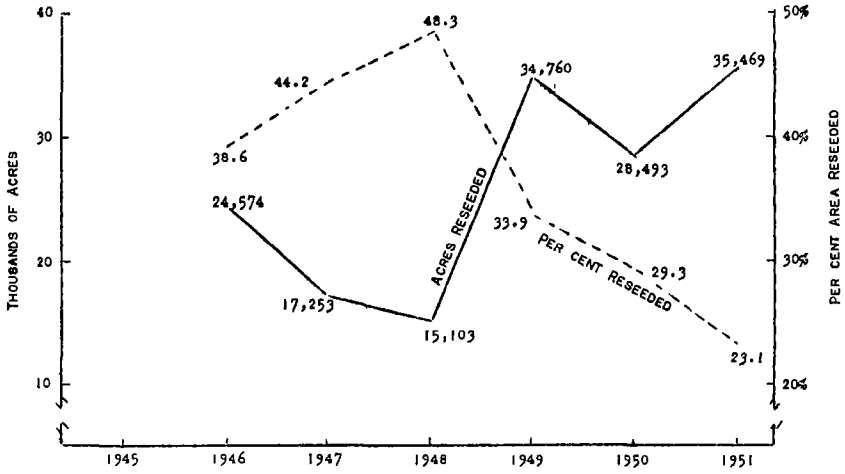


Figure 4 Reseeding of Controlled Burns

spring, during slack periods between other ranch work In several instances the recently developed "area ignition" techniques have been successfully used by ranchers

There is evidence of more follow-up work after controlled burning, for clearing out unburned islands, and the piling and burning of trees and brush snags killed during burning More ranchers are recognizing that management following burning and seeding differs somewhat from normal grazing practices, and are beginning planned schedules of grazing on these areas

The trend in cooperative controlled burns, where a number of ranchers joined to burn adjacent lands, has increased markedly, as shown by the data of Table 7 There also are many cases where land to be controlled

TABLE 7 NUMBER OF COOPERATIVE CONTROLLED BURNS, 1950-51

Year	*Number of Cooperative burns*	*Number of permittees*
1950	32	119
1951	57	209

burned is in one ownership and neighboring ranchers give their assistance on either an exchange of labor or volunteer basis These cooperative projects serve effectively to provide adequate manpower for conduct of the burn and have done much to insure the safety of the program

RANGE IMPROVEMENT FIELD STUDIES

In addition to its major responsibility for administering the system of permits for controlled burning, the Division of Forestry is authorized by the Legislature to do some field studies in land clearance and reseeding to ascertain the value of various methods for range improvement In a majority of cases we have set up cooperative projects with other agencies interested in the problems of the foothill ranges, including the Agricultural Extension Service, California Forest and Range Experiment Station, and the College of Agriculture

Some of these projects are briefly reviewed below Separate, detailed reports of each study are being prepared as sufficient data are accumulated to warrant them

North Coast District

This district embraces the Coast Range counties from Marin and Napa northward to include Del Norte

In this area invasion of range lands by medusa-head (*Elymus caput-medusae* L.), a weedy annual grass, has created a problem for many ranchers In 1948, representatives of the Division of Forestry, on request of, and in cooperation with, local ranchers began tests of the value of controlled burning infested areas before the seed matures in late spring This method offers considerable promise in controlling the weed In 1951, this work was extended to include a field test on an area of 160 acres in size

Our technicians have done some work to test the possibilities of early spring burning for preparing firebreaks for summer controlled burns, and especially where it is desirable to do strip burning to improve ranges

for game. Results to date indicate this early season burning can be done safely and with a minimum of preparation

A study has been started to determine the value and effectiveness of chemicals and mechanical clearing in dense stands of live oak Controlled burning of similar stands in this locality has been unsuccessful

Some new range variety trial plots have been established during the year

Northern District

The north central and northeastern portion of the State, from Glenn and Butte Counties to the California-Oregon line comprises the Northern District.

Early in 1951 a study was set up to compare the effectiveness of early and late summer burning of chamise Approximately 30 acres of these burns were reseeded to a variety of range species for controlling seedling growth of brush. In this study it was learned that where chamise was broken down and allowed to dry, it burned as well in June as it did in September

Another study has been started to determine the relation between time of clearing chamise and the amount of sprouting and numbers of seedlings Areas are being cleared at approximately one-month intervals during the year, and the amount of sprouting and numbers of seedlings will be determined

Fifteen acres of chamise were prepared for a test of area ignition techniques during the spring of 1952 Two experiments in the use of chemicals in brush control are in progress Four new range reseeding trial plots were established, in addition to 12 established in earlier years

Sacramento District

This district is the Mother Lode country from Yuba County southward to include Tuolumne County

The Pine Hill Range Improvement Project, in Nevada County, was started in 1950 In 1951, two additional seven-acre plots of brush were broken down, burned and seeded to mixtures of perennial range forage plants Five plots were set up here to demonstrate the use of chemicals in brush control; materials for these plots were furnished by the Dow Chemical Company Considerable interest in these plots has been shown by local ranchers Two range fertilization test plots have been established

On the Rescue Range Improvement Project, in El Dorado County, attention has been given to a comparison of the effectiveness of using a combination of mechanical equipment and fire, as against use of fire alone for brush clearing An area of 117 acres has been treated During 1951, samples of forage from the area treated and seeded in 1950 were clipped and weighed, forage production is summarized in Table 8 Fifty-six plots to study control by brush chemicals were established on this area, in

TABLE 8 SUMMARY OF FORAGE PRODUCTION, RESCUE RANGE IMPROVEMENT PROJECT, 1951

Treatment	*Forage production (pounds per acre)*
Mechanically treated and burned; seeded	1,500
Controlled burned, seeded	500
Mechanically treated and burned, not seeded	100

cooperation with Dr Oliver Lennard of the University of California, materials for these plots were furnished by the Dow Chemical Company and the American Chemical Paint Company A study has been started to determine the value of goat browsing in controlling chamise sprouts following burning

Other projects in which we are participating in this district include a study of the use of chemicals on the Allen Ranch in Amador County, and a controlled burning and reseeding study in Tuolumne County

San Joaquin District

The area from Mariposa and Merced Counties southward to include Kern County makes up the San Joaquin District

The cooperative study with the California Forest and Range Experiment Station, on the use of goats in controlling chaparral, was concluded during the summer of 1951, and the animals moved to the Sacramento District A report on this study is being prepared

A quantity of seed was furnished for a reseeding study in Mariposa County, in cooperation with the local farm advisor

Central Coast District

The Coast Range counties, from San Francisco south to include Ventura County, are located in this district

The Spring Dell Range Study, begun in 1948, is located in San Benito County In this study the effectiveness of controlled burning is being compared with that of mechanical treatment before burning; suitability of various range forage plants for reseeding is being tested, and some grazing practices compared A separate progress report on this study has been prepared, giving some of the early results

Two additional range improvement technicians, authorized by the Legislature in 1951, made it possible to assign a technician to this district This will permit broadening the scope of our activity in the central coast.

Southern District

The area from Los Angeles and San Bernardino Counties to the Mexican boundary comprises the Southern District

A range improvement technician has been assigned to this district only since July, 1951 Four range variety trial plots were established at various locations in San Diego County In addition, two plots were established near Campo, to test possibilities of certain legumes for range reseeding

CONCLUSIONS

Interest in the range improvement program is continuing to expand This interest is not limited to the stockman, but extends to many individuals and groups having a stake in our wild lands The action program of the ranchers has increased considerably over preceding years Research activities are showing a comparable increase in pace, and results now available are of fundamental importance to the rancher His permanent benefits from a range improvement project will depend much on how skillfully this knowledge is applied

The attitudes of cooperation, now manifest among both individuals and public agencies, have done much to further solution of many problems and eliminate differences in points of view These attitudes, together with increased activity of local rancher organizations as well as public agencies tends to put the entire program into a position for maximum accomplishment

Additions of personnel authorized by the Legislature have made it possible to place range improvement technicians in all districts; this will make it possible for the division to give better service to the stockmen, as well as aiding the administration of the action program

PROGRAM OF EXPERIMENTATION IN DISTRICT III *

Sections 4874-4875 of the Public Resources Code enacted by the State Legislature in 1945 authorized and directed the Division of Forestry to engage in a program of experimental land clearance and revegetation of such lands The division is directed to periodically prepare reports setting forth data as to the experiments so conducted and its findings and conclusions with reference thereto, and submit such reports to the State Board of Forestry for its guidance and assistance in determining the policy to be followed by the board with reference to range and forage lands

In compliance with the above statutes, the Division of Forestry in District III has engaged upon a program of experimentation which includes the following projects

PINE HILL RANGE STUDY PROJECT, NEVADA COUNTY

This project, which was started in 1950, is located centrally in one of the largest continuous areas of grassland with a brush problem in the Mother Lode foothill area and is generally representative of the type A comparison between aerial photographs taken in 1939 and 1948 of the range study area show a marked increase in the amount of crown cover of oak and brush The pasture had not been burned within the past 25 years During the spring of 1949, the seventy odd acres supported 15 head of cattle for less than a month, at total capacity of less than 15 animal months of 4 7 acres per animal unit month This is less than half the average carrying capacity of this range type which has been determined to have a capacity of 2 1 acres per animal month

It was felt that if the live oak and brush were controlled on a permanent basis the average capacity of 1 3 acres per animal month, for grassland without brush [1] could reasonably be expected This is nearly four times the actual capacity as determined in 1949.

In 1951 two 7-acre plots of brush were broken down, burned and seeded to mixtures of perennial range forage plants Five plots were set up here to demonstrate the use of chemicals in brush control, materials for these plots were furnished by the Dow Chemical Company Considerable interest in these plots has been shown by local ranchers Two range fertilization plots have been established

* Preliminary report prepared for Board of Forestry February 26 and 27, 1952

[1] Land Utilization in the Northern Sierra Nevada—Weeks, David, Wieslander, A E , Josephson, H R , and Hill, C L , University of California, 1943

RESCUE RANGE IMPROVEMENT PROJECT NUMBER 2

This is a study of brush eradication or control by use of goats on brush range land, which was started in October, 1951

The generally controversial results obtained by burning pointed to the need for alternative or supplementary methods of land clearing Burning as a means of clearing brush vegetation land may be supplemented or replaced by other methods which, though initially more costly, may be more effective in removing the brush and increasing land values The more intensive methods of brush removal include grazing by goats, the girdling of undesired trees, ripping out brush with a bulldozer and the suppression of sprouting by chemicals Of these methods, goat grazing is the most widely used, particularly on the small or medium-sized diversified livestock ranches

The effectiveness of goats in land clearing depends to a large extent upon species of brush to be removed Goats readily eat interior live oak and wedgeleaf ceanothus foliage and shoots within reach, there is need for further study of their use of manzanita and chamise, and of their effectiveness in controlling chaparral regrowth

The area selected for this study, a pasture of some 43 acres, consists of about 60 percent chamise and 40 percent manzanita, wedgeleaf ceanothus and small patches of live oak

THE ALLEN RANCH SPRAY PLOTS

By 1950 the use of organic, hormone type chemicals in brush control had shown enough promise of success in the eastern states and Texas that ranchers and land use agencies began using them in California The division has participated on a cooperative basis in several experiments

In April, 1951, a cooperative experiment using a plane to spray the new low volatile type esters on brush was initiated on the George Allen ranch in Amador County Cooperating with the rancher were Dr Oliver Leonard of the University of California, the Division of Forestry and American Chemical Paint Co

The sprayed area was predominately chamise which had been periodically burned and/or bulldozed during the past 30 years, the sprouts ranged from 4 to 10 years of age and older Nine formulations were used with the best success on the younger sprouts and seedlings The following table gives the results of the more promising formulations used

TABLE SHOWING PERCENT KILL BY SPECIES USING BUTOXY ETHANOL ESTERS AT TWO AND FOUR POUNDS PER ACRE IN DIESEL OIL AND DIESEL EMULSION

Chemical formulation	Pounds per acre	Dilutent	Percent kill				
			Chamise	Whiteleaf Manzanita	Yerba Santa	Lotus Scoparius (Deerweed)	Toyon
2,4-D Butoxy ester	2	Diesel emul	37	26	100	100	Good on tops
	4		85	50	100	100	Good on tops
2,4-D Butoxy ester	2	Diesel	73	41	100	100	Good on tops
	4		94	60	100	100	Good on tops
2,4-D Butoxy ester	2	Diesel emul	45	20	100	100	Good on tops
plus 2,4,5-T	4		88	33	100	100	Good on tops

Costs of the above treatments varied from $6 11 per acre for the two-pound rate to $14 92 per acre for the four pound rate

Recent tests indicate that heavier oils may be more efficient as carriers than diesel New chemical formulations, basically the same as now being

used but having greater effect, will be on the markets The use of chemicals in brush control, at least on certain types of brush, appear very promising

Plans have been made with Doctor Lennard to repeat the above experiment this year on the rescue project, using the information obtained and new developments in chemical formulations

THE RESCUE RANGE IMPROVEMENT STUDY

The rescue range study area, consisting of about 160 acres, is located in El Dorado County It lies at an elevation between 1,400 and 1,500 feet. Rainfall averages about 35 inches annually The growing season is about 200 days The soils are mainly Sierra stony clay loam, with some small portions of Sierra clay loam in the swales The stony clay loam averages less than two feet in depth, it is commonly associated with a chaparral cover, and is only a fair * range soil on account of its shallow depth and somewhat restricted subdrainage The Sierra clay loam is much deeper and more productive Original cover was mostly a mixture of chamise, toyon and manzanita on the ridges Dense thickets of live oak and California black oak, 6 to 10 inches in diameter and 20 to 30 feet tall, occupied the swales So far as we can determine this area had never been cleared previously

In this study we have compared the equipment use required and effectiveness of bulldozing and piling against breaking down brush and permitting it to dry for varied lengths of time Plot sizes ranged from 9 to 22 5 acres One plot (Plot I see Map 1, and Table 1) was bulldozed and piled; three other plots were broken down with a bulldozer and not piled, but permitted to dry for varying periods, ranging from 10 days (Plot IIIB) to over a year (Plot IV) Cover types, treatments, and equipment use are summarized in Table 1

The plots which had been treated mechanically were burned, together with two areas of untreated brush, on October 3, 1950 Results of the controlled burn were good, but it was much more effective where the brush had been broken down and dried Where the brush was burned standing, without mechanical treatment, about 10-20 percent of the larger stems were consumed by the fire Where the brush had been broken down and dried for 10 days, 60-80 percent of the large stems were consumed Where it had dried for four months or more, about 95 percent of the stem material was consumed

After burning, the area was seeded to a number of mixtures of range forage plants, including annuals and perennials singly and in combinations, and at rates varying from 4 to 15 pounds per acre (see Table II and Map II) Seeding was done in strips at right angles to the brush treatment, so effect of the brush treatment on forage production could be determined One strip was left unseeded

After burning and seeding the brush snags on one plot (Plot IIB) were broken down with a bulldozer, to determine if this practice would have any value in helping cover the seed and thus improve the stand of forage This job required about the same about of equipment use as where the brush was broken down before burning—it was more dangerous in snags of the size occurring here, and quite dirty work

Rainfall and temperatures were favorable for forage production during the 1950-51 growing season At the end of the growing season sample plots

* Carrying capacity three to four acres per animal unit month for ranges in good condition

of forage were clipped, air-dried and weighed (There was no grazing on the area this season) Results of forage production under the different brush treatments were quite striking (see Table III) Highest yields, averaging 1,500 pounds of air-dried forage per acre, were on the plots where the brush had been broken down, there was relatively little difference whether it was broken down before or after burning and seeding, although the yield was a little higher where the work was done beforehand Where the brush was burned without mechanical treatment, as in the usual controlled burn, the yield was 500 pounds of air-dried forage per acre (one-third of that on the treated area) The portion that was not seeded yielded 100 pounds per acre Of course, too much reliance cannot be placed in yields for a single season However, results to date indicate the additional forage produced here and the more effective control of the brush, make it profitable to invest in the mechanical treatment.

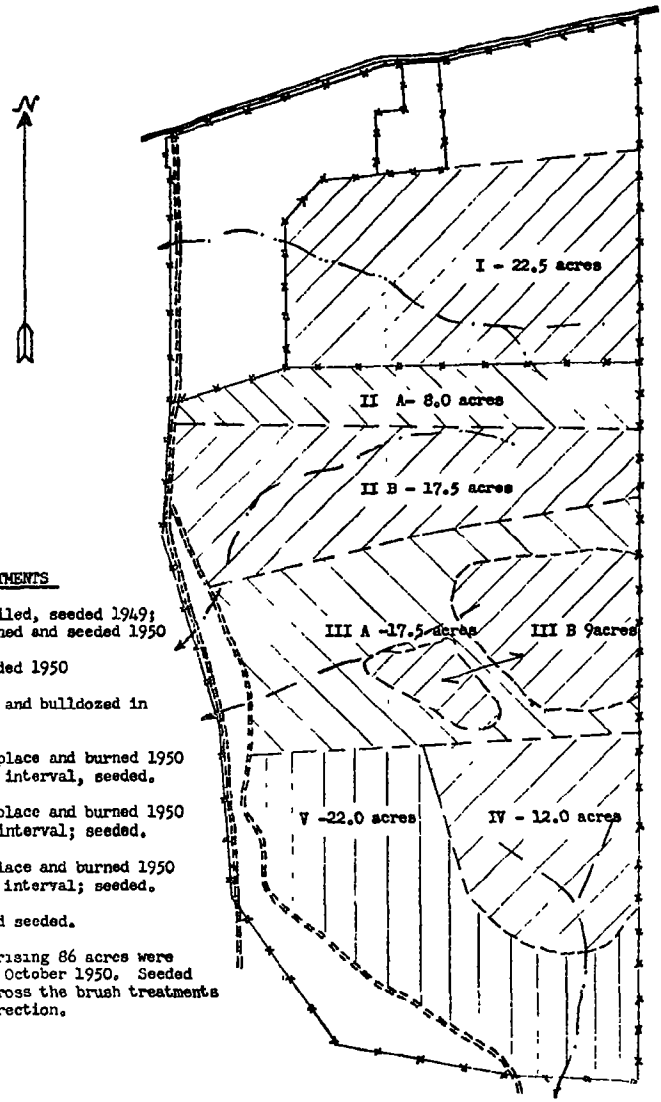
Brush seedling production on the area (see Table III) bears a relationship to the amount and density of the forage The data shown was taken with the forage samples, however, emphasis was on forage production and grass species. The plots were probably too small for an accurate determination of the amount of brush seedlings

Fifty-six plots to study control of brush by chemicals were established on the area, in cooperation with Dr Oliver Lennard of the University of California; materials for these plots were furnished by the Dow Chemical Company and the American Chemical Paint Company

OTHER PROJECTS

We are participating in a cooperative controlled burning and reseeding study in Tuolumne County As time and circumstances permit our program of experimentation will be somewhat enlarged upon As with all investigations it is particularly important that major emphasis be placed on projects now under way.

RESCUE RANGE IMPROVEMENT PROJECT
Scale 1" = 400'



MAP # I

BRUSH TREATMENTS

I - Bulldozed and piled, seeded 1949; brush piles burned and seeded 1950

IIA Burned and seeded 1950

II-B Burned, seeded and bulldozed in place 1950

III-A Bulldozed in place and burned 1950 after 5 month interval, seeded.

III-B Bulldozed in place and burned 1950 after 2 week interval; seeded.

IV Bulldozed in place and burned 1950 after one year interval; seeded.

V Burned 1950 and seeded.

Areas II-A - V comprising 86 acres were burned as a unit in October 1950. Seeded areas were flown across the brush treatments in a north-south direction.

TABLE I EQUIPMENT USE REQUIRED FOR BRUSH CLEARING, RESCUE RANGE IMPROVEMENT PROJECT, EL DORADO COUNTY, 1949-1950

Plot	*Kind of brush and treatment*	*Area (acres)*	*Equip hours* *	*Equip hrs per acre*
I	One-half scattered live and blue oak; one-half manzanita, chamise and toyon, bulldozed and piled	22 5	40	1 78
II B	Two-thirds manzanita, chamise and toyon; one-third heavy live oak Mashed in place after burning and seeding	17 5	19	1 10
III A	One-third manzanita and chamise, two-thirds live oak Mashed in place before burning	17 5	19	1 10
III B	Mostly very heavy live oak and California black oak. Mashed in place before burning	9	16	1 78
IV	Chamise (nearly pure) Mashed in place before burning	12	6	50
	Totals and average	78 5	100	1 27

* HD7

TABLE II RESEEDING PLAN, RESCUE EXPERIMENTAL AREA OCTOBER 12, 1950

Species	*Proportions*	*Lbs per acre*	*Total lbs*
Plot A—16 acres			
Alfalfa	1/5	1 6	25 6
Rose clover	1/5	1 6	25 6
Burnet	1/10	8	12 8
Alta fescue	1/5	1 6	25 6
Harding	1/5	1 6	25 6
Smilo	1/10	8	12 8
Totals	1	8 0	128 0
Plot B—16 acres			
Alfalfa	1/5	8	12 8
Rose clover	1/5	8	12 8
Burnet	1/10	.4	6 4
Alta fescue	1/5	.8	12 8
Harding	1/5	8	12 8
Smilo	1/10	4	6 4
Totals	1	4 0	64 0
Plot C—15 acres			
Barley	6/10	3 88	58
Burnet	1/20	40	6
Rose clover	1/10	66	10
Harding	1/10	66	10
Alta fescue	1/10	66	10
General mix (perennials)	1/20	40	6
Totals	1	6 66	100
Plot D—13 acres			
Annual rye	1	4	52

Plots A through D were seeded by plane at a bid price of 75 cents per acre. Total cost of operation was forty-five dollars ($45).

RESCUE RANGE IMPROVEMENT PROJECT
Scale. 1" = 100'

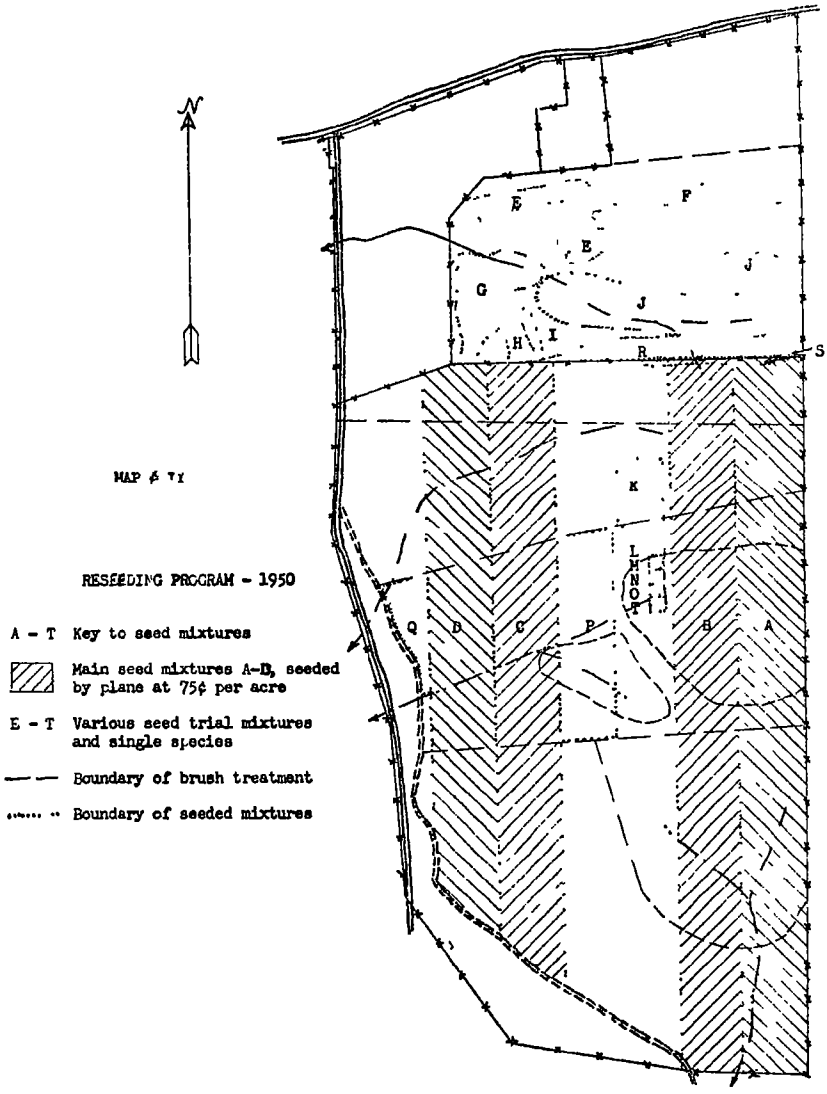


TABLE III SUMMARY—WEIGHTS OF FORAGE SAMPLES, RESCUE RANGE IMPROVEMENT PROJECT, OCTOBER, 1951

Plot number	Brush treatment	Type	Reseeding: Pounds per acre	Reseeding: Pounds per acre *	Density percentage	Number samples
A-1	Mashed in place before burning	Perennial mix	8	1,740	27	16
A-2	Mashed in place after burning and seeding	Perennial mix	8	1 400	15	16
A-3	Burned—no mechanical treatment	Perennial mix	8	600	6	16
B-1	Mashed in place before burning	Perennial mix	4	1,400	12	16
B-2	Mashed in place after burning and seeding	Perennial mix	4	1,230	14	16
B-3	Burned—No mechanical treatment	Perennial mix	4	680	4	16
C-1	Mashed in place before burning	Perennial and annual	8	940	5	16
C-2	Burned—No mechanical treatment	Perennial and annual	8	130	1	16
D-1	Mashed in place before burning	Annual mix	4	1,950	17	16
X-1	Mashed in place before burning	No seed	--	85	1	16
P	Mashed in place before burning	Perennial mix	11	1,000	--	Est.
Q	Mashed in place before burning	Perennial mix	15	1,900	-	Est
K	Mashed in place after burning and seeding	Annual mix	10	1,500	--	Est

Total area burned—86 acres
Total area seeded—60 acres

			Forage density percentage	Brush seedlings per acre
Average yield per acre mechanically treated area	1,500 pounds per acre @ 40 acres = 60,000 pounds		18	13,600
Average yield per acre not mechanically treated	500 pounds per acre @ 20 acres = 10,000 pounds		4	31,800
Average yield per acre not seeded	100 pounds per acre @ 26 acres = 2,600 pounds		1	57,200
Totals	86 acres	72,000 pounds = 36 tons		

Estimated potential productivity total area (86 acres) = 60 tons per year or 1,400 pounds per acre

* Probable significance—2 figures
Based on air dried cured forage

DISTRICT II—SUMMARY OF WILLIAMS RANCH STUDIES

The Williams Ranch Study Area is a cooperative range improvement project between the ranch owner and the Division of Forestry. The study area is located in southwestern Shasta County and consists of some 5,000 acres of woodland-grass range and chaparral. The vegetation is typical of the general vicinity and of extensive areas elsewhere in California. About one-third of the study area is covered with brush. The principal brush species are chamise, manzanita, and ceanothus. The soils are mainly of the Contra Costa and Los Gatos series, generally shallow, and fair to poor grass soils. Slopes range from gentle to steep; slopes are generally steeper where the brush problems exist.

The project was initiated in 1949 for the purpose of conducting studies in brush removal and revegetation. Field studies to date have dealt primarily with methods of brush removal: chemicals, mechanical equipment, and fire.

MECHANICAL BRUSH REMOVAL—DISCING

Method

Two areas of chamise were disced in July, 1949, using a two and one-half ton Towner-Meyer disc. One plot of four acres was located on a ridge top, a second plot of two acres was located on a gentle slope. The disc was pulled by a D-7 Caterpillar tractor and was weighted with about a half ton of sacked-earth weights.

Results

The chamise on both plots was effectively chopped up and turned under. The disc was difficult to manage on the turns but straight pull operation was easy. Average operating time was 1.46 hours per acre.

Both plots were seeded to several range forage species. The seedings were not too successful because of competition with resident and native annuals. Harding grass appears to be the most promising of the seeded species. One of the plots (ridge top) has remained relatively free of brush, the other has been taken over by chamise sprouts, yerba santa, and poison oak. Further brush control is necessary.

CHEMICAL CONTROL OF VEGETATION

Chemical Treatment of Chamise. A study of the effectiveness of a mixture of 2,4-D and 2,4,5-T in killing chamise plants and sprouts. This study was conducted in cooperation with the Shasta County Farm Advisor and the American Chemical Paint Company.

Method

Four 10- x 50-foot plots of chamise were sprayed in June, 1949, with approximately one gallon per acre of "Weedone Brush Killer 32," a mixture of 2,4-D, and 2,4,5-T. The chemical was applied with hand sprayers in a solution of one pint in three gallons of water. One plot consisted of one-year old sprouts, one plot of two-year old sprouts, and two plots of mature plants.

Results

Observations of the condition of the vegetation made two years after treatment showed the spray to be most effective on the one-year old chamise sprouts Percentages of kill were · one-year sprouts—95 percent, two-year sprouts—51 percent; mature plants—40 percent and 60 percent The higher percentage kill of the one-year sprouts was attributed to the more succulent condition of the sprouts, and to a better coverage with the spray.

Chemical Treatment of Trees A study of the effectiveness of various chemicals and methods of application in killing woodland trees This study was conducted in August, 1949, in cooperation with the California Forest and Range Experiment Station

Method

The chemicals used were a 1-percent solution of 2,4-D in diesel oil, a 1-percent solution of 2,4,5-T in diesel oil, a mixture of 2,4-D and 2,4,5-T, one-half percent each, in diesel oil, and a 100-percent solution of Stull's Brush and Weed Killer The four solutions were sprayed in axe frills on the stems of blue oak and black oak. Trees were also girdled without application of chemicals.

Results

Observations of the trees were made two years after treatment The mixture of 2,4-D and 2,4,5-T was most effective in killing blue oak On black oak, the mixtures of 2,4-D and 2,4,5-T, 2,4-D and Stull's were equally effective. All sprays in axe frills were more effective than girdling

MECHANICAL TREATMENT AND FIRE

A comparison of the effectiveness of early and late summer burning of chamise.

Method

Two areas of chamise were burned · one of 154 acres in June, 1951, and one of 74 acres in September, 1951 In addition to buring standing chamise, a small area on which the brush had been mashed and allowed to dry was included in each of the burns.

Results

The June burn was unsuccessful in removing the brush, only a minor portion of the chamise being burned The September burn was more effective, about two-thirds of the brush being burned The drier condition of the vegetation and better burning conditions accounted for the more effective burn in September The mashed and dried chamise, however, burned as well in June as in September The results indicate that burning standing chamise (with insufficient ground fuel) does not ensure removal of the brush, regardless of when it is burned Mashing the chamise and allowing it to dry ensures a more complete burn and the treatment extends the period during which it can be burned

CHAMISE SPROUTING STUDY (In Progress)

A study to determine the relation between time of clearing chamise and the amount of sprouting.

Method

Plots 30 feet square with a surrounding 20-foot buffer strip have been cleared by hand at approximately one-month intervals, beginning in May, 1951 The plots are examined periodically and the percentage of plants sprouting determined

Resu'ts (May to August Clearings)

Results to date show a decrease in the rate of sprouting as the season progresses from May to August Fourteen days after clearing in May, 87 3 percent of the plants sprouted, 56 days after clearing in August, 53 9 percent of the plants sprouted Observations in December showed that the percentages of number of plants sprouting were less on the plots cleared early in the season, although the rate of sprouting and initial numbers of plants sprouting were greater This reduction in percentages of number of plants sprouting was due to the death of some of the sprouts during the summer Percentages of plants sprouting by December were· May, 76.9 percent, June, 83 7 percent; July, 90 9 percent, August, 95 3 percent The study will be extended to incorporate soil moisture—sprouting relationships

CONTROL OF MEDUSA-HEAD IN DISTRICT I

Medusa-head is a weedy annual, similar in appearance to many of the other foxtail grasses with which range men have to contend. It is far more noxious than other members of the weedy annual group, because of its aggressiveness, which enables it to spread over large range areas to the exclusion of the better forage species

Medusa is native to the Mediterranean region It was first reported on the west coast near Roseburg, Oregon, around 1878 It has since established itself on range lands in practically all of the California Counties north of Placer and Solano Counties

Like other weedy annuals, it is grazed by livestock during its immature stage After the seed-heads form, however, infested areas are strictly avoided by grazing animals unless their entire feeding areas are taken over by the plant. Besides causing mechanical distress to an animal's mouth, nose and eyes, the mature Medusa-head plant appears to hold a low position on the palatability and nutritional scales.

In Mendocino County, Medusa-head was first discovered east of Ukiah about 20 years ago Since then, it has spread over many thousands of acres in Eastern Mendocino County, the Boonville and Willits areas, and is rapidly spreading over northern Sonoma County Large areas of Lake, Humboldt and Trinity Counties are similarly infested. This extensive spread can be attributed, at least in part, to the early failure of ranchers to recognize its pernicious qualities, and to the lack of a readily adaptable control measure

Medusa-head is believed to be dispersed to distant ranges, chiefly in the coats of grazing animals, especially in the wool of sheep and possibly in their intestinal tracts as well Once a small patch is established, both wind and water spread the seed locally, and animals passing through such patches carry the seed to adjacent ranges, to start secondary infestations

Invasions are most common on ranges in poor condition, but all ranges dominated by annual plants appear to be susceptible While overgrazing and similar unfavorable management practices may accelerate the rate of spread, there is as yet no indication that grazing practices alone will prevent an invasion

Medusa-head, like other annuals, is dependent entirely upon its seed production for each year's propagation Prevention of a seed crop is therefore the objective when seeking control Fire was first employed as a means of preventing a seed crop of Medusa-head when a 120-acre stand of it was burned in 1948 in Mendocino County This took place on the Ray Shultz ranch in Redwood Valley The following summer, the area was examined, and the Medusa-head was found to have been effectively eradicated An experimental plot was established on the same ranch in 1950, and again the results of burning looked good

Fire is particularly adaptable for use in control of Medusa-head, because of the plant's late maturing characteristic By late May or June, the associated annuals have cured to the point where they will carry a fire and the Medusa plant is low in moisture content At this period, the seeds of Medusa are in an immature drought stage A slow fire of sufficient intensity to destroy the stems will arrest the process of seed development There is also evidence that the mature seeds may be unable to withstand high temperatures, even for a short time. Even if this proves to be the case in subsequent tests, late burning should be avoided because of the greater fire risk involved

In June, 1951 a one-quarter section of infested range was burned in Potter Valley and seeded with a range mix in the fall

Two small beach-head patches were burned on the University of California experimental range at Hopland

A third burn was conducted for experimental purposes on a very dense stand near Willits, followed by application of fertilizer and re-seeding by the Farm Advisor's Office

It is too early to accurately determine the results of these treatments at this time.

The per-acre cost of the burning treatment on the quarter-section burn in Potter Valley was in the neighborhood of 30 cents This may be considered as a typical operation in range recovery, since natural fire breaks were used along most of the perimeter, and the number of men used in conducting the burn could be considered as optimum.

Observing a few basic rules can do much towards preventing or retarding the spread of this noxious plant on range land.

1 Learn to identify the Medusa-head plant and inspect ranges carefully for invasion spots Detection of new patches should be followed by early eradication, either by burning, by the application of chemicals, or by mowing

2 The season of use can be adjusted so grazing of animals will assist in control Heavy grazing of infested areas during the green stage should be permitted, followed by complete isolation after the seed heads form

3 The coats of grazing animals purchased at auction yards should be examined before releasing on clean range, unless the buyer is assured that stock came from uninfested range

Stock purchased from areas known to be contaminated, should be kept in holding pens for a day or two as a precaution against spread of seed via the intestinal tract

SUMMARY

Medusa-head, a weedy annual grass, has become established on Northern California ranges Preliminary results indicate controlled burning to be an economical, effective method of reducing infestations; mowing and chemicals may have a place in the control program Its spread to new areas may be prevented by proper handling of livestock Ranchers in this area should familiarize themselves with the plant to facilitate its early detection and control

SECTION TWO

RANGE RESEARCH PROGRAM OF THE UNIVERSITY OF CALIFORNIA, COLLEGE OF AGRICULTURE MARCH, 1952

COLLEGE OF AGRICULTURE—RANGE RESEARCH PROGRAM

B. A. MADSON

Almost three-fifths of the total land area of California is used to some extent as range. Not all of this is good range or even potentially good range. On an appreciable portion of this area, forage production is low, or the use of the area for grazing is secondary to other values. Approximately 35,000,000 acres, however, are primarily range and from which grazing is the chief source of revenue. Of this latter area, approximately 10,000,000 acres are grass, 10,000,000 acres woodland grass, while the remainder is in brush.

The livestock men who have been dependent on the range for their livelihood have long contended that the carrying capacity of the ranges have greatly deteriorated, and a careful review of our forage resources and the part which ranges contribute strongly confirms this contention.

What has been the cause of this deterioration? Two factors appear to be mainly responsible. The encroachment of brush, under what now appears to have been an unwise policy of protection, and uncontrolled grazing, which has resulted in the destruction of many of the most valuable species. To reverse this trend and to develop our range areas to their maximum forage producing capacity is one of the most important problems facing California today.

The problems involved in range improvement are many and complex and until recently no well-coordinated effort had been made to study the situation. Prior to the early thirties only two men in the College of Agriculture were devoting any time to the study of the range problems. Unfortunately, much of their time was devoted to other matters so that little progress was made toward the solution of the major problems of the range. They did, however, develop information which served as a basis for later work.

Since the early thirties there has been developed by the College of Agriculture a broad and comprehensive program of experimentation and research in which many divisions and individuals are involved. During this latter period real progress has been made. In fact, it is safe to say that during the past 15 years more information on range improvement has been developed by the College of Agriculture than had been contributed by all agencies prior to that time.

The grass and woodland grass areas are unquestionably our most important range land and lend themselves to the greatest improvement and the greatest increase in forage production. The brush-covered ranges, however, are the areas of greatest controversy and for this reason have received the greatest attention. This is probably logical since the brush lands are practically worthless as range, while the other areas are producing some feed.

In 1932 at the request of the livestock interests of the State, the Dean of the College of Agriculture appointed a Committee on Brush Range Management charged with the responsibility of studying ways and means of improving brush ranges

Investigations were started and some information was early obtained on the development of forage and the general behavior of a brush area after burning At the same time studies were started by the Division of Irrigation on the controversial problem of the effect of burning on run-off and erosion and other water problems These studies have been continued and expanded to cover many of the brush areas of the State During the 18 years the work has been in progress much valuable information on the water regime on brush land has been obtained

In 1945, the committee was reorganized as the Committee on Range Land Utilization of the College of Agriculture With this change it became primarily a policy-forming committee charged mainly with the responsibility of recommending and sponsoring a sound research program

In 1938 the income from the McDonald Fund Endowment was made available for the study of range grasses and forage plants and other range problems Most of the fund was made available to the Division of Agronomy Under this provision, the research work was greatly accelerated In cooperation with the Extension Service, extensive adaptation and management trials have been made in most areas of the State with numerous forage species As a result, it has been possible to draw up a zone map of the State with respect to the adaptation of available forage species Much has been learned as to the methods necessary for their establishment and maintenance Enough progress has been made so that definite recommendation for each area can be made regarding the species to use, how best to establish them, fertilization required and management methods required to maintain them

The Division of Animal Husbandry has for a number of years been carrying on work on the value of various range species, as well as studies on the management of livestock on the range including supplemental feeding They have been in charge of the livestock investigation on the San Joaquin Range since that station was started in 1936

The Division of Botany has under way an extension program on the chemical eradication of brush and other undesirable species on the range

The fertility of range lands and the use of fertilizer is being studied by the Division of Agronomy and the Extension Service

The Division of Zoology is studying the relation of rodents and other wild life to range

The Division of Forestry is carrying on two projects which are contributing valuable information on the management of brush ranges The first of these, carried on in cooperation with the Department of Fish and Game is a study on the management of such ranges in relation to game The second is a study on the behavior of fire This project bids fair to providing valuable information on the more efficient and safer use of fire in clearing brush lands

In the Northern California ranges, the Klamath weed has been a serious pest Six years ago the Klamath weed beetle was introduced and

released by the Division of Biological Control The results in some cases have been miraculous In some parts of Humboldt County, thousands of acres heavily infested with Klamath weed are now almost free from this pest

To secure definite information on the returns which might be obtained by the conversion of brush areas to range, a series of demonstration ranges were started in the fall of 1948, under the leadership of the Committee on Range Land Utilization It is proposed in each case to select a range of sufficient size to be operated as an economic unit, and whose owner or operator will agree to cooperate in carrying out a well planned program including brush removal, reseeding and management Careful records of costs and returns will be kept The work on these demonstration ranges of which there will be 10 or more is carried on in cooperation with the State Division of Forestry, the Extension Service in the county in which the range is located, and the individual ranchers

Up to the present time all investigation on range problems have been conducted on private property, which greatly limited the scope of the work which could be carried on To remedy this situation, on July 1, 1951, the university purchased and took possession of a 4,637-acre range at Hopland, California, which will be used for experimental purposes This will provide facilities for such long time experiments as methods of establishing forage species, their behavior under different systems of management, methods of handling and supplementing livestock on the range, the relation of deer and other wild life to range, and many others The acquisition of this range will make it possible for any division of the College of Agriculture interested in specific range problems to carry on their work under controlled conditions, and for as long as may be necessary to receive a final and definite answer A better coordination of the efforts of the many divisions and individuals working on various aspects of range improvement and management should result

DIVISION OF AGRONOMY—RANGE IMPROVEMENT INVESTIGATIONS

R. M LOVE, J P CONRAD II H LAUDI, D C SUMNER and A H MURPHY

For a number of years the Division of Agronomy had been carrying a limited amount of work on range problems, but it was not until 1940 that it was in a position to initiate a comprehensive program of research, covering the major problems of range improvement Range improvement is not a simple problem, and involves studies in every field of agronomic research for its ultimate solution At present three men in the division are devoting all of their time to range investigations while at least three others are devoting some time on problems relating to the range

Since the work was started, more than 3,000 species and varieties have been tested for adaption to various range sections of the State, and new introductions are being tested annually This list includes introduced species as well as our most valuable native species This phase of the work has been carried on in cooperation with the farm advisers in the various counties where range is important As a result of this work a long list of species and varieties have been isolated which are

adapted to some areas of the State The following are now being used in range improvement work:

Annual ryegrass	Burnet	Alfalfa
Perennial ryegrass	Mountain brome	Birdsfoot trefoil
Harding grass	Prairie brome	Orchard grass
Harlan brome	Smooth brome	Bur clover
Tall fescue	Smilo	Rose clover
Tall oat grass	Crimson clover	Yellowsweet clover
Veldt grass	Sub clover	

Some work is under way to develop better forage species by selection and hybridization Two superior strains of needle grasses—nodding stipa and purple stipa—have been isolated Limited quantities of seed are now available for commercial use These two strains are particularly adapted to our poorer range soils A selection of veldt grass from South Africa, with superior seed producing characteristics, is being increased for distribution This grass is giving spectacular results on the sandier soils along the coast

California oat grass (*Danthonia*), the most palatable native we have, has very low germination This year a selection is being increased which has a germination of 50 percent as compared with 15 percent for typical collections

Since seed of many of the new and introduced species is not available commercially, the division is growing foundation seed which is distributed to growers for commercial production of seed

Studies are also being made on seed harvesting and cleaning methods and equipment, as well as on equipment for range seeding

Experience has shown that low fertility is usually one of the limiting factors in range forage production. Fertilizer tests in many parts of the State have given phenomenal results, increasing the yield four- to five-fold in many cases. The most striking results have been obtained in most cases with the application of phosphorus or sulphur, which greatly stimulates the growth of legumes, which in turn add nitrogen to the soil and increases the growth of grasses

Seven years of work on the Brown Hereford Ranch, near Wilton, California, have shown that by the application of the best known information on range improvement including seeding to adapted species, fertilization, and grazing management, the production of the foothill ranges can be increased many fold. In this program fertilization is important. An area of seeded legumes, not fertilized, yielded 1,280 pounds of dry matter per acre, while a similar area fertilized with 200 pounds of treble super phosphate yielded 4,940 pounds of dry matter per acre

Following the procedure which has proved successful on the Brown ranch, Mr Louis Franceschi seeded 50 acres to legumes in the fall of 1950 on his ranch near Lincoln In the spring of 1951 he secured 3 75 animal months of grazing per acre from this improved area, equivalent to the grazing normally secured from four acres As a result, in the fall of 1951 he seeded an additional 300 acres while his neighbors put in a similar seeding of 600 acres

In the north coastal area, Klamath weed has been a serious pest on range lands In the fall of 1946 experiments were started in Humboldt County to try to develop methods of eliminating Klamath weed, or

methods of management which would increase forage production on infested areas. The use of 2,4-D (ester form) at the rate of two pounds per acre, applied during the active spring growth and before flower bud formation, has given adequate control

Experiments also demonstrated that the Klamath weed could be reduced, and the forage greatly increased by grazing management alone The best results were obtained by grazing the Klamath weed during the active spring growth and again when flowers were forming This system favors the growth and reproduction of the forage grasses such as the California oat grass and the purple stipa

In 1947 the Klamath weed beetle was introduced into the area by the Division of Biological Control, (Professors Harry Smith, James K Halloway and Carl B Huffaker) and the results have been phenomenal In the six years since it was first introduced this beetle has spread and eliminated the weed from thousands of acres

After the Klamath weed has been eliminated by the beetles, experiments have demonstrated that grazing management is necessary to encourage the development of good forage grasses, rather than weedy annuals On land that can be cultivated, excellent results have been obtained by seeding Highland bent, Chewings fescue, Harding grass or Burnet Another range pest in the north coastal area on which some work has been done is hairy oat grass Experiments have shown that by seeding legumes and fertilizing the area with phosphate this undesirable grass can be greatly reduced The same approach is being applied to bring medusa head under control

With a problem as complex as range improvement, a knowledge of the behavior of range plants and their response to environmental factors is necessary to the development of sound range practices To this end, the Division of Agronomy has in progress extensive studies on the physiology and ecology of range plants, the more important of which are

1. A study of seed production and seed viability.
2. Studies on the effect of high and low temperature on seed germination and plant establishment
3. Studies on the factors affecting dormancy, and the relation of dormancy to the time of grazing and the length of the grazing season

These studies are made under carefully controlled conditions in order to determine the effect of various factors of environment

Seed germination of some of our better forage grasses such as California oat grass and smilo is normally very low or very slow. Experiments have shown that by proper seed treatment the germination can be greatly increased assuring a better stand of these species on the range

Studies have also shown that the seedlings of many forage species are very susceptible to high or low temperature during emergence which helps to explain the failure to secure stands and may help to develop better techniques to overcome this difficulty

A characteristic of many of our perennial range plants is that they go dormant during this dry season A study of why plants go dormant and the factors involved is being made With some species it has been shown that low moisture content of the soil, high temperature, and length of

day all have their effect on this phenomenon A better knowledge of the effect of the environmental factors and the causes of dormancy will be helpful in the selection of plants for the range and in the development of management practices for their maintenance.

DIVISION OF ANIMAL HUSBANDRY—RANGE CATTLE INVESTIGATIONS AT THE SAN JOAQU'N EXPERIMENTAL RANGE

KENNETH A WAGNON

The San Joaquin Experimental Range is operated by the California Forest and Range Experiment Station, U S Forest Service, in the eastern foothills of Madera County The Division of Animal Husbandry, University of California, is a cooperator in many of the studies and provides and manages the experimental herd of beef cattle used at the station A specialist and a cowboy are also provided in full time employment. Besides cooperative research, the station facilities have been available for research on animal husbandry problems Emphasis in research has been to develop management procedures that would result both in greater beef production and more efficient use of the forage Besides studies of the use of supplements under varying forage conditions detailed studies were made of the relationship between the cattle and their environment Studies have also been made of some of the livestock losses on adjacent areas

The experimental area is of the woodland-grass type with shallow soils and numerous granitic outcrops The elevation varies from 700 to 1700 feet Over 20 percent of the area is under canopies of trees and brush The forage is practically all annual plants of which broadleaf filarees, soft chess, and foxtail fescue predominate Redstem filaree and bur clover are not present in significant amounts During the years of experimentation the total seasonal rainfall have varied from 12¼ to over 32 inches There has also been marked variations in the quantity and quality of forage produced from year to year

The experimental herd consists of grade Herefords Purebred bulls are provided from the university purebred herd at Davis At the start of the studies in 1935, the foundation females were predominately of medium to good grades By using choice grade bulls and careful selection of replacement heifers the average grade of the herd has been raised to low-choice Using bulls from the university purebred herds aids in checking breeding progress in that herd

Several years' studies of grazing animals and the nutritive values of the forage show that the cattle's diet becomes deficient in crude protein when the forage matures and dries Crude protein values varied from 10 to 20 percent in young forage growth to about 5 percent, or lower, after drying Phosphorus may become deficient at times, however no evidence of vitamin A deficiency was detected When fall rains initiate new forage germination, the cattle attempt to graze the new forage growth in preference to the old leached forage A shortage of feed or deficiency in total-energy-intake then exists until the new forage develops sufficiently to meet the animal's requirements Broadleaf filarees were grazed very little after drying Only 3 6 percent of the cow's feeding time was spent browsing Live oak and blue oak were browsed most with the chaparral species

of least importance Acorns, especially from blue oaks, are highly relished by cattle and result in heavy weight losses when eaten with dry forage

In studying management procedures of maintaining breeding herds on this type of range yearlong, two experimental herds were established One herd was to receive supplemental feed in addition to the forage during the nutritive deficient period while the other, the control herd, was to subsist entirely upon the natural forage Both herds were combined from about February 1st to August 1st The remainder of the year each herd was in separate pastures that had not been previously grazed that season Both herds were bred by the same bulls to calve from October through January with the calves being weaned about July 1st Summation of results over a 11-year period show that an average of 380 pounds of cottonseed cake and rolled barley was fed to each supplemental fed cow per year while it was necessary to feed the control herd a short period one adverse winter to stop death losses Over this period the supplemented herd had an average 90 4 percent pregnancy and weaned an 82 9 percent calf drop that weighed 464 pounds at weaning In contrast, the control herd had an average 75 4 percent pregnancy and weaned a 66·4 percent calf crop that weighed 406 pounds at weaning Thus, the average weaner calf production per supplemented cow was 385 pounds as compared with 270 pounds per unsupplemented cow Furthermore, the supplemental herd had a more uniform production year after year, higher salvage value, and less mortality than did the unsupplemented herd The deleterious results of cattle eating acorns can be offset or greatly diminished by the feeding of two pounds of cottonseed cake per head daily at the time acorns are dropping to the ground

A year-around study of grazing habits of cows showed that an unsupplemented cow spends 14 hours and 3 minutes feeding and another 7 hours and 51 minutes ruminating in a 24-hour period during the winter when forage resources were most adverse In contrast, a cow supplemented with three pounds of concentrates daily spends 11 hours and 13 minutes feeding and 5 hours and 46 minutes ruminating As the range forage became more abundant, and more fibrous, the hours spent feeding decreased while the time ruminating increased With forage maturity, but prior to drying, the cows were spending about nine hours feeding and another nine hours ruminating out of each 24-hour period

Studies were made on the possibility of finishing beef by use of heavy concentrate feeding in addition to the natural range forage Weaner calves supplemented in similar manner to the cows required an average of 420 pounds of supplements which promoted daily one-half pound gains or a seasonal total of 113 pounds Unfed calves in the control groups completed the dry feed and winter season weighing about what they did at weaning seven months previously Near the close of the following green forage period, in an average or better year, it was possible to finish 20-month old heifers, from the supplemented group, to the good grade by full feeding upon the range for a 60-day period It was not possible to do this with comparable steers even though they were fed over a 100-day finishing period When the type steer was maintained upon the range another year it was possible to finish them to the good slaughter grade with a 70-day finishing period Similar steers in the control groups did not carry sufficient finish for slaughter Weaner steers supplemented to

gain from 1 to 1¼ pounds daily through the dry feed and winter period were finished to the good slaughter grade in a finishing period at the close of the following green forage period Total feed requirements were no greater than those used in the former method of attempting to finish yearling steers

Several studies have been made of the "acorn calf" (a congenital deformity) problem While the causative factors have not been discovered, data was collected to show the condition is nonhereditary

Over a 12-year period a cooperative study on the effects of various intensities of grazing was conducted with the U S Forest Service This study showed that overstocking resulted in thinner cows, greater reproductive troubles, lower percentage calf crops lighter weight weaner calves and higher mortality than under more moderate degrees of stocking

DIVISION OF ANIMAL HUSBANDRY—RANGE SHEEP RESEARCH

WM C WEIR

All of the sheep research conducted by the Division of Animal Husbandry is intended to affect the range sheep industry through improved breeding and feeding of sheep Research on the management of sheep under range conditions has been intensified recently as a result of the acquisition of the Hopland Field Station by the University of California Studies underway at the present time include:

1 The use of salt to control the intake of supplemental feed by sheep Fifty ewes are being fed cottonseed meal mixed with salt during this season Results to date indicate that these ewes are producing as well or better than ewes hand-fed cottonseed meal daily
2 The importance of the level of nutrition during the first year of life on the subsequent production of replacement ewes One group of replacement ewe lambs was brought to Davis and placed on irrigated pasture at approximately six months of age while a similar group was left on the dry range feed at Hopland Weight records, wool and lamb production records will be kept to determine the effect of this difference in feed intake on the lifetime production of ewes
3 Breed adaptation Records and observations are being made of the adaptability and production of lamb and wool by several types of crossbred whiteface ewes under range conditions at Hopland
4 Sheep and deer competition Studies are underway to enlarge our knowledge of the competition between sheep and deer for range feed Also included are investigations on the parasite relationships between deer and sheep

Many other research problems on range sheep management are needed, but as yet the facilities at Hopland are not developed to the point that we are able to undertake these studies A few of these are

1 Range v shed lambing
2 Effect of grazing systems on the gains of the sheep and total sheep production
3 Type of supplemental feed most effective in increasing the production of range sheep

DIVISION OF BOTANY—CHEMICAL BRUSH CONTROL INVESTIGATIONS

A. S. CRAFTS AND O. A. LEONARD

Brush control is a complex process involving many methods. Briefly it consists of (1) elimination of the existing stand (2) planting of forage species of strong competing ability (3) establishment of proper grazing practices and (4) control of seedlings and resprouts of the brushy species.

As botanists we are interested in all phases of this work. Because of our long experience in chemical weed control, we think that we can make the greatest contribution by studying the last phase, namely, the control of brush seedlings and resprouts. We are also testing chemical methods for controlling mature brush and large trees, and for drying brush preparatory to burning.

Though our brush control project was only initiated in 1950, we have already learned much about the use of chemicals in killing our western species. The following suggestions indicate the scope and extent of our work to date.

Chemical Formulations

For control of seedlings and resprouts 2,4-D and 2,4,5-T compounds are used. Two types of formulations are indicated (1) low-volatile esters and (2) amine salts.

Low volatile esters (butoxyethanol and propyleneglycol butyl ether esters) are recommended for killing the root systems by treating the foliage. Sprayed separately, or mixed as brush killers, these esters of 2,4-D and 2,4,5-T have proved most effective in the control of mature brush, brush seedlings, and resprouts. They may be applied at medium or high volume rates by ground equipment at low volume rates (5 gal. per acre) by airplane. Low volume application should be in oil as a carrier. High volume application may be as an emulsion with 5 to 10 gallons of oil per 100 gallons of water. Diesel fuel may be used but oils of lower toxicity such as a medium summer spray oil may be better. Hygroscopic agents such as propylene glycol and glycerin have been tried and found useful.

Species Susceptibilities

(1) 2,4,5-T only. blackberries, gorse, wild rose, buttonwillow, certain currant and gooseberry species.

(2) 2,4,5-T or brush killer (mixture of 2,4-D and 2,4,5-T), common and Scotch broom, ceanothus, mountain misery, poison oak, black oak, live oak, blue and valley oaks.

(3) 2,4-D or 2,4,5-T equally effective, use 2,4-D. chamise, coffeeberry.

(4) 2,4-D only. coyote brush, cottonwood, manzanita, sage and sagebrush, willow, yerba santa, toyon, certain gooseberries (*Ribes roezli*).

Spraying Mixed Brush

Where species of different susceptibility occur together use equal volumes of 2,4-D and 2,4,5-T or one of the mixed brush killers. Use four pounds of the mixture (acid equivalent basis) in 97 gallons of water and

two gallons of diesel or summer spray oil The plants should be in an active growing condition and should be thoroughly covered by the spray

Spraying may be done during winter but at this time use 8 pounds of the chemical (two gallons of formulation) in 98 gallons of diesel oil

Near 2,4-D sensitive crops or ornamentals ammate may be used Add three-fourths to one pound of ammate per gallon of water and 0 1 percent wetting agent Use one gallon of spray per 100 square feet

Spraying Sprouts

To control sprouts on stumps or burned trees, and to eliminate seedlings use one pound of active ingredient (2,4-D, 2,4,5-T or brush killer) in 12 gallons of diesel oil and thoroughly cover the vegetation Treat while sprouts are small and cover the basal portion and adjacent stump areas to prevent further resprouting

Basal Spray

Basal spraying (treating a band about 12 inches wide to the soil level) effectively kills brush and small trees This method is recommended for stems less than 2 inches in diameter and should be used when the bark is dry. All sides of the stems should be wetted with the spray to the point of runoff All species have been killed

Cut Surface Treatment

For killing the cut surface method has given excellent results One needs (1) a sharp hatchet, (2) a pump oil can, (3) 2,4-D ammine formulation in the undiluted form Cuts are made with the hatchet in a downward sloping position through the bark at six-inch intervals When the cut is made and the hatchet removed the cut is filled with 2,4-D ammine using a pump oil can , one to two ccs per cut is required Foliage is killed in a few weeks, the tree may die within one year All species seem to be killed and the treatment is effective at any time of year

Stump Treatment

Small stumps can be killed by the basal spray method covering the total stump surface For large stumps treat by the cut surface method making the cuts as near the soil surface as practical

Preparation for Burning

In preparing for controlled burning adequate firebreaks must be provided By flying on 2,4-D in diesel fuel at 10 gallons per treated acre, the foliage and small branches may be killed These sprayed strips may be burned in early spring to prepare firebreaks for the controlled burn

Conclusion

All brush and tree species can be killed with chemicals Most species can be controlled economically Chemicals provide a practical means for eliminating seedlings and resprouts on burned or mechanically cleared areas Continued experimentation will provide more effective and economical formulations and detailed information for local application of current methods.

SCHOOL OF FORESTRY—EFFECTS OF BRUSH CONTROL ON WILD LIFE POPULATIONS

H H BISWELL

The university has been carrying on a cooperative project with the California Department of Fish and Game on brush control as it affects wild life populations Fish and game funds for projects of this sort come partly from our excise tax on arms and ammunition This is matched with state money in the proportion of three-quarters federal and one-quarter state

The principal objective in these studies has been to open up dense stands of brush and to study the effects of this on game populations, especially deer Cattlemen and sheepmen have been interested in the work too because the same principles in controlling brush for game also apply in controlling brush for domestic livestock Valley farmers using water for irrigation have shown special interest in the effects of brush removal on spring flow Foresters are interested in studies of brush removal in the critical zone where brush and timber meet Thus, although the work is aimed at brush control and its effects on wild life populations, many people concerned with other phases and problems in land management are interested in the work also

This project was suggested by Mr Ben Glading, Chief of the Bureau of Game Conservation, who foresaw the need for information of this sort in developing sound land management policies for the Bureau of Game Conservation

The work is being done mainly in Lake County in chamise brushlands, and in Madera County in woodland-grass ranges where brush has invaded The two areas together are fairly representative of vast acreages of brushlands in the northern part of California

Many phases of brush control in relation to wild life populations are being studied, such as controlled burning, mechanical control, certain phases of chemical control, reseeding, grazing management, reburning, effects of brush removal on spring flow, and limited studies on ponderosa pine as affected by brush control in the critical zone between forest and brush

Wild life populations have been studied chiefly in Lake County in chamise brushlands There we found 40 to 80 deer per section in opened brush but only 10 to 30 per section in dense, heavy brush In opened brush there were 115 to 140 fawns per 100 does, but only 60 to 85 in heavy brush The bucks from opened brush were slightly heavier than those from dense, heavy brush In opened brush the deer fed largely on grasses and weeds in February, March, April, and May while in the heavy brush the deer foraged almost entirely on shrubs

Most of the controlled burning has been done in Madera County, and by ranchers improving ranges for domestic livestock Our burning in chamise brush in Lake County was done in the spring and early fall when the fire hazard was low Mechanical control of chamise brush by heavy disking and by pushing it over with the blade about six inches above the soil has worked well This has certain advantages over controlled burning but may be more expensive

In Madera County, 12 controlled burns covering about 24 000 acres in woodland-grass areas were made during the past summer In addition,

about 500 acres were burned by escape fires The largest control burn was 3,500 acres, the smallest 300 About 9 percent of the 24,000 acres, or 2,120 acres, was brush ash, where the spots were at least 100 feet across We classify these as "reseeding essential " Although desirable, it is not essential to reseed the smaller spots since they reseed naturally the next year The ranchers actually seeded 10 6 percent of the burned areas or 2,530 acres, covering about 600 acres of grass ash Areas of grass ash are not recommended for reseeding The reseeded grasses will not compete satisfactorily with the resident species However, since most of the seeding was done by plane, it was more practical to seed some of the grass ash than to seed around it Eighty acres classed "reseeding essential" were not reseeded In total the ranchers seeded more than 95 percent of the area essential to reseed which is an excellent record It may be concluded then that although the amount of burned area reseeded was small, the percentage of brush ash seeded was very large indeed

The seedings in Madera County have done well. Last year the reseeded areas yielded 2,000 pounds of air-dry material per acre, furnishing an abundance of forage for domestic livestock and game. In Lake County, frost heaving has been severe, and the seedings have not done as well as those in Madera County

Effects of brush removal on spring flow have been somewhat variable, the flow being affected by such things as kind of vegetation removed, the depth of spring and perhaps other factors In Madera County, a spring that flowed 198 gallons per day increased to 486 gallons after the watershed of about 25 acres was burned clean by a controlled fire Another spring increased by 15 gallons after a grapevine was cut off On the other hand, the flow of another spring was not affected by a clean burn on a watershed of about five acres In Lake County, a spring increased its flow from 31 5 gallons per day to 122 after a group of willows about the spring were cut off by hand

Studies of brush removal in the zone between brush and timber were started during the past year Limited studies of ponderosa pine as affected by brush removal will be made This is an extremely critical zone as far as wildfires are concerned Such fires in brush and dead forest material may destroy nearly all of the trees in the areas burned over Removal of brush and dead material in this area by light burning in winter might serve as a practical means in reducing the fire hazard and preserving the trees Further studies are needed

SCHOOL OF FORESTRY AND AGRICULTURAL EXTENSION—STUDIES IN THE USE OF FIRE AS A LAND CLEARING TOOL

R F GRAH and R K ARNOLD

Introduction

Brush clearing is one step in range improvement in California and, at present, fire is the most commonly used tool for this job In 1951 about 130,000 acres were treated with controlled fire; since 1946 over 500,000 acres have been burned over in this manner

Persons using fire as a land clearing tool face a dilemma Under some conditions fire cannot be easily started nor will it consume the vegetation intended Under other conditions it will burn too well and cannot be controlled or confined to intended boundaries This is illustrated by the

fact that over 13 percent of all controlled burns conducted in 1950 escaped, thus a safety problem exists On the other side of the ledger is the loss of considerable time and preparation involved when fire is applied under conditions when it will not burn well enough to remove the brush Over half of the ranchers who used fire in 1950 were dissatisfied with results in terms of brush removal

In order to get satisfactory results in controlled burning, most ranchers have limited their efforts to the summer season when weather and fuel conditions are such that brush burns easily This also is the season when the hazard of escape is high Ranchers have met the safety problem by organizing themselves into range improvement associations and other groups for the purpose of getting community action in preparing for and conducting controlled burns In some areas efficient rancher fire control organizations have been formed to carry on necessary activities, and have succeeded in reducing the number and severity of escaped fires Preparations the ranchers make are costly and involve a large number of men, but even then safety and effectiveness is not fully assured

It is appropriate then that studies be made to provide information and techniques that will enable ranchers to use fire with more safety and effectiveness

Meeting the Problem

A study group consisting of Professor R K Arnold of the School of Forestry, Ralph Fenner of the California Forest and Range Experiment Station, and R F Grah, Extension Forester, has been formed specifically to work on problems involved in using fire as a tool The studies have involved the application of available basic theory on fire behavior as well as applied field research Our beginning approach has been to study methods whereby fire could be used efficiently during safe periods such as during cool, humid periods in the summer and even during the fall, winter and spring when the hazard of escape is not great and the cost of preparation for controlling fire is lower We have attacked these problems through studies on moisture content of brush, sparseness of fuel and ignition methods

Brush Is Fuel

Brush is a complex fuel The fact that it will burn vigorously one day and reluctantly the next can be attributed in part to the character of the fuel itself, mainly the moisture content of its component parts and their arrangement

Fuel Moisture Content In any brush stand there are dead fuels and green fuels, and each has different burning characteristics. The moisture content of dead fuels influence the way in which they burn and is related to the humidity of the air and past rain When the humidity of the air is high, the moisture content of these dead twigs and leaves is high and they will not burn easily On the other hand when air humidity is low, these fuels will burn very easily Studies of controlled burning in the field indicate that when air humidity is above 35 percent brush will not burn easily, when it is below 20 percent, fire burns too easily and control is difficult This is a reflection of fuel moisture content

Green fuels act differently than dead fuels Moisture content of green fuels is always relatively high (about 100 percent) and they do not burn easily unless there is a large amount of excess heat produced in the burning of dead fuels By changing green fuels to dead fuels their moisture content is lowered rapidly and they will burn more readily under most conditions We find that by either spraying the brush with herbicidal sprays or smashing it down we could change the moisture content of the green material from 100 percent to 20 percent or below in just a few days, thus greatly changing its burning characteristics We were able to burn successfully test plots of brush so treated during mid winter (February 1951) when no control efforts were necessary and the entire job could be done with a very small crew From other studies it has been found that the moisture content of green brush varies with the season In Northern California a low point in moisture content is found in the early spring just before the new growth starts Through careful timing, it is possible to burn some types of brush during this period Safety at this time is not a problem, because in many places brush areas may be separated by strips of green grass.

Fuel Compactness Brush is a sparse fuel even though it occurs in dense stands Because of this sparseness, heat is lost rapidly by convection and is not transferred from one particle to another efficiently By compacting the fuel these particles are brought closer together and then burn better. In practical application this principle works well Tests conducted last spring showed that compacted green brush would burn better than standing green brush A similar improvement in burning qualities of dead fuel (brush) was noted

From these studies we know and have demonstrated that brush fuel can be manipulated to facilitate burning even during the winter and spring Green fuel can be changed to dead fuel with a consequent lowering of moisture content Both green and dry fuels can be compacted These manipulations improve the burning qualities of the fuel, making it possible to use fire effectively during "safer" periods

Ignition Methods

Ignition is one key to safe and successful burns Observations show that, if ignition is easy without special preparation of the brush fuel, the first will then be difficult to control If ignition is difficult, then chances are that an effective controlled burn will not be realized Field observations indicate that even under conditions where ignition is difficult, if enough fire can be developed at ignition points, sufficient heat will be generated to start and maintain a running front of fire, yet the fire can be controlled. To secure the development of adequate heat during ignition, several methods are possible

Fuel Bed Preparation By using methods described in the previous section green brush can be smashed or sprayed to provide dead, dry fuel as well as compact fuel Such fuel can be fired very easily By making such preparations in a strip adjacent to the green standing brush, adequate heat can be generated to start a moving front of fire in the green brush

Mechanical Flame Thrower Studies with commercial type flame throwers indicate their usefulness in controlled burning The large volume

of heat developed by the fuel oil burning under pressure will often produce sufficient extra heat to give the fire an adequate start Two or more flame throwers used together igniting the brush in a "V" shaped pattern have been notably successful in starting fire under difficult conditions

Area Ignition Most significant in these studies has been the development of a new and advanced technique of igniting and burning an area The method is called "area ignition" or "simultaneous ignition" and was developed for use in controlled burning during "safe" periods Essentially it is a way of making more efficient use of the heat of burning to dry and preheat adjacent fuels In the conventional fire where a single front or wall of moving fire is used in burning brush, radiant heat produced by the flame is effective in drying out and preheating the fuel only ahead of the moving front On the other hand, if numerous small fires are started at one time in many parts of the area to be burned, the radiant heat from each fire is effective in heating the fuel on all sides of it If these small fires are close enough together, each reinforces the other. These are the principles incorporated in "area ignition", a large area is ignited at once with numerous small fires

To apply the technique in the field, two conditions are necessary. First, there must be dry and compact fuel in which to ignite the area with numerous small fires Second, there must be access over the area so that the firing crew can get in and out easily Both conditions are essentially met by smashing the brush down in strips with a bulldozer, and leaving the brush in these strips to dry The smashed brush provides dry, compact fuel for ignition and the strips provide the necessary access The direction of the strips is up and down slope or parallel to the direction of the prevailing wind Each is separated by one to three widths of green standing brush The number of widths of standing brush between the knocked down strips depends on the moisture content and the density of the fuels as well as the weather expected at the time of the burning. The poorer the burning conditions the closer the strips must be together.

The area is ignited by a crew of men, one man located at the top or leeward side of each strip He uses a drip-torch or similar device for spreading fire in the down, dry brush as he moves down slope or into the wind Each man keeps abreast of the men in adjacent strips as the crew moves Fire builds up very rapidly in the dry fuel in each strip, and the standing green brush between is subjected to radiated heat from two sides and thus is dried out and burned very rapidly.

In the more than 25 field tests conducted so far the method has been successful in all but very sparse stands of brush Areas have been burned during periods of high humidity when other methods of burning failed The consumption of vegetation is more complete leaving a cleaner seed bed for subsequent range improvement work Thus we feel that we have a tool that can now be used to burn effectively brush stands at almost any period of the year during which a small amount of drying weather occurs to dry out the smashed brush An area can be prepared at any time, and the rancher can do the burning at his convenience The method also appears to be useful in burning out control lines in dense brush as

well as to burn out critical areas in large burns. The following advantages and limitations have been recognized:

Advantages

1 Can be used to burn an area when weather conditions limit fire spread
2 More uniformly clean burn
3 Fire lines not needed if used in completely safe weather periods
4 100 percent of preparation and burning effort is aimed at increasing effectiveness.
5 Total cost of preparation of area by this method may be cheaper than construction of wide fire breaks and using many men for conventional burn

Limitations

1 Topography of area must be suitable for bulldozer.
2 Requires machinery to prepare
3 Positive igniting device such as drip-torch needed
4 Method is in experimental stages; complete specifications for preparing area are not available

Conclusion

There are many techniques now available which make fire a safer and more effective tool. By manipulating the brush fuel and using new ignition techniques, the period in which effective burning can be done is extended into so-called "safe" burning periods This gives the rancher greater latitude and longer season for brush clearing activities Many of these techniques involve rather high costs of preparation, but in comparison to conventional methods of burning, these costs may not surpass the costs of making elaborate fire breaks and recruiting large labor forces

DIVISION OF IRRIGATION—SOIL MOISTURE, RUNOFF, AND EROSION FROM BURNED AND UNBURNED BRUSH AREAS OF CALIFORNIA

F J VEIHMEYER

A series of plots and small watersheds were established in Shasta, Tehama, Lake, Mendocino, Monterey, Madera and Tulare Counties to obtain measurements of soil moisture contents, runoff, and amounts of erosion Some plots and watersheds in Riverside County have been established but the rainfall has been too low to produce runoff during enough years to give good records There have been 46 different setups used in the experiments The sites were selected to give a variety of cover types, soils and topography as well as a range in amounts and distribution of rainfall Measurements were started in 1936 with a group of plots near Ono in Shasta County and other plots and watersheds were added in succeeding years At each location, two or more plots were outlined with side and end boards so that all the water reaching the soil surface and appearing as runoff could be collected at the lower ends and measured The eroded soil was caught in tanks and weighed at the end of the season

The vegetation on one plot of each pair was left undisturbed The second plot was denuded in the fall by burning In subsequent years any resprouting vegetation was cut and a gasoline torch was applied over

the entire surface The small watersheds, varying from three to about 25 acres in area, were equipped with water measuring and silt collecting devices Long periods of calibration are necessary with watersheds to determine the normal runoff and erosion conditions before burning

Soil samplings were taken with a soil tube In primary soils sampling was to the full depth of the soil profile, on the old valley-filling material, in some cases, it was only possible to sample 30 inches, while in others 48-inch samples could be obtained They were taken at intervals sufficiently close to give a good soil moisture history

Soil Moisture Records

A comparison of the soil moisture records for the burned and covered plots in each pair shows that there is no case in which burning has apparently affected the infiltration capacity of the soil adversely

In every case, the residual moisture content of the full depth of the soil in the fall and before the beginning of the rainy season was greater in the burned than in the unburned plots Some of the burned plots have had three inches more residual moisture at the end of the growing season than the adjacent covered plots This represents a saving since the amount of water required to refill the soil reservoir by the rains will be much less than in the covered plots Such savings would not always obtain the first year after burning in cases where the brush resprouted and was not replaced by grasses and forbs However, after several years of burning, the saving in water was appreciable The results indicate that the losses of moisture were determined by the depth of the rooting of plants and their persistence throughout the growing season Although some of the annual grasses may have been deep rooted enough to penetrate the full depth of the soil, their early maturity and death eliminated the draft on the soil moisture supply during the forepart of the season so that some readily available water was left in the lower depth of the soil

Runoff

The average runoff from all the plots is only about 7 percent of the rainfall indicating high rates of infiltration for the soils used in the experiments There are 35 plot-years (a plot-year consists of the records from one pair of plots for one year) where the runoff was greater from the burned areas than from the unburned and 33 years when the unburned had the greater runoff In most cases the differences between the runoff under burned and unburned conditions are small The subsurface flow, however, was not measured The differences in surface runoff are not significant but arise from variations in soil permeability between the adjacent plots

Erosion

The amount of erosion measured is small The yearly average from the records for the 71 plot-years is 8 2 pounds for the unburned and 9 3 pounds for the burned plots Converted to depth and using an average value for soil density these figures are 0 00049 inch for the unburned and 0 00056 inch for the burned One pound of eroded material is about 0 00006 inch in depth

The moisture properties of the soil in these experiments have not been adversely affected by burning Runoff and erosion have not been accelerated in the areas where these experiments were conducted

RANGE MANAGEMENT INVESTIGATIONS—BRUSH RANGE IMPROVEMENT DEMONSTRATION

J L MYLER AND J E STREET

During the past several years a considerable amount of information on the techniques of improvement of brush ranges has been accumulated from various research sources In 1950 the Range Land Utilization Committee of the College of Agriculture of the University of California initiated a series of brush range improvement demonstrations The objective of this new project is to test on a field scale the application and economies of some of the new techniques and to aid in dissemination of accumulated knowledge The ultimate objective of any range improvement program is to increase the yield of the land in terms of animal products in a manner consistant with wise use of all natural resources together with a satisfactory return to the operator

Cooperative range improvement is now being carried out on five ranches scattered throughout the State in different brush types and climates The cooperating units in each case are

1 A livestock operator with an interest in permanent range improvement
2 The local Farm Advisor
3 The University of California
4 California Division of Forestry, where fire is used
5 In San Diego County, the U S Forest Service

Shasta County Demonstration

In this report the cooperative work in Shasta County will be described in more detail than activities in other parts of the State It will, therefore, serve as an example of the type of work being conducted

The College of Agriculture is cooperating with two adjoining ranches which together had 4,900 acres in the Blue Mountain control burn of August 10, 1950 This control burn of 9 700 acres was an outstanding example of coordinated community effort Nine ranchers with land included in the burn working with the County Ranger of the California Division of Forestry and Farm Advisor, carefully planned and executed the control burn With the help of volunteers from the community the control burn effected satisfactory brush clearance on the planned acreage and did not escape from predetermined boundaries

Plans for seeding were formulated along with plans for burning All of the area that would warrant seeding was seeded, which included all the area covered with heavy brush This included 1,000 acres on each of the demonstration ranches and 2,220 acres on neighboring ranches The seed mixture was purchased in one lot and sown by airplane in one operation

The College of Agriculture and farm advisor conducted species and fertilizer trials including two plantings of 50 acres each In the fall of 1951 one of the cooperating cattlemen seeded about 75 acres of small spots which were missed by the airplane, seeding a mix essentially the same as was used on the College of Agriculture 50-acre trial blocks

The forage stand obtained from seeding has been very satisfactory and has been grazed as recommended Grazing records and weight gains

of animals are being recorded as a measure of what has been achieved through application of brush range improvement techniques

Reburning grazing management and other methods will be used to further suppress brush growth and encourage production of valuable forage plants Measurement of spring flow, poisoning and dyeing of seed to repel insects and rodents, use of brush-killing sprays, and observations on utilization of brush, grasses and forbs by livestock and deer are some of the other activities being conducted on a cooperative basis in Shasta County

Records of cost on this project show a cost of 60 cents per acre for preparation for burning, burning, and fence repair Twenty cents of this was for time and equipment supplied by the California State Division of Forestry On the seeded area the cost was $2 25 per acre for seed and 30 cents for seeding, a total of $2 55, which added to 60 cents burning cost, totals $3 15 for burning, seed and seeding The Production and Marketing Administration paid 80 percent of the seed cost or $1 80 per acre Therefore, the direct cost to the rancher was 40 cents burning and fence repair, 45 cents for seed and 30 cents for seeding or a total of $1 15 per acre on the area reseeded

Many cattlemen and other interested people visited these ranches since the burning and seeding and were much impressed with the outstanding results This indicates that the ranches are truly brush range improvement *demonstrations* and the techniques used on them are being adopted by many additional ranchers

San Diego County

The lands of this cooperator are within the Cleveland National Forest above El Capitan Reservoir The study area, part of which was burned by a wild fire in 1950, is national forest land leased to the rancher and adjoining his patented land

A considerable acreage was seeded in the fall of 1950 resulting in a good stand of forage plants It was clearly demonstrated that some type of soil tillage or seed coverage following broadcast seeding greatly improved stand establishment in this area during the 1950-51 growing season Species trials and fertilizer plots were established in the fall of 1950

During the past year some unburned brushland has been cleared with tractor and disc and other brush is being prepared for control burning at sometime in the spring of 1952 A large scale spraying of chamise sprouts will also be conducted in the spring of 1952

Tulare County

The College of Agriculture is carrying on cooperative range improvement work on a ranch at 3,500 feet elevation in the Sierra foothills of Tulare County A control burn was conducted on a 300-acre pasture in the summer of 1951 and seeded by airplane in the fall As on other sites species trials, measurements of browse and forage utilization, and records of costs and returns of range improvement practices are also being made

Ventura County

Cooperative brush range improvement has started on a large ranch in this county with control burns and seedings in the fall of 1951 This

ranch introduces another brush type, the California coastal sage and associated species

Brush killing sprays have been used successfully in this area Use of fertilizers and range improvement technique applicable to tillable areas are being investigated on this site

Humboldt County

Brush range improvement in cooperation with a sheep rancher in this area of high rainfall is centered about a control burn, and airplane seeding made in the fall of 1951 Rapid regeneration of brush and suboptimum soil conditions are an impediment to brush range improvement in the Northwest Improvement of ranges now grown to brush are closely associated with increase of legumes and other valuable forage plants and betterment of soil conditions on adjoining grasslands

Range Improvement on the West Side of San Joaquin Valley

The reporting organization has been instrumental in seeding trials and fencing of experimental plots in the west side of each of Kern, Kings and Fresno Counties The objective of this activity is to improve and stabilized the vegetative cover in an effort to increase grazing and inhibit wind erosion and dust storms

DIVISION OF ZOOLOGY—ZOOLOGICAL RANGE RESEARCH

W E HOWARD and W M LONGHURST

Following is a brief outline of the investigations related to range, carried on by the Division of Zoology.

1. Degree of Competition by Ground Squirrels With Cattle for Forage

Two pastures each supporting 10 to 12 heifers and a high population of rodents were calibrated and their size adjusted over a two-year period so that the heifers made similar weight gains on both pastures Last year, the third year, the ground squirrels were poisoned on one pasture and the heifers in that field averaged a gain of about 100 pounds apiece more than the animals on the pasture where the squirrels were not controlled

At the present we cannot say definitely how much of the weight gain was the result of squirrel control This year the squirrels are being controlled on the same pasture Then we plan to reverse the experiment and let the rodents come back on the pasture where they are now being controlled and poison them on the other field It will require three more years before we are sure of the results.

The project is being carried out at the San Joaquin Experimental Range in cooperation with the Division of Animal Husbandry and California Forest and Range Experiment Station.

2. Pocket Gophers on Range Lands

A life history study of a pocket gopher population on four acres at the San Joaquin Experimental Range has been under way for almost three years.

3. Relation of Wildlife to Seeding of Burned Brush Ranges

Studies have indicated that most controlled burns and even wild fires do not destroy much wildlife.

4 Deer Repellents

Four different kinds of effective deer repellents were sprayed on 78 two-year-old fruit and nut trees to learn whether they would damage the foliage No foliage was injured even when the trees were sprayed as often as every two weeks with twice the strength recommended by the manufacturers.

5 Rodent Control When Feeding Supplements to Cattle

In slightly more than two weeks not more than eighteen squirrels removed 2,180 potatoes (nine sacks) that were being sun dried for livestock feed in a pasture at the San Joaquin Experimental Range The same number of completely dried surplus potatoes were then exposed to determine whether the squirrels had been attracted to the fresh potatoes because of their high water content The dried potatoes disappeared in less time.

6 Degree of Competition by Cottontails With Cattle for Forage

An attempt is being made to determine how much forage cottontails make unavailable to cattle by measuring forage production in four field enclosures, three of which contain rabbits.

7. Relationships of Coyotes to Ground Squirrel Population

Observations at the San Joaquin Experimental Range indicate that coyotes if unmolested cannot hold the density of squirrels at a level where they will not compete seriously with man's interests.

8 Erosion Caused by Rodent Burrows

Many gullies in California on both tilled and untilled lands originate as a result of water being channeled down squirrel or gopher burrows Such rodent tunnels become enlarged; the tops eventually cave in and deep gullies often result It is important to note that this kind of erosion is not brought about by close grazing Such erosion occurs under dense stands of herbaceous forage.

9. Effect of Grazing and Weather on Rodent Populations

Observations indicate that grazing by cattle is associated with an increase in density of ground squirrels and kangaroo rats and one kind of deermouse; however, close grazing results in fewer pocket gophers and meadow mice. Annual fluctuation in numbers of the small rodents at the range is being followed and factors responsible for these changes in density are being sought.

10 Natural Soil High in Arsenic

The effects on animals of a high concentration of arsenic in the natural soil of a high mountain meadow in the Sierra National Forest have been studied for several years in cooperation with the Division of Animal Husbandry As yet it has not been determined how the insoluble arsenic affects gophers and cattle, if it does, in this "poison meadow" Lethal amounts of arsenic have not been recovered in the livers of animals fed some of the soil Research is currently under way on the problem

11. Deer-sheep Relations

Deer-sheep relations are being studied at the University of California Hopland Field Station Work for the current year is dealing with competition for forage and with parasite problems.

Stomach analyses are being made for food-habit studies and thorough analyses of parasite infestations are also being carried on At least 50 deer and 50 sheep will be killed, autopsied and analyzed in the 1952 calendar year.

THE AGRICULTURAL EXTENSION SERVICE—PROGRAM IN RANGE IMPROVEMENT

VICTOR P OSTERLI

The Agricultural Extension Service of the University of California has had an active interest in range activities for over 20 years The first state-wide organized program in range improvement was initiated in 1938 when an extensive series of grass and legume variety tests revitalized the whole field of range improvement activities This activity was a joint undertaking between the Extension Agronomist and the farm advisors in the respective counties in cooperation with the Division of Agronomy of the College of Agriculture Range variety plots were extended into nearly 50 counties The numbers of plots declined as the more promising varieties were selected This work revealed a great deal of information and has been the foundation of much of the present extension activity, and has also served as a basis for the work of other agencies By 1940 all counties but four had adopted some form of the range improvement project

The objective in the agricultural extension range improvement program is in common with that of other divisions of the university; namely to increase the forage production to feed our increasing livestock numbers

It is sometimes difficult to even distinguish between an extension program and a research program in range improvement Actually the program is cooperative and every attempt is made to coordinate it to the extent that the immediate problem as well as the long-range research approach is given attention and the solution reported to interested farmers and range operators with a minimum of delay

Brush range clearance is recognized as a part of a broader program of range management and economic use The program, therefore, includes such broad, or major phases of activity as land utilization, soil fertility, studies and demonstrations, species trials, grazing management, stock water development, economics, and public relations. In cooperation with the several interested agencies, particularly the College of Agriculture, the basic approach is through the establishment of range improvement associations and encouraging the use of all research contributions and the application of all practical information Agricultural extension is expanding the size of plots and demonstrations and working toward a more complete educational program in the over-all range problems

Land Utilization This embodies an appreciation for and the approach to making the best possible use of all the grazing land resources This

would include the brush covered areas, the open grassland and grass-woodland associations, and the lower fertility farmed out grain land areas No program in range improvement would be complete without a consideration of all of the potential dryland pasture and range areas Brush burning in itself is not the end activity, but a part of the pattern of range improvement and is approached only as a step in the rancher's range management program Observations and studies of fire behavior, its control and application as a tool in brush removal is an integral part of the program Likewise, the chemical and mechanical phase of brush removal is being studied and utilized in appropriate areas

Soil Fertility In this phase, too, far too little is known The many and varied soils and their different types and conditions present many problems The answers will, in large measure, come as a result of trials and tests in the field This problem is being attacked through both the greater use of annual type legumes and the application of commercial fertilizers Studies on commercial fertilizers on the range include kind, rate, time and method of application

Species As mentioned previously, this phase of range improvement actually initiated the state-wide program Today several varieties are well established as being adaptable to a relatively wide range of conditions The need for testing of varieties will continue as new varieties might be developed, new introductions made, and particularly as new strains or selections are made from the present varieties An important adjunct to the demonstration-teaching program has been the initiation of large scale demonstration plantings Agricultural extension, in cooperation with the division of agronomy and the range demonstration project, has seeded in a number of the California counties large scale demonstration plantings ranging in size from one to five acres each. This is actually the next step in demonstrating the performance and possibilities with respect to the range varieties

Grazing Management This phase of range improvement is considered of vital importance, and the key to the success of the entire program. Certainly more information is needed on this important problem In the meantime the basic principles of plant growth and behavior serve as the basis for working out grazing management problems on ranches Fencing and stock water development are requisites for improved grazing management Both of these phases are being encouraged Both observations and controlled studies have demonstrated that the removal of brush in many instances increases spring flow Brush removal to improve stock water supplies is being encouraged in many counties This will lead to more efficient and effective use of water by the stock through improved and more efficient gains and as an aid in promoting better grazing practices.

Economics The field of economics offers much, since the entire program can be no more successful than the dollar gain that will result to the range operator Agricultural extension farm management specialists are working with farm advisors in many of the counties in making studies of the costs of brush clearance, re-seeding, and an analysis of the feed increases to determine the dollar value gain

Public Relations This phase of the county range improvement program is not overlooked The range improvement program affects many people, the rancher directly and the town merchant and valley farmer

indirectly As part of the educational program, the presentation of facts regarding range improvement to other agricultural groups and to non-agricultural interests is included in the county agricultural extension range improvement program

The University of California has through the agricultural extension service a resident staff member, the county farm advisor, who is a trained and qualified range technician In 14 counties one farm advisor devotes over one-half of his time to this activity while in 23 counties from 25 to 50 percent of one farm advisor's time is spent on range improvement In 13 counties something less than one-fourth of the time of one farm advisor is spent on range work To properly evaluate the time devoted to all forage production must be added to the above the time spent on other forage production such as cereals for hay and pasture, alfalfa and irrigated pastures.

Forage production is important and consequently find a proper emphasis in each county farm advisor's program of work

HOPLAND FIELD STATION

B A MADSON

For many years the men in the College of Agriculture working on range problems, have felt the need for a permanent location where experiments which required, in many cases, several years for their completion, could be carried under controlled conditions Practically all the work to date has been carried on, on private ranches, lacking the continuity necessary for the ultimate solution of many problems

To remedy this situation the university purchased and took possession on July 1, 1951, of a ranch property near Hopland, California. This ranch, consisting of 4,637 26 acres has been operated as a sheep ranch for many years It is quite typical of many of the ranch areas of Mendocino, Lake and adjoining counties Of numerous sites investigated it was considered by far the best for experimental purposes Most of the ranch consists of grass or grass-woodland though about one-fourth of the area is in brush The ranch is well watered, with numerous perpetual springs, which is necessary since much of the area will have to be divided into small pastures for experimental purposes This area will provide the various divisions in the College of Agriculture with facilities necessary to carry out long term carefully controlled experiments and to coordinate their findings into a definite program of improvement

Here will be tested the many forage species, introduced or developed for range land

Studies in methods of establishment and the behavior of the species under various grazing practices will be conducted

The relation of soil fertility and the best means of maintaining maximum forage production will be investigated

Our range lands are important as watersheds and as yet too little is known regarding the value of different types of cover or the effect of various management practices on water yield, runoff, and other hydrological factors To secure the data required to answer these questions, rather expensive and elaborate installations are necessary and the data must be recorded over a long period of time in order to eliminate seasonal

variation The Hopland Station with its various cover types will provide an excellent location for such investigation

As the ultimate aim in any range improvement work is to provide more feed for livestock, extensive experiments on various phases of livestock management will be an important part of the program Some work along this line is already in progress

Another important problem which is being studied is the relation of deer to range management and livestock production The area is well populated with deer so that an excellent opportunity is provided for the study of deer competition and other deer-livestock relationships

These are but examples of the kind of investigation contemplated. In the past the ranch has been operated as a sheep range and for the time being at least, livestock investigation will be confined largely to sheep Sheep will also be used as yardsticks for measuring the results of various range improvement and management practices Cattle may and probably will ultimately be brought into the picture.

APPENDIX A

CALIFORNIA DIVISION OF FORESTRY—1951 ANNUAL FOREST PRACTICE REPORT

ACCOMPLISHMENTS

Registration of timber operators continues in an upward trend Last year 1,057 operators registered in comparison with 989 for 1950, making a gain of 68 operations in 1951 This increase is due to greater activity in the industry and to the success of division personnel in getting more operators to register Now that the registration fee which heretofore precluded the acceptance of applications in the field is no longer required expectancies are for greater registration for the current season

Registration of timber operators for 1952 has slowed down considerably as only some 512 have registered at this writing Apparently almost half the timber operators are not fully aware of the recent change of the Forest Practice Act which provides that registration renewal must be accomplished during the month of November prior to year of operation Concerted efforts are being made by division field forces to get registration of all operators

In 1951 there were 1,165 companies or firms requiring forest practice inspections on 1,620 woods operations

Although the total number of forest practice inspections made this year (2,112) was almost identical with the number made in 1950, 150 more operations received a first inspection in 1951 than in 1950 and the caliber of inspections was greatly improved

All but 213 operations were inspected at least once during the season The fact that some operations were not inspected during the year was attributed to:

1 Ninety-six operations shut down during the year, some of which closed before inspections were made

2 Usual conflict of fire season work load with forest practice inspection work load for ranger personnel

3 Indoctrination and training of new assistant ranger personnel The bulk of inspections were made by assistant rangers who have fire control and other administrative duties Several personnel changes were required which placed inspectors in unfamiliar territory

4. Heavier than normal winter storms shortened the logging season thereby closing many operations to inspection

5 Itinerant nature of smaller operations

The state-wide average degree of compliance of 89 percent attained at the end of 1951 shows improvement over the 85 percent achieved in 1950 In all districts the degree of compliance on the first inspection during 1951 was lower than the level of compliance achieved on the last inspection during the previous year. In general, however, first inspections this year showed a higher degree of compliance at the beginning of the season (77 percent) than first inspections in 1950 (70 percent) and indicates improvement in over-all compliance from one year to another Compliance on the basis of production is estimated to have increased from 80 percent in 1950 to 84 percent in 1951

The articles of the rules most violated continue to be the fire suppression and fire prevention sections The specific rules most violated in 1951 were the fire tool and equipment requirement, the fire plan, and the slash and snag disposal provisions in that order Many of the fire tool violations were not serious, and were of pre-season nature resulting from operators not realizing the need for a full complement of fire tools Other violations occurred with small operations (2-3 men) for which the forest practice rules may be a bit unreasonable with respect to tool requirements Some confusion still exists between State Fire Laws and forest practice rules among operators as to tool requirements It is hoped that this can be corrected in the revision of the rules by making the tool requirements in the rules correspond with the fire statutes

LAW ENFORCEMENT

The following effort was made by the Division in 1951 to bring operations into compliance:

SUMMARY OF ACTION TAKEN

	Administrative action in addition to inspection	*Legal actions filed*	*Complaints sustained by courts*
Forest and fire laws	112	10	10
Forest practice rules	131	--	--
Combination rules and laws	330	--	--
Totals	573	10	10

Although no court cases were initiated under the forest practice rules, it was felt that a great deal of good was accomplished through administrative action.

AMENDED FOREST PRACTICE ACT

The 1951 State Legislature with the support of the industry amended the State Forest Practice Act to simplify the administration and enforcement of the law Briefly the revised Forest Practice Act provides for the following changes·

1 The timber owner must notify the State Forester of logging operations to start on his property, giving name and address of the logging operator and designating where the operation is to be conducted

2 The timber operator must register with the State Forester to obtain a permit to operate

3 A registration fee is no longer required with registration

4 Upon registering the operator must agree to comply with the Forest Practice Act and the forest practice rules of the district in which the operation is to be conducted

5 Operating without a permit is a misdemeanor

6 Permit renewals are on a calendar year basis and must be accomplished during the month of November preceding the year of operation

7 The permit may be suspended or revoked for noncompliance with the Forest Practice Rules, forest management plan or alternate plan approved by the State Board of Forestry

8 Forest Practice Rules may now be amended by the initiative of operators of the State Forester Amendments have the force of law after public hearings, approval by the District Forest Practice Committee and the State Board of Forestry, a 30-day public notice, and Board of Forestry declaration

9 The alternate plan and forest management plan provisions of the act were clarified

10 Owners converting timberland to other use must comply with fire laws and prevention and suppression practices of the rules

Widespread publicity was given to changes in the Forest Practice Act in the newspapers and trade periodicals In addition the California Redwood Association, Sierra Cascade Logging Conference, Redwood Region Logging Conference, California Protective Association, and the Western Pine Association assisted the State by notifying their members of the revision of the Forest Practice Act and how it affects their woods operations Many county tax collectors also cooperated in this publicity program by placing "stuffers" on forest practices with tax invoices being mailed to timber owners These "stuffers" were designed to also serve as forms that timber owners could use to notify the State of timber operations on his property as required by the amended Forest Practice Act

STATE ADMINISTRATION

The division with its existing personnel has been unable to provide the forest practice inspection service desired by the industry Because of the inadequate number of technicians the division has had to continue to rely heavily on our fire control field forces to do the inspection job The press of fire control duties does not usually allow an assistant ranger

sufficient time during the fire season to do a good job of forest practices when logging activities are also at their peak

During the last part of the 1951 logging season four additional forest technicians were assigned to forest practice work, two of these positions were in the North Coast District, one in the Northern Sierra and one in the Central Sierra District These additional personnel did not ease the inspection situation this year due to the lateness in the season of the appointments, the training and orientation needed in the new forest practice job, and time spent in winding up previous activities

At present there are eight forest technicians assigned specifically to forest practice work It is fully realized that the entire forest practice inspection job cannot yet be done with these men alone The division will have to continue to use to a large extent administrative fire control personnel as in past years and use the new positions during the coming season in the most effective way to obtain more and better inspections The pending budget for the 1952-53 Fiscal Year contains five additional forest practice positions in order to accomplish a more complete inspection job

For the past two years with the cooperation of seven companies of the industry the division has been holding training programs for our inspectors on company operations During the past season three training sessions each three days in length were held in which division technical personnel and inspectors studied the various phases of logging on woods operations with respect to forest practice rule requirements These field schools have paid dividends in producing higher caliber inspections

STATE FOREST PRACTICE COMMITTEES

During 1951 the forest practice committees held more meetings than during the previous year The Redwood Committee met four times, North Sierra twice and the South Sierra once The Coast Range Pine and Fir Committee which has been plagued by vacancies came to life in 1951 and held its first meeting since inception of the rules Other vacancies that existed in the committees last year have been filled by new appointments of the Governor Currently all the committees are considering and reviewing proposed changes in the forest practice rules within their districts

OTHER DEVELOPMENTS

Five years of the forest practice program has resulted in significant progress in forestry in California No better indication of this can be found than in the annual Redwood Region and Sierra-Cascade logging conferences where major portions of the yearly programs are devoted to forest practice discussions It is noteworthy that the 1952 Sierra-Cascade Logging Conference had for its theme—"Good Will and Good Logging" The industry is becoming increasingly cognizant of public opinion, the so-called "public interest" and the need for better understanding and attitude by the public and industry alike

A greater interest in better fire prevention, more intensive detection, and more effective suppression efforts by the forest industry is being demonstrated in many ways Outstanding examples are the two cooperative air patrols that are in operation each fire season in the North Coast area Other examples are the creation of local groups to combat mutual

slash problems and the excellent record of hard-hitting attack on the many fires that occurred this past season

Forest insects are getting more attention The industry sponsored the creation of the California Pest Control Action Council made up of industry and public agency representatives Its purpose is to get better detection, reporting and control of infested areas This group performs a valuable service to the State Board of Forestry by acting in an advisory capacity on forest pest matters

Certainly the tree farm program sponsored in California by the Western Pine Association and the California Redwood Association is contributing in no small way to better forest practices *California is now the leader in pine region tree farms both as to acreage* (1,186,023) and number (107) As of the first of the year the record shows that there are now 118 tree farms in the State embracing some 1,296,135 acres. Thirteen new tree farms consisting of over half a million acres in total were certified by the two lumber associations during 1951

DEWITT NELSON
State Forester

1951 FOREST PRACTICE STATISTICS

Accomplishments	*Redwood*	*North Sierra*	*South Sierra*	*Coast Range pine and fir*	*State*
No registered operators	338	305	240	174	1,057
No non registered operators (est)	42	35	23	22	122
Percent registration achieved	88%	89%	90%	87%	88%
No companies, firms requiring inspection	478	301	223	163	1,165
No operations requiring inspection	772	380	253	215	1 620
No operations shut down during season	25	17	41	13	96
No operations inspected once	633	357	248	169	1,407
Degree of compliance	70%	83%	80%	76%	76%
No operations inspected twice	133	190	144	32	499
Degree of compliance	74%	87%	84%	84%	82%
No operations inspected three or more	43	48	115	0	206
Degree of compliance	88%	90%	89%	-	89%
Estimated percent compliance by production	77%	89%	88%	79%	84%

APPENDIX B

RECOMMENDATIONS OF THE CALIFORNIA FOREST PEST CONTROL ACTION COUNCIL

GENERAL GUIDE LINES IN THE USE OF PUBLIC LANDS IN CONTROLLING FOREST INSECTS ON PRIVATE LANDS

While both the State Insect Control Law (California Public Resources Code Secs 4451-4459) and the Federal Forest Pest Control Act (Public Law 110) have been set up with broad administrative discretion in the use of public funds in the control of forest insects on all classes of land ownership, in order to permit flexibility of operation and the adjusting of needs to the many variables of local situations, there is definitely a

need to establish certain general principles or "guide lines" in the use of such funds

Accordingly there are here set forth general principles to be followed in the use of state and federal funds on insect control projects

A. *General Principles*

1 Control of infestations of native forest insects on one owner's holdings should be recognized as primarily the owner's responsibility

2 If such infestations involve the land ownerships of a number of private owners but do not involve or threaten state or federal lands, control becomes a community problem and assistance from the county or State may be justified if the job is too large for the local owners to handle

3 If infestations are of such size and character as to be beyond the ability of any owner or group of private owners to control, if there is a definite threat of the infestation spreading to other lands, if there are intermingled state timber lands, or if the State's interest in protecting these forest resources either because of their timber or recreational value is considerable, then it becomes appropriate for the State to assist in the financing of such control work up to 50 percent of the cost thereof, or whatever other proportion of the cost the State Board of Forestry determines to be equitable

4 If, in the judgment of the State Forester, infestations of native insects on private forest lands are of such a size and character as to be beyond the ability of the private owners and the State to control, and

(a) The public interest in the protection of the national timber resource is involved, or

(b) Intermingled or adjacent federal timber lands are threatened, or

(c) The infestation threatens to spread beyond the confines of the State,

then it is appropriate that federal funds be applied to the control program to such an extent as the Secretary of Agriculture may deem advisable The federal interest in the protection of national timber resources on private lands may justify a contribution not to exceed one-third of the total cost but under certain conditions, a higher percentage of federal participation may be justified

5 Introduced pests, which if allowed to spread might present a serious threat to all timber ownerships and resources within one or more states, may justify the Federal Government in spending 100 percent of the cost of eradication If such a pest becomes well established and in the same category as a native pest, then the same considerations applicable to control of native pests should apply

B *Other Considerations*

1 Any expenditures for forest insect control must be justified by the value of the timber threatened and by a showing that effective, practical, and economically sound control measures are available

(2) Wherever possible public funds will be used to advance the control of forest insects by indirect methods of sanitation cutting utilization, or salvage, thus insuring the highest possible return on timber values

(3) The State Forester is authorized to cooperate with federal, county, municipal, and private timber agencies in carrying out insect control under provisions of the state law and the general principles stated above.

Where he deems it to be of mutual interest he may cooperate with federal agencies in the pooling of federal, state, and private funds made available for insect control on private lands with federal funds made available for control on intermingled or adjacent federal lands The ratio of expenditures on private lands derived from federal, state, and private funds to expenditures on federal lands consisting wholly of federal funds shall be based on the best available estimate of the amount and cost of control work needed on these respective types of ownerships

(4) The extent to which federal pest control funds may be requested for insect control on private lands to supplement state and private funds will be determined by the State Forester for each insect control project Federal pest control funds are not recommended for use on single isolated projects where the cost of the federal share of such work on private land would be less than $500

The extent to which federal forest pest control funds may be applied in conformity to the above general principles on any given project will, of course, depend upon the amount of money appropriated by Congress to carry out the authorization of the Forest Pest Control Act, and decisions of the Secretary of Agriculture as to the priorities in allotting available funds between projects No assurance can be given that the federal participation, indicated above as equitable, can be met on all proposed projects, unless sufficient federal funds are appropriated for this purpose The same considerations apply to state insect control funds

(5) On joint cooperative projects involving federal participation, insect control work will be performed on all classes of forest lands in conformity with plans, specifications, and technical procedures outlined by the U S Bureau of Entomology and Plant Quarantine and under their technical supervision and guidance in respect to the entomological requirements of the control work

APPENDIX C

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE
MENDOCINO NATIONAL FOREST, WILLOWS, February 1, 1952

HON. LLOYD LOWREY
Rumsey, California

DEAR MR. LOWREY: May I take this opportunity to briefly summarize some of the activities on the Mendocino Forest during the year 1951.

The revegetation projects were continued both on the Upper Lake and Stonyford districts. Sampling of previous experiments indicated some good and some poor results in the Upper Lake areas. The California Forest and Range Experiment Station worked with us this year, and the soils in each experimental plot were typed in order to study the soil capability with relation to revegetation results. The outcome of the analysis will be known early this spring It appears that soils are a governing factor in the success of revegetation in our brush types.

About 40 acres of the Elephant Hill revegetation project was reburned this summer in an attempt to kill brush sprouts and seedlings. We will know the full effects of this when the growing season starts this spring. We assisted in the planning and burning of two cooperative control

burns that bordered on the forest Four hundred acres were on the Marbet ranch near Stonyford and approximately the same acreage in Smith Canyon back of Upper Lake Local ranchers, the State Division of Forestry and the U S Forest Service worked together on these projects They were both successfully completed

That portion of the Smith Canyon burn on government land was seeded to grass in October by aircraft Through the cooperation of the State Department of Fish and Game we also seeded some 1,700 acres of the several wildfire burns in the Upper Lake district. Funds for purchase of seed were furnished by the Fish and Game Department. Soils in these burns were checked and only those soils that gave most promise for success were seeded We will not know the results until this spring

Specialists from the California Forest and Range Experiment Station completed a soil survey of part of the lands in Lake County, within the forest boundary, from Lake Pillsbury south. We feel that a complete inventory of our soils with a working knowledge of their capability is basis to intensive land management

The State Department of Fish and Game conducted a deer and other wildlife study along with the soil survey. This was done in conjunction with their study of game—especially deer—in the Coast Range These surveys are to continue this year in Lake County.

The demand for timber continues and our objective is to get the Mendocino in full sustained production as soon as conditions and finances permit Access to the timbered areas is still our biggest problem. Through cooperation with Glenco Forest Products Co at Elk Creek, we completed 9 2 miles of high standard logging road from the forest boundary (near Elk Creek) to the main summit of the Coast Range near Kern Point. Additional road is needed in order to put this new road to full use.

Timber management plans were completed for the Alder Springs, Little Stony, and Eel River Working Circles The plan for Thomes Creek W C was completed previously Timber management plans for the entire forest will be in effect with the completion of the Upper Lake plan. This is now in the final stage of completion The indicated sustained annual cut for the forest is indicated at approximately 70 million board feet for the first cutting cycle Eighteen and one-half million feet were cut during calendar year 1951.

Glenco Forest Products Co completed their new sawmill at Elk Creek and are cutting timber on their own lands within the forest boundary Former Mendocino Forest Supervisor Jim Kaiser is resident manager for this company

The Mendocino experienced the heaviest fire load in its history during the summer There were 86 fires with a burned area of 13,058 acres. Thirty-seven of these fires were man caused and burned 6,752 acres The total bill against our fire-fighting funds was $312,000 The heavy impact of fire here and on other forests greatly hindered our management of the forest resources It was only through the excellent cooperation of local ranchers, residents, timber and sawmill operators and other fire-fighting agencies, that we were able to keep the costs as low as they were. We prefer not to experience another fire season like that

Recreational use of the forest was heavier than ever during the summer Registration counts indicated there were 20,000 hunters within the

forest on the first weekend of the deer season last August. This early season comes during the height of our fire season. Hunters in general are careful with fire although there are always a few who are not Fifteen of our fires were attributed to hunters with a cost of suppression of $142,000 One of these fires started on a very bad day and got big It took a week to control and accounted for most of the cost of hunter fires

It is not possible for us to take care of such large numbers of people in our improved campgrounds They have to camp in the safest places possible outside the improved areas.

The hunters take of deer was heavier than usual—calculated at approximately 2,500 bucks The deer in the higher areas were in much better shape toward the last of the season than they were the first part There was a good take also during the late season in the north end of the forest in Trinity and Tehama Counties.

Fishing continues to be good throughout the forest in the early season It is calculated there were 10,000 fishermen in the forest during the season.

The rapid increase of population in California is making a heavier demand than ever on our natural resources and recreational facilities. Conservation and wise use of these resources is vital to our Nation We are continuing our efforts in the education field by bringing this message to the people and to the children through the schools of our area Several field Show Me Trips were conducted through the revegetation areas and timber operations Field trips of this nature are an excellent means of sharing information with others who are interested in the wise use of our resources

The total receipts for the forest for Fiscal Year 1951 (July 1, 1950, to June 30, 1951) were $291,454,68 Twenty-five percent of this or $72,863 67 was portioned to the six counties within the forest based on the percentage of government land in each county.

This is just a brief review of some of our activities I would be most happy to discuss some of these points which might be of most interest to you, as well as others, that I have not included here

Yours very truly,

LEON R THOMAS
Forest Supervisor

APPENDIX D

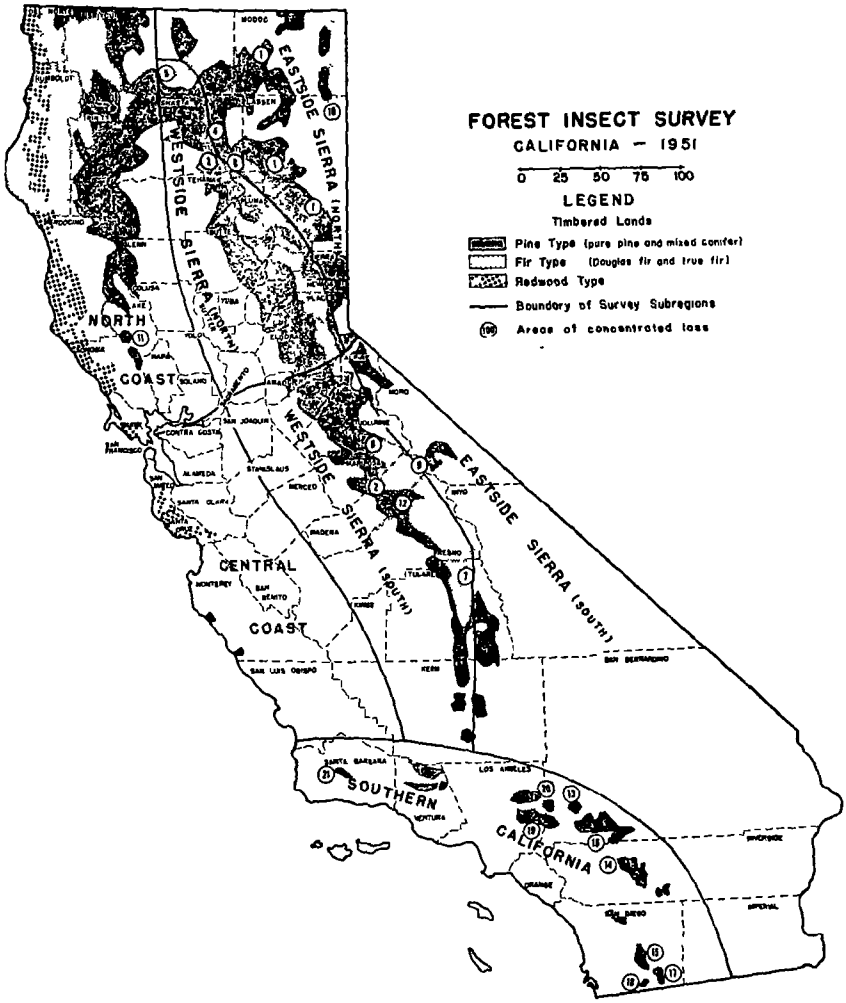
FOREST INSECT CONDITIONS IN CALIFORNIA, 1951

STATE-WIDE CONDITIONS IN BRIEF

Bark-beetle populations reached epidemic proportions in several of California's forest areas during 1951 and the current loss of pine timber resulting from their attacks is estimated at approximately 400 million board feet (see Figure 1) This killing is heaviest in Northern California where groups of infested trees are numerous in both eastside and westside stands While the level of loss rose noticeably in reserve stands on cutover areas, the majority of total timber drain attributed to bark beetles occurred in virgin timber

The highlights of forest insect conditions in California during 1951 are.

1. Large populations of the western pine beetle are resulting in widespread group-killing of ponderosa pine over most of northeastern California and to a lesser extent in some other areas of the State This insect also caused heavy killing of Coulter pine in many of the prized recreational areas of Southern California
2. Spectacular killing of pole-size sugar pines by the mountain pine beetle is occurring in portions of many reserve stands of sugar pine in the State Hundreds of young trees in a dense stand of sugar pine in Madera County are currently infested and increased beetle activity is being observed throughout many other areas devoted primarily to the production of this valuable tree
3. Aggressive outbreaks of the Douglas-fir beetle resulting in the killing of large groups of Douglas fir were noted this year for the first time within the State Such group-killing was abundant in local areas on the west slope of the northern Sierra and throughout the north coast Douglas-fir region Past outbreaks by this insect have been of minor importance in California
4. Ips engraver beetles were not serious during the year but attacks by these insects did result in group-killing of poles and small trees in a few local areas, particularly in Southern California where logging slash provided the impetus for epidemic loss in one area
5. The fir engraver beetle again caused extensive killing of young and mature true firs in most areas of the State Mortality resulting from their attacks was particularly heavy in Northeastern and Southern California.
6. Several species of sawflies occurred in epidemic proportion in the central Sierra region, and larval feeding by this insect defoliated both pine and fir in a number of areas Reports of severe damage to Christmas-tree stock have attached an economic significance to these insects
7. A gratifying drop from epidemic conditions to a low level of loss caused by bark beetles has resulted from last year's control action administered in the central Sierra pine stands and areas given maintenance protection in Southern California


FOREST INSECT SURVEY
CALIFORNIA — 1951
0 25 50 75 100
LEGEND
Timbered Lands
Pine Type (pure pine and mixed conifer)
Fir Type (Douglas fir and true fir)
Redwood Type
Boundary of Survey Subregions
Areas of concentrated loss
NORTH COAST
WESTSIDE SIERRA (NORTH)
EASTSIDE SIERRA (NORTH)
WESTSIDE SIERRA (SOUTH)
EASTSIDE SIERRA (SOUTH)
CENTRAL COAST
SOUTHERN CALIFORNIA

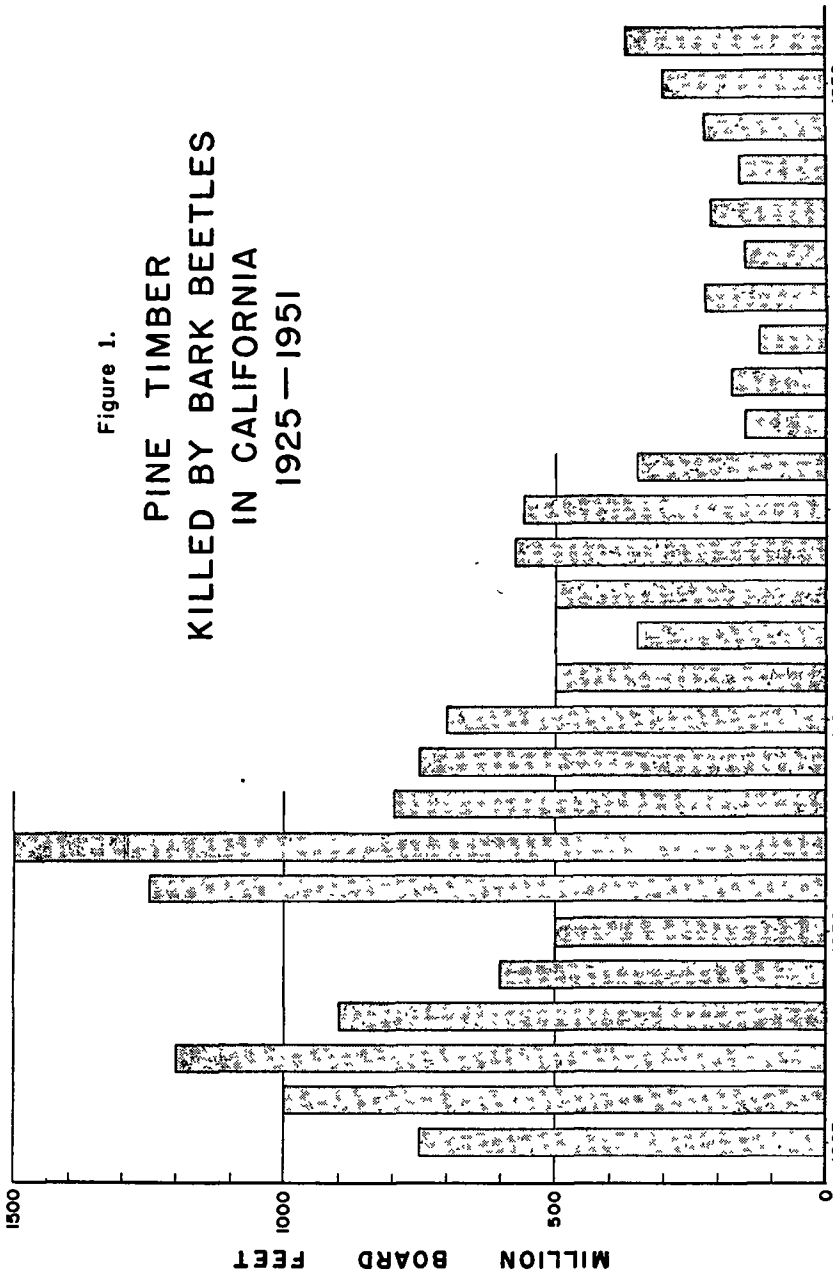
CURRENT FOREST INSECT CONDITIONS REQUIRING CONTROL ACTION

Project area	Location	Infested acreage	Insect species causing loss	Host tree killed	Control action recommended
Commercial Timberlands					
1 Eastside Pine Type	Shasta-Lassen Plumas-Modoc N F	756,000	Western Pine Beetle Jeffrey Pine Beetle	Ponderosa Pine Jeffrey Pine	Sanitation-salvage cuttings and salvage of infested trees
2 Miami Creek	Mariposa and Madera Cos	10,000	Mountain Pine Beetle	Sugar Pine	Salvage of merchantable trees and spray with toxic oils
3 Latour	Shasta Co	1,660	Mountain Pine Beetle	Sugar Pine	Salvage infested trees
Young Pine Plantations					
4 Burney Brushfield Plantation	Shasta Co	500	Pine Reproduction Weevil	Ponderosa Pine Jeffrey Pine	Aerial application of DDT in oil
5 Shasta Brushfield Plantation	Siskiyou Co	2,000	Pine Reproduction Weevil	Ponderosa Pine Jeffrey Pine	Aerial application of DDT in oil
National Parks					
6 Yosemite	Mariposa and Tuolumne Cos	10,000	Western Pine Beetle Mountain Pine Beetle	Ponderosa Pine Sugar Pine	Maintenance control Fell-Peel-Burn
7 Sequoia-Kings Canyon	Fresno and Tulare Cos	8,500	Western Pine Beetle Mountain Pine Beetle	Ponderosa Pine Sugar Pine	Maintenance control Fell-Peel-Burn
8 Lassen Volcanic	Shasta-Lassen Plumas Cos	5,000	Jeffrey Pine Beetle Western Pine Beetle	Jeffrey Pine Ponderosa Pine	Maintenance control Fell-Peel-Burn

CURRENT FOREST INSECT CONDITIONS REQUIRING CONTROL ACTION—Continued

Project area	Location	Infested acreage	Insect species causing loss	Host tree killed	Control action recommended
Forest Recreational Areas					
9 Reds Meadow	Inyo N F	700	Mountain Pine Beetle	Lodgepole Pine	Spray with toxic oils
10 Blue Lake	Lassen Co.	500	Western Pine Beetle	Ponderosa Pine	Salvage infested trees
11 Cobb Mtn	Lake Co	1,000	Western Pine Beetle IPS Engraver Beetle	Ponderosa Pine	Fell-Peel-Burn
12 Bass Lake	Fresno Co	7,000	Western Pine Beetle	Ponderosa Pine	Fell-Peel-Burn and salvage
13 Arrowhead-Crestline	San Bernardino Co	3,200	Western Pine Beetle IPS Engraver Beetle	Ponderosa Pine Coulter Pine	Maintenance control, Fell-Peel-Burn or spray with toxic oils
14 Idyllwild-San Jacinto	Riverside Co	1,800	Western Pine Beetle IPS Engraver Beetle	Ponderosa Pine Coulter Pine	Maintenance control, Fell-Peel-Burn or spray with toxic oils
15 Julian-Cuyamaca	San Diego Co	7,000	Western Pine Beetle IPS Engraver Beetle	Ponderosa Pine Coulter Pine	Fell-Peel-Burn and salvage
16 Barton Flats	San Bernardino Co	12,500	Western Pine Beetle Jeffrey Pine Beetle	Ponderosa Pine Jeffrey Pine	Sanitation-Salvage cutting and salvage of infested trees
17 Laguna Mtn	San Diego Co	10,000	Western Pine Beetle IPS Engraver Beetle	Coulter Pine Jeffrey Pine	Maintenance control, Fell-Peel-Burn or spray with toxic oils.
18 Corte Madera	San Diego Co	2,700	Western Pine Beetle IPS Engraver Beetle	Coulter Pine Ponderosa Pine	Maintenance control, Fell-Peel-Burn or spray with toxic oils
19 Crystal Lake Charlton Flat	Los Angeles Co	1,500	Western Pine Beetle IPS Engraver Beetle	Ponderosa Pine	Maintenance control, Fell-Peel-Burn or spray with toxic oils
20 Big Pines	Los Angeles Co	8,000	Mountain Pine Beetle	Sugar Pine	Maintenance control, Fell-Peel-Burn
21 Figueroa Mtn	Santa Barbara Co	1,500	Western Pine Beetle	Ponderosa Pine Coulter Pine	Maintenance control, Fell-Peel-Burn or spray with toxic oils

Figure 1.


PINE TIMBER
KILLED BY BARK BEETLES
IN CALIFORNIA
1925—1951
MILLION BOARD FEET
1500
1000
500
0
1925
1930
1935
1940
1945
1950

THE COOPERATIVE FOREST INSECT DETECTION PROGRAM IN CALIFORNIA

In past years, the organized job of forest insect surveys in California has been undertaken by the Forest Insect Laboratory of the Bureau of Entomology and Plant Quarantine, U S Department of Agriculture, with cooperation in some seasons, and in varying degrees, by other agencies, public and private These forest insect surveys have been directed almost entirely to the needs for control of tree-killing bark beetles throughout the pine region They have been pointed specifically towards obtaining information on areas where control has been justified from the standpoint of lumber, recreation, or esthetic values, and where the landowner has been interested in providing for protection should the insect situation warrant control action Recently, the need for protecting forest croplands against the ravages of insects and diseases prompted Congress to enact legislation to provide for the protection of the Nation's forests against such pests By passage of the Forest Pest Control Act, Public Law 110, Eightieth Congress, the Secretary of Agriculture instructed the Bureau of Entomology and Plant Quarantine, in cooperation with other federal, state, and private agencies, to expand surveys to detect and appraise forest insect infestations and determine measures needed for their control

The attention of forest industries and the State and private forest protective agencies became focused upon the importance and the potential destructiveness of forest insect pests in the western states by such devastations as the estimated 4 3 billion board feet of spruce that recently has been killed in Colorado by the ravages of the Engelmann spruce beetle, and the current defoliation and threatened loss of some 2 1 million acres of Douglas-fir timber in Oregon and Washington by the spruce budworm. The forest industries recognized the severe limitations placed upon attainment of adequate surveys to detect incipient outbreaks of forest insects for the entire acreage of timber croplands in California by the limited survey staff of the Berkeley Forest Insect Laboratory and proposed to strengthen the initial detection phases of the forest insect survey by enlisting cooperation on the part of all forest workers

During June, 1951, the Western Pine Association sponsored two survey training schools which were conducted by the Bureau of Entomology and Plant Quarantine at Sacramento and Redding to initiate private foresters, timber cruisers, forest rangers, and other persons employed in forested areas in the recognition of all major forest insect pests and to formulate plans for the expanded cooperative forest insect detection survey program throughout the State Convenient field reporting forms were supplied to all persons participating in the cooperative insect detection survey in order that incipient outbreaks noted by any individual during the course of the survey season could be submitted promptly to the Forest Insect Laboratory All such reports received were given prompt attention and, where deemed necessary field checks were made by expert entomologists to appraise the seriousness of the situation and to determine possible needs for control Field reports of incipient outbreaks were later supplemented by a narrative accounting of the seasonal

loss conditions, based in part on information obtained by plot sampling, and finally, to insure against any situation having escaped notice during the year, an extensive aerial reconnaissance was made in late October. During the course of the aerial observations, every effort was made to enlist the services of cooperators to view their holdings for a final check on the status of infestations in all areas

The response to the cooperative forest insect detection program was far beyond original expectations A total of 113 individuals attended the training schools and a majority of these people subsequently pledged themselves as detectors of forest insect pests Through the cooperative action by most all of the land-managing agencies, the land-owners, and the Forest Insect Laboratory, the survey program was carried out so as to provide all of the necessary information for the action program to keep tree mortality at an irreducible minimum in all areas

The nature and extent of survey participation by the cooperating public and private foresters was as follows:

Agency cooperating	*Attendance at training schools*	*Man-days expended*	*Survey reports submitted*
Private	53	293	36
State	26	153	13
Federal	34	751	27
Total	113	1,197	76

STATUS OF THE MAJOR FOREST INSECT PESTS IN CALIFORNIA DURING 1951

1 *The Western Pine Beetle (Dendroctonus brevicomis)* In contrast to this beetle's activity in the central forest areas of the State during 1950, heavy killing of ponderosa pine is now concentrated in northern California The rate of loss occurring throughout most of the virgin old-growth pine in northeastern California has raised the over-all volume of timber killed by this insect to a level higher than any single year since 1940 Survey reports from the northern pine areas indicate that current gross losses are averaging 150 board feet per acre

Although tree-killing by this insect in some of southern California's recreational areas has responded to the determined control program initiated in that region during the past several years, some localities continue to display severe infestations in Coulter and ponderosa pine Efforts at control have been complicated by seven years of cumulative drought and the intense use of the timbered areas by an increasing number of people

2 *The Mountain Pine Beetle (Dendroctonus monticolae)* This forest pest assumed a new and serious role as a tree-killer this year when, for the first time, its numbers attacked and killed many hundreds of vigorous young second-growth sugar pines in several places along the westside Sierra The most severe infestation occurred in young stands throughout the Miami Creek Drainage of the Sierra National Forest and in Yosemite National Park Under present conditions favoring mountain pine beetle infestations, it is questionable whether heavy stands of young sugar pine can be managed to maturity In its newer and more destructive role, this beetle will come in for a larger share of attention in the coming years

This year also saw an extension of the spectacular group-killing of ponderosa pine caused by this insect along the northeast shore of Lake

Tahoe where an estimated 1 000 immature trees were killed last year A late season field-check of this infestation indicated that improved stand vigor may result in slowing the serious rate of loss in this area.

3 *The Jeffrey Pine Beetle (Dendroctonus jeffreyi).* This bark beetle is specific in attacks on Jeffrey pine, hence is limited in its range to the occurrence of the host tree It was relatively obscure throughout the region during the year except for a concentration of tree-killing amounting to approximately 75 board feet per acre throughout the eastside ponderosa and Jeffrey pine areas, and in association with flathead borers, killed singled and scattered Jeffrey pines in local recreational areas of southern California

4 *The Pine Engraver Beetles (Ips spp.)* Reduced tree-killing by these insects was observed throughout the State this year Populations of these beetles vary with changes in climate and the abundance and condition of logging slash in which they breed before emerging to attack young pines It is apparent that these factors were unfavorable to their buildup over most of the State this past season, and outbreaks were confined locally to ponderosa pine in reserve stands of northern California and a few recreational areas of southern California

5 *The Fir Engraver Beetle (Scolytus ventralis)* Evidences of the abundance of this pest were noted throughout most of the mixed conifer stands of the State where white fir was killed in groups of small trees and in a scattering of large trees Killing was most severe in the higher elevations of the eastside Sierra subregion, but also occurred in local areas in southern California

6 *The Douglas Fir Beetle (Dendroctonus pseudotsugae)* This beetle suddenly came to the forefront as one of California's problem insects this year in the Douglas fir stands of the northern Sierra and coast regions No extensive infestations caused by this beetle had heretofore been reported in the State and it was something of a surprise when the cooperative detection surveys revealed group killing in many localities. One enormous group somewhat in excess of 200,000 board feet of mature Douglas fir was killed on a private holding in Shasta County Fortunately, these trees were close to a road and the owner is effecting prompt suppressive measures by salvaging the infested trees

7 *The California Flathead Borer (Melanophila californica)* This insect is often responsible for the progressive weakening and killing of both ponderosa and Jeffrey pines and is found in incipient stages in most all trees in some localities The nature of development of flathead broods in their host trees often leads to a subsequent attack by bark beetles, but many times these flathead borers kill trees without the association of other insects Tree killing, resulting from flathead borer infestations, occurred in a scattered pattern throughout most of the east side pine reserve stands, particularly in portions of Lassen and Plumas Counties

8 *The Pine Reproduction Weevil (Cylindrocopturus eatoni)* New outbreaks of this major pest to young pine plantations occurred during the year in the Burney and Shasta brushfield pine plantations and resulted in the killing of large numbers of young trees Large investments have been made in past years in attempts to reforest these areas

9 *The Lodgepole Needleminer (Recurvaria milleri)* An infestation of this insect has occurred in local areas at the headwaters of the Kings

River and in the high-elevation lodgepole pine stands of Yosemite National Park for several years without causing extensive tree killing Because of the high elevations and difficult terrain, little or no control was ever attempted A virus infection of the larval broods and a high incidence of parasitism occurred during 1951 which reduced populations, thus minimizing the seriousness of these infestations.

10 *Sawflies (Neodiprion* spp) Sawfly outbreaks occurred in numerous localities throughout Central California during the year and resulted in heavy defoliation of both pine and fir species Except for the damage caused to red and white fir Christmas tree stock, these outbreaks are not overly serious since they are generally short lived and death of the infested trees only results after many repeated attacks or by subsequent invasion of the weakened stands by bark beetles

11 *The Spruce Budworm (Choristoneura fumiferana)* This potentially destructive insect has been known to occur in endemic conditions throughout the white fir stands of the Warner Mountains in Modoc County for many years The status of the pest was unchanged during 1951 with only a limited amount of defoliation occurring during the early spring months

12 *Grasshoppers* (spp unknown) Past attempts to regenerate pine on a local area of 700 acres in Siskiyou County have failed because of heavy grasshopper feeding on young planted pines The populations of grasshoppers during 1951 were severe and plantings again failed in this area.

13 *The Red Turpentine Beetle (Dendroctonus valens)* This insect occurred in abundance during 1951 and seemingly was responsible for the death of many trees in one local area in Southern California Usually this bark beetle is considered a minor species as to amount of damage caused to standing trees

THE CALIFORNIA FOREST PEST CONTROL ACTION COUNCIL

On March 20, 1951, the Western Pine Association California Forest Practice Committee met in Sacramento and organized a Forest Pest Control Action Council for California Members of the council were named representing different land managing and forest protective agencies throughout the State On October 17, 1951 the California State Board of Forestry officially recognized this council as its advisory group on forest insect and disease problems The purpose of this advisory council is to coordinate the work of forest pest control in California and to endorse and support desirable control programs, particularly where state and private owners are involved Members of the council met in Sacramento on October 29 to consider the regional infestation conditions and the action program needed for the winter period of 1951-1952 During this meeting, the Berkeley Forest Insect Laboratory presented a summary of the regional forest insect infestation conditions to the council This summary was obtained by piecing together all of the information gathered from the cooperators' season-end reports, findings by bureau survey parties, and extensive aerial reconnaissance The control action council approved and endorsed the regional insect control needs as listed in the the following section

THE CONTROL ACTION PROGRAM NEEDED IN CALIFORNIA DURING 1952

Many of the forest insect outbreaks which occurred in California during 1950 were suppressed by control action on the part of forest protective agencies early in 1951 However, several new outbreaks make prompt action necessary again this year.

Commercial Timberlands

1 *The Western Pine Beetle* The selective removal of high-risk trees from the pine stands of northeastern California provides a long-term solution to this bark-beetle control program The removal of a small percentage of the stand volume in the form of high-risk trees through sanitation-salvage cuttings has been progressing rapidly over these susceptible stands during the past 13 years This season, losses in overly mature stands rose sharply and, pending the time when sanitation-salvage cuttings will have covered all virgin areas, great financial loss to timber owners will result The alternative to this great waste is a combined salvage and control program The gentle topography of the affected areas lends itself to a flexible salvage program By utilizing light logging equipment capable of leaving established roads to reach the scattered infested trees, and self-loading trucks (see Figure 3, page 12), the logs can be loaded preparatory to their being hauled directly to mills or to some central collecting place where they can be transferred to larger vehicles for economy on long hauls This is the program agreed upon by the Forest Pest Control Action Council as most nearly meeting this serious situation

2 *The Mountain Pine Beetle* Within the Sierra National Forest, including a large segment of private ownership, a high-site area which was cut over about 1905 has become restocked with a heavy stand of sugar pine This year an infestation of mountain pine beetle has become established in these young vigorous trees and threatens to destroy the major part of this second-growth sugar pine As many as 3,100 stems per section have been killed in the center of this outbreak

Faced with this important problem, the council heartily endorsed direct action to control this infestation and recommended that every effort be made to explore the feasibility of contracting control operations and to salvage as many of the infested trees as possible Realizing that control of the current infestation would only be a stop-gap measure the council also recommended a comprehensive research study to determine forest management practices which would provide a long-term solution to this and possibly to similar future outbreaks in second-growth stands

Young Pine Plantations

1 *The Pine Reproduction Weevil* This weevil is again destructive in the Shasta and Burney brushfield plantations which are designed to restore these extensive brushfield areas to their former productivity These plantations are of great value to the reforestation program of this State and, if given protection for a few more years, they will reach immunity from further attacks by the weevils The council recommended that protection be given these areas by an aerial application of DDT

National Parks

1 *The Pine Bark Beetles* In view of the millions of tourists who visit our renowned national parks even moderate numbers of infested

trees cannot be justifiably left untreated and it is imperative that these natural beauty spots be given the protection afforded by annual maintenance control Even though the loss caused by bark beetles in these parks is somewhat less than in previous years, the action council endorsed the minimum protection program recommended by the Bureau of Entomology for this year When future conditions become favorable to a build-up of beetle populations, even a few infested trees could supply the necessary impetus for irreparable loss in giant trees which some day will be found only in these areas set aside for public enjoyment

Forest Recreation Areas

1 *The Ips Engraver Beetle and Other Bark Beetles* The rapid growth of California's population in recent years has resulted in an ever-increasing use of the State's forested areas for recreation Many of the highly used recreational sites have suffered heavy loss of valuable trees as a result of insect attacks, particularly in areas where past control efforts have been inadequate, and in southern California where severe drought, clearings for buildings, road construction, and logging with improper slash disposal have served to aggravate the bark-beetle problem Each of the State's highly developed recreational areas will require a continuance of maintenance control and the action council endorsed the control program as listed on page 444 of this report

The information presented in this report is intended to apprise all interested agencies and persons of the current forest insect conditions and the action program needed for control throughout the State A more detailed account of the status of tree-killing insects in California and the current control program may be obtained by request to the State Forester or from the Berkeley Forest Insect Laboratory, Room 29, Forestry Building, University of California, Berkeley, 4, California

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Judiciary, in Room 4202 Subject Senate Bill No 9

Tomorrow, Friday, March 28th, upon call of the chairman—

Rules.

ADJOURNMENT

At 2 28 p.m., on motion of Mr Waters, the Speaker declared the Assembly adjourned until 10 30 a m , Friday, March 28, 1952

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 28, 1952

The Assembly met at 10 30 a m
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

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

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—70

Quorum present.

MOTION

Mr Dickey moved that the prayer offered by the Chaplain, Rabbi Irving Hausman, during this morning's Regular (Budget) Session be deemed the prayer of this session, and be ordered printed in the Journal

Mr Sillman seconded the motion

Motion carried

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman

Lord Our God, we thank Thee for the goodly heritage Thou hast given us, for our democracy, our Constitution and our unalienable right to life and liberty and the pursuit of happiness May we always be worthy of this heritage May we never disappoint ourselves by neglecting or abusing it May the world never have reason to believe that our words do not equal our faith, that in our life we do not practice what we believe Like a beacon across a storm-tossed sea, may our democracy bring light and hope to a world in misery In the words of the poet

Sail on O ship of state
Sail on O union strong and great
Humanity with all its fears
With all the hopes of future years
Is hanging breathless on thy fate

AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr Clarke, by unanimous consent
Mr Cooke, by unanimous consent
Mr Crowley, by unanimous consent

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

Mr Rosenthal, by unanimous consent
Mr Silliman, by unanimous consent
Mr Babbage, by unanimous consent
Mr Hagen, by unanimous consent
Mr Waters, by unanimous consent

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered

Assembly Concurrent Resolution No 11: By Messrs Dunn, Dickey, Lincoln, Rumford, Caldecott, and Sherwin—Relative to congratulating the City of Oakland on the One-hundredth Anniversary of its incorporation

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined
Assembly Joint Resolution No 2
Assembly Joint Resolution No 13
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined
Assembly Concurrent Resolution No 9
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

MR SPEAKER Your Committee on Judiciary, to which was referred
Senate Bill No 9
Has had the same under consideration, and reports the same back with the recommendation Do pass

BROWN, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 9—An act to amend Sections 14307, 14308, and 14773, and to repeal Section 14309 of the Revenue and Taxation Code, relating to inheritance taxes including but not limited to provisions for the release thereof in cases where title to property is affected by the death of any person, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1952

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

Assembly Concurrent Resolution No 2
Assembly Concurrent Resolution No 4

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

Above resolutions ordered enrolled

SENATE CHAMBER, SACRAMENTO, March 27, 1952

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

Senate Bill No 15

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

FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was read the first time

Senate Bill No 15—An act to add Section 288 3 to the Penal Code, relating to sex offenses against children in respect to the supervision and duties of persons convicted thereof.

Referred to Committee on Judiciary

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1952

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

Senate Concurrent Resolution No 2
Senate Concurrent Resolution No 4
Senate Concurrent Resolution No 5
Senate Joint Resolution No 3

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 2—Relative to the Feather River Project and the Sacramento-San Joaquin Delta Diversion Projects

Referred to Committee on Rules

Senate Concurrent Resolution No. 4—Relative to accepting permit from the Government of the United States for the transfer of lands for the use of the Golden Gate Bridge and Highway District for the purpose of widening the San Francisco approach to the Golden Gate Bridge

Referred to Committee on Rules

Senate Concurrent Resolution No. 5—Relative to first form reclamation withdrawals of lands on stream systems in the State of California

Referred to Committee on Rules

Senate Joint Resolution No. 3—Relative to first form reclamation withdrawals of lands on stream systems in the State of California

Referred to Committee on Rules

RESOLUTIONS

The following resolutions were offered

By Mr Conrad

House Resolution No. 27

Relative to thanking Cecil B DeMille for private showing of "The Greatest Show on Earth" on March 17, 1952

WHEREAS, Cecil B DeMille is one of the finest and most renowned directors in Hollywood today, and

WHEREAS His productions are accepted and acknowledged by the general public as epics and masterpieces of the art of moviemaking, and

WHEREAS, Much of the advance made by the movie industry since its inception has been brought about by means of his skill and ability, and

WHEREAS, Not only have his productions contributed to the entertainment of audiences everywhere but they have also added much to the culture and education of our people, and

WHEREAS, Through his generosity, he has enabled the Members of the Legislature to see his latest picture, "The Greatest Show on Earth," now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby express their gratitude and appreciation to Mr DeMille for the private showing for their benefit of "The Greatest Show on Earth" on March 17, 1952

Resolution read, and ordered referred to the Committee on Rules

By Mr Connolly

House Resolution No 28

Relative to augmenting the funds of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of _____ dollars ($ _ _ _) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Health (created by House Resolution No 155, 1951 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 ordered referred to the Committee on Rules

By Mr. Hawkins

House Resolution No. 29

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No 186 (1951 General Session), is hereby authorized and directed to ascertain, study and analyze all facts relating to the need for salary increases of persons employed as janitors in the state service and of persons employed as garage attendants in the state service, and also facts relating to the desirability of classifying persons employed as janitors in the state service as "custodians"

Resolution read, and ordered referred to the Committee on Rules

By Messrs Maloney, George D Collins, Gaffney, Meyers, Berry, Brady, and McCarthy

House Resolution No. 30

Relative to the expressing of appreciation for valuable service rendered the people of the State of California and of the Twenty-first District in San Francisco by the Honorable Arthur H Connolly, Jr , during his career as a Member of the Assembly of the State of California

WHEREAS, In a special election held in the year 1947 and in the regular elections held in 1948 and 1950, there was elected to represent the Twenty-first Assembly District of San Francisco the Honorable Arthur H Connolly, Jr , and

WHEREAS, Arthur H Connolly Jr , was born in Oakland, California and received his education in Oakland and San Francisco public schools, Lowell High School, University of California at Berkeley, and Hastings College of Law, and thereupon successfully and ably practiced law from 1935 to 1942 , and

WHEREAS Arthur H Connolly, Jr , entered the Armed Services in 1942, as a Lieutenant (jg) USNR and served valiantly and courageously in the South Pacific, Atlantic, and European War Areas, returning to inactive duty in 1945 with the rank of Lieutenant Commander , and

WHEREAS, Arthur H Connolly, Jr , in 1945 resumed his law practice in San Francisco, becoming very active in fraternity, Bar Association, and civic functions, whereupon he was elected to the Assembly of the State of California in 1947 , and

WHEREAS, Arthur H Connolly, Jr , during his term of office as a Member of the Assembly, has distinguished himself as an astute student of State Government, and has endeared himself into the hearts of his colleagues by being fair, but deliberate, in meeting the many complex issues that confront the members of a legislative body , now, therefore, be it

Resolved by the Assembly of the State of California, That through the medium of this resolution we convey to Arthur H Connolly, Jr , our appreciation for the friendship, loyalty, and kindness he has displayed to his fellow members and to wish him and his lovely family good luck and God speed in the years to come and be it further

Resolved, That suitably engrossed copies of this resolution be forwarded to the Honorable Arthur H Connolly, Jr

Resolution read, and ordered referred to the Committee on Rules

By Mr Dunn

House Resolution No. 31

Relative to augmenting the funds of the Assembly Interim Committee on Education

Resolved by the Assembly of the State of California That in addition to any money heretofore made available, the sum of seven thousand dollars ($7 000) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Education (created by House Resolution No 197, 1951 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 ordered referred to the Committee on Rules

By Mr Coats·

House Resolution No. 32

Relative to salary increases of state employees

WHEREAS The Budget Bill approved by this Assembly includes funds from which salary increases to state employees may be made when justified by law , and

WHEREAS, Under the law the salaries of state employees must be fixed at levels comparable to the salaries for similar services in private employment , and

WHEREAS, The State Personnel Board in appraising all the facts bearing on salary levels and comparability may be called upon to exercise discretion, particularly in regard to salaries in the lower bracket , and

WHEREAS, It is in the public interest that the salaries of all state employees be sufficient to attract personnel of superior qualifications , now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board is advised and requested, in regard to the allowance of any general salary increases payable from the funds made available in said budget, to exercise its discretionary powers so that no employee shall receive an increase of less than $15 per month , and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Personnel Board of the State of California and to each member thereof

Resolution read, and ordered referred to the Committee on Rules

By Mr Hawkins

House Resolution No. 33

Relative to operation of the Garage in the Capitol Annex

WHEREAS, This is the first session of the Legislature at which the parking facilities of the garage in the basement of the annex to the State Capitol have been available to the Members of the Legislature, and

WHEREAS, The attendants on duty in whose custody are placed the automobiles of the various Members of the Assembly using the garage facilities are and have been most efficient, courteous and obliging in every way, and

WHEREAS, The efforts of these attendants have expedited the work of the Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their commendation and appreciation to the attendants of the Capitol Annex Garage for their courtesy and efficiency during this session of the Legislature

Resolution read, and ordered referred to the Committee on Rules

By Mr Grunsky:

House Resolution No. 34

Relative to Assemblyman Charles S Gubser

WHEREAS, Charles S Gubser, Member of the Assembly from the Twenty-ninth Assembly District, has represented his constituency in the County of Santa Clara and the people of California diligently and well during his term of office; and

WHEREAS, Charles S Gubser has announced his intention to seek office as Representative in Congress, and will thus not be returning to the Assembly after the close of the present session; and

WHEREAS, The energetic devotion to the duties of his office and the soundness of his principles have earned Charles S Gubser the respect and esteem of his colleagues in the Legislature, who will miss him as a friend and able legislator; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend Charles S Gubser for his outstanding service to the people of his district and of the State as a Member of the Legislature and hereby express their conviction that his capabilities will earn him further distinction in whatever ventures he may undertake.

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

By Mr. Kirkwood

House Resolution No. 35

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books, stationery and other printed matter at the end of the session; therefore be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed two thousand five hundred dollars ($2,500), and the State Treasurer is hereby directed to pay the same, and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him

Resolution read, and ordered referred to the Committee on Rules

By Mr. Tomlinson:

House Resolution No. 36

Resolved, That the Chief Clerk of the Assembly is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the First Extraordinary Session of the Legislature of 1952, and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the First Extraordinary Session of the Legislature of 1952, such indexing, correcting, comparing, and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the First Extraordinary Session of 1952 He shall also have charge of compiling, preparing and having printed after adjournment, a final calendar of the legislative business of the First Extraordinary Session of 1952, said calendar to comprise a history of all bills

introduced and their authors, the numbers that shall have become law, those that have been refused passage, an index to all measures introduced, and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature

When the final calendar is prepared, the Chief Clerk is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the time the Legislature is in session, provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation, and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same until the said work has been completed, and such sum shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly

Resolution read, and ordered referred to the Committee on Rules

By Mr McCarthy

House Resolution No. 37

Resolved, That the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Assembly Contingent Fund for telephone service, telegraph service, postage, supplies, bills from state departments, and other incidental expenses in completing the work of the 1952 First Extraordinary Session of the Assembly and maintaining the Assembly Chamber and offices until the convening of the next Regular Session of the Assembly, to be disbursed, after certification by the Chief Clerk of the Assembly supported by vouchers, upon warrants drawn by the Controller

Resolution read and ordered referred to the Committee on Rules

By Mr Coats

House Resolution No. 38

Relative to requesting the Assembly Committee on Manufacturing, Oil, and Mining Industry to undertake an investigation

Resolved by the Assembly of the State of California, That the Assembly Committee on Manufacturing, Oil, and Mining Industry (created by House Resolution No 156, 1951 General Session) is hereby authorized and directed to ascertain, study and analyze all facts relating to the production, utilization and conservation of natural gas, including but not limited to the interests of the State of California therein and the protection of such interests, and to report thereon to the Assembly at the 1953 General Session, including in its reports its recommendations for appropriate legislation

Resolution read, and ordered referred to the Committee on Rules

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 2—Relative to the imposition of duties on the importation of tuna fish

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—64

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Bill No. 27—An act to add Section 6 5 to an act entitled "An act to provide for the expansion of publicly supported higher education by the establishment of a state college in the City of Los Angeles, and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the system of publicly supported higher education," approved April 25, 1949 (Chapter 86, Statutes of 1949), relating to the Los Angeles State College of Applied Arts and Sciences

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—63

NOES—None

Bill ordered transmitted to the Senate

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State

Resolution read

Demand for Previous Question

Messrs Grant, Luckel Morris, McGee, and Kirkwood demanded the previous question

Demand for previous question sustained

The question being on the adoption of Assembly Constitutional Amendment No 2

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

AYES—Beck Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel Cloved, Coats, Collier, Condon, Connolly, Conrad, Davis Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky Gubser, Hahn, Hansen Hawkins, Henderson Hinckley, Hollibaugh, Kelly Kilpatrick, Kirkwood, Kloeksiem, Lanterman Lincoln, Lindsay, Lipscomb Lowrey, Luckel Maloney, McCarthy, McCollister McFall McGee, McMillan, Meyers Morris, Moss, Munnell Niehouse Parker Porter, Rumford Shaw, Sherwin Smith Stanley Stewart, and Thomas—65

NOES—George D Collins, Levering, Lyon, and Tomlinson—4

Resolution ordered transmitted to the Senate

CONSIDERATION OF HOUSE RESOLUTION NO. 21

By Mr Maloney

House Resolution No. 21

Relative to the adjournment of the Assembly in memory of the Honorable George Burke

WHEREAS The attention of the Members of the Assembly has been called to the untimely passing of the Honorable George Burke, brother of our esteemed colleague, Assemblyman Montivel Burke, and

WHEREAS, The Honorable George Burke passed away at the age of 47 and at that time was a resident of Powell, Wyoming and had been for 12 years a State Senator of the State of Wyoming and during the year 1950 was elected President of that honorable body and in that capacity acted as Governor in the absence of the Governor during periods in 1951, and

WHEREAS, The passing of the Honorable George Burke on Monday, March 24, 1952, was a shock not only to the members of his family but to the people of the state of Wyoming who thereby suffered a severe loss in the death of a good public servant and loyal American citizen, now therefore, be it

Resolved by the Assembly of the State of California That when the Assembly adjourns this day it does so out of respect to the memory of the late George Burke, and be it further

Resolved, That suitably prepared copies of this resolution be transmitted to the Honorable Montivel Burke and to Mrs George Burke, the widow of the deceased, and her three children

Resolution read, and adopted unanimously

STATEMENT

Speaker Sam L Collins stated that Mr James S Dean, the State Director of Finance, has commended Messrs Maloney and Beck for their diligent and conscientious service on the State Local Allocation Board

Speaker Collins further remarked that Messrs Maloney and Beck are two of the ablest Legislators on the floor of the Assembly and are, in his opinion, to be complimented for their service to the people of California through their work on the State Local Allocation Board

Speaker Collins added further commendation for Mr James S Dean not only for his outstanding service on said board, but for his distinguished handling of all matters pertinent to the duties of his office as State Director of Finance

REMARKS BY MR DUNN

By unanimous consent, Mr Dunn was requested to reduce his remarks relative to the State Allocation Board to writing, and that they be printed in the Journal The remarks by Mr Dunn, which were delivered on March 28th, are shown here instead of in the Journal of March 31, to retain continuity

SACRAMENTO, CALIFORNIA, March 31, 1952

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

DEAR MR OHNIMUS

RE The unanimous consent request, March 28, 1952, to reduce my remarks anent the State Allocation Board and its Chairman to writing I wish to submit the following

"I believe the members of the State Allocation Board, Mr Frank Durkee Director of Public Works, Doctor Roy Simpson, Superintendent of Public Instruction Senators Mayo and Johnson, and Assemblymen Maloney and Beck and above all the Chairman of the Board, Mr James Dean Director of Finance whom I consider to be one of the most outstanding public servants ever to serve California, have done an outstanding job in administering the State School Building Aid funds

They have considered the needs of all the unhoused school children of the State, and have recognized that while each applicant district had a different problem the local school boards were responsible public officials also These local officials perhaps having an even greater interest in providing needed class rooms for the school children for which they are responsible

Sincerely yours,

FRANCIS DUNN, JR

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 40 AND 41 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr Stanley asked for, and was granted, unanimous consent that Assembly Bills Nos 40 and 41 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Ways and Means

RECESS

At 11 50 a m , on motion of Mr Dickey, the Assembly recessed until 4 45 p m

REASSEMBLED

At 4 45 p m , the Assembly reconvened.
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

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

The following bill was introduced, and read the first time

Assembly Bill No. 49: By Mr Sam L Collins—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 First Extraordinary Session of the Legislature, to take effect immediately

Referred to Committee on Rules

RESOLUTIONS

The following resolution was offered

By Mr Burkhalter

House Resolution No. 39

Relative to the selection of a site for the Los Angeles College of Applied Arts and Sciences

WHEREAS, Various sites for the location of the Los Angeles College of Applied Arts and Sciences have been proposed in the regions of West Los Angeles, East Los Angeles, and Glendale ; and

WHEREAS, It is of the utmost importance to select a site that will serve best the educational needs of the entire Los Angeles area and yet not interfere with the utilization of existing public educational institutions in this area , and

WHEREAS, Sites in both West and East Los Angeles are proximate to the University of California at Los Angeles and Long Beach State College, respectively, and because the selection of either one of these sites would not provide facilities for San Fernando Valley, Burbank, Glendale, and either West or East Los Angeles, depending on the particular site ; and

WHEREAS, The Glendale site is the most accessible one to both West and East Los Angeles, Hollywood, Pasadena, and the San Fernando Valley, and this site already has buildings located thereon which have been used in the past for educational purposes, buildings that could be readily utilized as temporary quarters , and

WHEREAS, The San Fernando Valley area, as well as regions east therefrom, contains over a million people, whose public educational needs are tremendous, yet no four-year public college has been established in or near this area to alleviate this distressing condition ; now, therefore, be it

Resolved by the Assembly of the State of California, That the President of the Los Angeles College of Applied Arts and Sciences, the Director of Education, and the Public Works Board be hereby respectfully urged to consider the proposed Glendale site as the most logical for the Los Angeles College of Applied Arts and Sciences ; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the Los Angeles College of Applied Arts and Sciences, the Director of Education, and to the Public Works Board

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

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

Assembly Joint Resolution No. 7

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

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

Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No. 4

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

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

Senate Joint Resolution No. 3

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 3—Relative to first form reclamation withdrawals of lands on stream systems in the State of California

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 3, of the printed measure, strike out "and are not now occupied by", and insert "not within".

Amendment No. 2

On page 1, line 13, of the printed measure, strike out " "Central Valley Project," " and insert "Central Valley Project,".

Amendment No. 3

On page 1, line 27, of said measure, after "permits", insert "and licenses"

Amendment No. 4

On page 2, line 24, of said measure, after "permits", insert "and licenses"

Amendment No. 5

On page 2, line 27, of said measure' strike out "these", and insert "such first form"

Amendment No. 6

On page 2, line 49, of said measure, strike out "that"

Amendment No. 7

On page 2, line 50, of said measure, after "States", insert "to"

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Senate Concurrent Resolution No 5

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended

SAM L COLLINS, Chairman

Above reported resolution ordered on file.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 5—Relative to first form reclamation withdrawals of lands on stream systems in the State of California.

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules·

Amendment No. 1

On page 1, line 27, of the printed measure, after "permits", insert "and licenses"

Amendment No. 2

On page 2, line 22, of said measure, strike out "development", and insert "developments"

Amendment No. 3

On page 2, line 24, of said measure, after "permits", insert "and licenses"

Amendment No. 4

On page 2, line 27, of said measure, strike out "The withdrawals", and insert "Such first form withdrawals"

Amendment No. 5

On page 2, line 28, of said measure, strike out the comma

Amendment No. 6

On page 2, line 29, of said measure, after "affected", insert "extremely"

Amendment No. 7

On page 2 of said measure, between lines 42 and 43, insert

"*Resolved*, That the Governor is requested to disapprove any project report incident to, or resulting from, such first form withdrawals, and be it further"

Amendment No. 8

On page 2, line 51, of said measure, after "Board" insert "and the Attorney General"

Amendments read, and adopted

Resolution ordered reprinted, and on file for adoption

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

MR SPEAKER Your Committee on Rules, to which were referred

House Resolution No 24
House Resolution No 27
House Resolution No 29
House Resolution No 30
House Resolution No 33
House Resolution No 34
House Resolution No 36

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

SAM L COLLINS, Chairman

Above reported resolutions ordered on file for adoption

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

Assembly Concurrent Resolution No. 9—Relative to merit awards to state employees

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—60.
NOES—None

Resolution ordered transmitted to the Senate

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 3—Relative to "I Am an American Day."

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—57
NOES—None

Resolution ordered transmitted to the Senate

Senate Bill No. 4—An act to validate, confirm, ratify and declare legally effective certain contracts between cities and housing authorities and counties and housing authorities for the acquisition from the United States of temporary war housing projects in critical defense housing areas, the operation of such projects, the use and disposal of the revenues from the operation of such projects, the sale or other disposal of the property so acquired and the termination of such projects

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant Grunsky Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Mr Speaker—58
NOES—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined,

Assembly Concurrent Resolution No. 2—Relative to appropriation of water for federal reclamation projects;

Assembly Concurrent Resolution No. 4—Relative to Mills College;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-eighth day of March, 1952, at 1 p m.

BURKE, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Today, at 2 p m —

Rules, in Lounge Room.

ADJOURNMENT

At 4 55 p m , on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 9 45 a m , Monday, March 31, 1952, out of respect to the memory of the late George Burke.

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

TWENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 31, 1952

The Assembly met at 9 45 a m

Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman

O Lord, we are all equal in Thy sight Strong and weak, rich and poor, gifted and ordinary, all have their place in the world Grant that equal opportunity may always be available, so that all men may realize the fulfillment of the best that is within them, and perform the tasks for which they are best suited May we always cherish the good in every man, and recognize the equality of value that every soul has before Thee O Lord —AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr Clarke, on motion of Mr Hansen

Mr Crowley, on motion of Mr. Hansen

Mr Cooke, on motion of Mr Hansen

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

Mr Rosenthal, on motion of Mr Beck

Mr Brady, on motion of Mr George D. Collins

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Sam L Collins, the Assembly then gave the pledge of allegiance to the Flag

COMMUNICATIONS

By the Chief Clerk.

A communication from P Lightbody of Oakland, opposing the appointment of additional men to patrol the highways was received and ordered filed with the Secretary of State

By the Chief Clerk.

A communication from James A Higgason of Elsmore, expressing enjoyment at hearing a radio program, was received, and ordered filed with the Secretary of State

By the Chief Clerk

A communication from Hal Brown, Chairman of the Board, Pacific Outdoor Advertising Company, opposing landscaped metropolitan freeways and/or the allotment of funds for that purpose, was received, and ordered filed with the Secretary of State

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time

Assembly Bill No. 50: By Mr Collier—An act to amend Section 4932 of the Education Code, relating to the unification of school districts, declaring the urgency thereof, to take effect immediately

Referred to Committee on Education

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 50

Mr Collier asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No 50

Assembly Concurrent Resolution No. 12: By Mr Levering (By Request)—Relative to the designation and appointment of Gordon W Norris as Poet Laureate of California

Referred to Committee on Rules

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Concurrent Resolution No. 12

Mr. Levering asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 12

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Joint Resolution No. 7

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1952

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

Assembly Bill No. 10

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

Above bill ordered enrolled

SENATE CHAMBER, SACRAMENTO, March 28, 1952

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

Senate Bill No. 25

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time

Senate Bill No. 25—An act authorizing the State Lands Commission to exchange property of the State of California for property in Marin County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land.

Referred to Committee on Judiciary

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1952

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

Senate Concurrent Resolution No. 6

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 6—Relative to the construction and maintenance of state highways.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1952

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

Senate Bill No 13
Senate Bill No 22
Senate Bill No 23
Senate Bill No 24
Senate Bill No 27

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time.

Senate Bill No. 13—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class

Referred to Committee on Municipal and County Government.

Senate Bill No 22—An act to create a sanitation and flood control district to be called "Vallejo Sanitation and Flood Control District"; to provide a complete and comprehensive sanitary sewerage disposal system for said district, including all works, property or structures necessary or convenient for the collection and disposal of sanitary sewerage; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district, to provide for the payment of the costs and expenses of such acquisitions and improvements, and the issuance of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments; to provide for the issuance of revenue bonds payable from revenues of any facility of the district, to provide for the establishment and administration of revolving funds to assist in the carrying out of such acquisition, work and improvements, to provide for the annexation of property to said district, to provide for the government and control of said district, to define the powers and duties of the officers thereof, to authorize the incurring of obligations, not exceeding two hundred thousand dollars ($200,000), by said district in advance of the authorization of any bonds by said district, to provide for the redemption of warrants evidencing said indebtedness, to declare the necessity for this special act, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Conservation, Planning, and Public Works

Senate Bill No. 23—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or water supply and the sale or other disposition of water, to provide for the powers of such district

necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used, to provide for the organization government and management of said district and establishing the boundaries thereof, to provide for certain powers, rights and liabilities of member units located within or partially within said district, to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district, to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district, voting and issuing and selling of bonds, the voting and levying and collection of special assessments, the levying and collection of taxes, to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds, to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act, and to empower municipalities, irrigation districts, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency

Referred to Committee on Conservation, Planning, and Public Works

Senate Bill No 24—An act to add Section 31 to the Municipal Water District Act of 1911, relating to municipal water districts comprised of land in two or more counties

Referred to Committee on Municipal and County Government

Senate Bill No. 27—An act to amend Sections 2, 4, 6, 8 and 20 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara County Flood Control and Water Conservation District

Referred to Committee on Conservation, Planning, and Public Works

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

The following resolution was offered.

Assembly Joint Resolution No 14: By Messrs Burkhalter, Beck, McGee, and Conrad—Relative to the completion of the Los Angeles and San Gabriel Rivers and Ballona Creek Flood Control Plan

Referred to Committee on Rules

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 7—Relative to retirement pay for postal employees

Resolution read

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan Meyers, Morris Munnell, Nicholson, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59

NOES—None

Resolution ordered transmitted to the Senate

RECESS

At 9 59 a m, on motion of Mr Dickey, the Assembly recessed until 10 36 a m

REASSEMBLED

At 10 36 a m, the Assembly reconvened

Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 24

By Messrs Lipscomb, Fleury McGee, Moss Stewart, Levering Rumford, and Geddes

House Resolution No. 24

Relative to a study of salary adjustments in the state civil service

WHEREAS, Numerous state positions are vacant in various classes at the present time, and

WHEREAS The payment of adequate salaries for state employees is necessary to obtain and retain competent personnel in the state service, and

WHEREAS, Competent personnel is essential to the economical and efficient operation of State Government, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, in addition to the duties imposed upon it by H R No 186 of the 1951 Regular Session is authorized and directed through an appropriate subcommittee to make a thorough study and analysis of the methods and techniques practiced by the State Personnel Board in surveying, fixing, and adjusting salaries of state employees, to determine if the intent of the Legislature as set forth in the applicable provisions of the Government Code is being carried out in the setting of salaries for state positions Auditing classes are to be used as a pilot study as considerable data has been made a matter of record in connection with hearings held on the petition of this group for pay increases

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 27

By Mr Conrad

House Resolution No 27

Relative to thanking Cecil B DeMille for private showing of "The Greatest Show on Earth" on March 17, 1952

WHEREAS Cecil B DeMille is one of the finest and most renowned directors in Hollywood today, and

WHEREAS, His productions are accepted and acknowledged by the general public as epics and masterpieces of the art of moviemaking, and

WHEREAS, Much of the advance made by the movie industry since its inception has been brought about by means of his skill and ability, and

WHEREAS, Not only have his productions contributed to the entertainment of audiences everywhere but they have also added much to the culture and education of our people, and

WHEREAS, Through his generosity, he has enabled the Members of the Legislature to see his latest picture, "The Greatest Show on Earth", now, therefore, be it

Resolved by the Assembly of the State of California That the Members of the Assembly do hereby express their gratitude and appreciation to Mr DeMille for the private showing for their benefit of "The Greatest Show on Earth" on March 17, 1952

Resolution read, and adopted unanimously

CONSIDERATION OF HOUSE RESOLUTION NO. 29

By Mr Hawkins·

House Resolution No. 29

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No 186 (1951 General Session), is hereby authorized and directed to ascertain, study and analyze all facts relating to the need for salary increases of persons employed as janitors in the state service and of persons employed as garage attendants in the state service, and also facts relating to the desirability of classifying persons employed as janitors in the state service as "custodians"

Resolution read, and adopted.

Hon. Richard H. McCollister Presiding

At 10 40 a m , Hon Richard H McCollister, Member of the Assembly from the Seventh District, presiding

CONSIDERATION OF HOUSE RESOLUTION NO. 30

By Messrs Maloney, George D Collins, Gaffney, Meyers Berry, Brady, and McCarthy

House Resolution No. 30

Relative to the expressing of appreciation for valuable service rendered the people of the State of California and of the Twenty-first District in San Francisco by the Honorable Arthur H Connolly, Jr during his career as a Member of the Assembly of the State of California

WHEREAS, In a special election held in the year 1947 and in the regular elections held in 1948 and 1950, there was elected to represent the Twenty-first Assembly District of San Francisco the Honorable Arthur H Connolly, Jr ; and

WHEREAS, Arthur H Connolly, Jr was born in Oakland, California, and received his education in Oakland and San Francisco public schools, Lowell High School, University of California at Berkeley, and Hastings College of Law, and thereupon successfully and ably practiced law from 1935 to 1942, and

WHEREAS, Arthur H Connolly, Jr entered the Armed Services in 1942, as a Lieutenant (jg) USNR and served valiantly and courageously in the South Pacific, Atlantic, and European War Areas, returning to inactive duty in 1945 with the rank of Lieutenant Commander, and

WHEREAS, Arthur H Connolly, Jr in 1945 resumed his law practice in San Francisco, becoming very active in fraternity, Bar Association, and civic functions, whereupon he was elected to the Assembly of the State of California in 1947, and

WHEREAS, Arthur H Connolly, Jr, during his term of office as a Member of the Assembly, has distinguished himself as an astute student of State Government, and has endeared himself into the hearts of his colleagues by being fair, but deliberate, in meeting the many complex issues that confront the members of a legislative body, now, therefore, be it

Resolved by the Assembly of the State of California, That through the medium of this resolution we convey to Arthur H Connolly, Jr, our appreciation for the friendship, loyalty, and kindness he has displayed to his fellow members and to wish him and his lovely family good luck and God speed in the years to come, and be it further

Resolved, That suitably engrossed copies of this resolution be forwarded to the Honorable Arthur H Connolly, Jr

Resolution read, and adopted unanimously

Speaker pro Tempore Presiding

At 10.45 a m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

CONSIDERATION OF HOUSE RESOLUTION NO. 33

By Mr. Hawkins:

House Resolution No. 33

Relative to operation of the garage in the Capitol Annex

WHEREAS, This is the first session of the Legislature at which the parking facilities of the garage in the basement of the annex to the State Capitol have been available to the Members of the Legislature, and

WHEREAS, The attendants on duty in whose custody are placed the automobiles of the various Members of the Assembly using the garage facilities are and have been most efficient, courteous, and obliging in every way, and

WHEREAS, The efforts of these attendants have expedited the work of the Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their commendation and appreciation to the attendants of the Capitol Annex garage for their courtesy and efficiency during this session of the Legislature

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 34

By Mr Grunsky

House Resolution No 34

Relative to Assemblyman Charles S Gubser

WHEREAS, Charles S Gubser, Member of the Assembly from the Twenty-ninth Assembly District, has represented his constituency in the County of Santa Clara and the people of California diligently and well during his term of office, and

WHEREAS, Charles S Gubser, has announced his intention to seek office as Representative in Congress, and will thus not be returning to the Assembly after the close of the present session, and

WHEREAS The energetic devotion to the duties of his office and the soundness of his principles have earned Charles S Gubser the respect and esteem of his colleagues in the Legislature, who will miss him as a friend and able legislator, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend Charles S Gubser for his outstanding service to the people of his district and of the State as a Member of the Legislature and hereby express their conviction that his capabilities will earn him further distinction in whatever ventures he may undertake

Resolution read, and adopted unanimously

CONSIDERATION OF HOUSE RESOLUTION NO. 36

By Mr Tomlinson

House Resolution No. 36

Resolved, That the Chief Clerk of the Assembly is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the First Extraordinary Session of the Legislature of 1952, and shall have charge of indexing correcting, comparing and proofreading and otherwise preparing the Journal and Final History of the Assembly of the First Extraordinary Session of the Legislature of 1952; such indexing, correcting, comparing, and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the First Extraordinary Session of 1952 He shall also have charge of compiling, preparing, and having printed after adjournment, a final calendar of the legislative business of the First Extraordinary Session of 1952, said calendar to comprise a history of all bills

introduced and their authors, the numbers that shall have become law; those that have been refused passage, an index to all measures introduced, and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature

When the final calendar is prepared, the Chief Clerk is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the time the Legislature is in session, provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation, and be it further

Resolved That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same until the said work has been completed, and such sums shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly

Resolution read, and adopted

THIRD READING OF SENATE BILLS

Senate Bill No. 9—An act to amend Sections 14307, 14308, and 14773, and to repeal Section 14309 of the Revenue and Taxation Code, relating to inheritance taxes, including but not limited to provisions for the release thereof in cases where title to property is affected by the death of any person, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read

Senate Bill No. 9 ordered passed on file

Senate Concurrent Resolution No. 4—Relative to accepting permit from the Government of the United States for the transfer of lands for the use of the Golden Gate Bridge and Highway District for the purpose of widening the San Francisco approach to the Golden Gate Bridge

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloved, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER Your Committee on Rules, to which were referred

House Resolution No. 35
House Resolution No 37

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption

RESOLUTIONS

The following resolution was offered

By Mr Silliman

House Resolution No. 40

Relative to augmenting the funds of the Assembly Committee on Governmental Reorganization

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to it the sum of ___ or so much thereof as may be necessary is hereby made available to the Assembly Committee on Governmental Reorganization (created by H R 203 of the 1951 Regular Session) from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules

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

The following resolution was offered

Assembly Concurrent Resolution No. 13: By Messrs Grant, Waters, Beck, Hahn, Burkhalter, Sam L Collins, Connolly, Dills, Doyle, Geddes, Lipscomb, Lyon, Morris, Munnell, and Smith—Relative to adjournment in respect to the memory of Chief Deputy District Attorney Daniel Beecher

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 20

Mr Davis asked for, and was granted, unanimous consent to take up Senate Bill No 20, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 20

Senate Bill No. 20—An act to add Section 5035 to the Education Code, relating to state school building aid.

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holbrough, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 2

Mr Hinckley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, temporarily passed on file, out of order, for purpose of amendment.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to the Feather River Project and the Sacramento-San Joaquin Delta Diversion Projects.

Resolution read

Motion to Amend

Mr Hinckley moved the adoption of the following amendment

Amendment No. 1

On page 2, lines 12 and 13, of the printed measure as amended in the Senate on March 21, 1952, strike out "and wanting of good faith"

Amendment read, and adopted

Resolution ordered reprinted, and on file for adoption

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Concurrent Resolution No. 2

Mr Hinckley asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Concurrent Resolution No 2

REQUEST FOR UNANIMOUS CONSENT

Mr McCarthy asked for, and was granted, unanimous consent to take up House Resolution No 37, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 37

By Mr McCarthy

House Resolution No. 37

Resolved, That the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Assembly Contingent Fund for telephone service, telegraph service, postage, supplies, bills from state departments, and other incidental expenses in completing the work of the 1952 First Extraordinary Session of the Assembly and maintaining the Assembly Chamber and offices until the convening of the next Regular Session of the Assembly, to be disbursed, after certification by the Chief Clerk of the Assembly supported by vouchers, upon warrants drawn by the Controller

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65

NOES—None

REQUEST FOR UNANIMOUS CONSENT

Mr Kirkwood asked for, and was granted, unanimous consent to take up House Resolution No 35, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 35

By Mr Kirkwood

House Resolution No. 35

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books, stationery and other printed matter at the end of the session, therefore be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg,

in the sum not to exceed two thousand five hundred dollars ($2,500), and the State Treasurer is hereby directed to pay the same, and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65

NOES—None.

COMMUNICATIONS

By the Chief Clerk

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

Letter of Transmittal

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA
SACRAMENTO 5, CALIFORNIA, March 28, 1952

Hon. Arthur A. Ohnimus
Clerk of the Assembly
State Capitol

DEAR MR. OHNIMUS: Transmitted herewith is a certified copy of a resolution of the Water Project Authority, adopted at the special meeting held on March 25, 1952, together with a copy of "Notice of Objections of the Water Project Authority of the State of California to Withdrawal from Public Entry of Land in the Watershed of Feather River, California," dated March 25, 1952, and addressed to Hon. Oscar L. Chapman, Secretary of the Interior.

Very truly yours,

A. D. EDMONSTON, Executive Officer

Above transmitted copy of resolution ordered referred to the Committee on Conservation, Planning, and Public Works

RESOLUTIONS

The following resolutions were offered

By Mr. Geddes:

House Resolution No. 41

Relative to augmenting the funds of the Assembly Interim Committee on Finance and Insurance

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Finance and Insurance (created by House Resolution No. 194, 1951 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 ordered referred to the Committee on Rules.

By Mr. Fleury

House Resolution No. 42

Relative to Assemblyman John E. Moss

WHEREAS, *John E. Moss, Member of the Assembly from the Ninth Assembly District*, will not be a candidate for re-election to the Legislature, and

WHEREAS, Through his boundless energy, hard work, and conscientious devotion to the interests of his constituency in Sacramento County and as a capable representative of the people of California in the Assembly, John E. Moss has earned the sincere respect and admiration of the Members of the Assembly, and

WHEREAS, The outstanding capabilities of John E Moss are illustrated by the legislation he has sponsored and by the fact that he has served on many of the most important committees of the Legislature, among which are the Assembly Standing Committees on Rules, Ways and Means, Governmental Efficiency and Economy, Civil Service and State Personnel, Conservation, Planning, and Public Works, Public Utilities and Corporations, and Education, and the Interim Committees on Legislative Process, Ways and Means, Governmental Efficiency and Economy, Education, and Fairs and Expositions, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their regret that this is the last session at which they will have the privilege of associating with John E Moss in the Legislature, and wish by this resolution to commend him for his past services to the people of the State and of his district

Resolution read, and ordered referred to the Committee on Rules

By Mr McFall

House Resolution No. 43

Relative to Assemblyman Howard Q Parker

WHEREAS, The Members of the Assembly have learned with regret that Howard Q Parker will not be a candidate for reelection to the Legislature at the 1952 elections, and

WHEREAS, In his short career in the Legislature, Howard Q Parker has often demonstrated his capabilities as a legislator and his sincere devotion to the interests of the people of his district and of the State, and

WHEREAS, Assemblyman Parker has served diligently and well as a Member of the Legislature as indicated by his record and illustrated by his membership on numerous legislative committees concerned with matters of great importance to the people of the State and of his district, among which are the Assembly Standing and Interim Committees on Education, Industrial Relations, and Transportation and Commerce, now, therefore, be it

Resolved by the Assembly of the State of California, That this capable legislator from the County of San Joaquin be commended for the outstanding and valuable service he has rendered in the California Legislature to the people of his district and of the State, and be it further

Resolved, That the Members of the Assembly extend to Howard Q Parker, friend and colleague, their best wishes for continued success and achievement in whatever future ventures he may undertake

Resolution read, and ordered referred to the Committee on Rules

By Messrs Conrad and Klocksiem

House Resolution No. 44

Relative to Assemblyman William S Grant

WHEREAS, William S Grant, Assemblyman from the Seventieth District in Long Beach, has announced that he will not seek re-election to the Legislature; and

WHEREAS, This session of the Legislature is the last at which the Members of the Assembly will be privileged to work and associate with Bill Grant in the Legislature, and

WHEREAS, Bill Grant has distinguished himself in his five years in the Legislature by his capable representation of the interests of the people of his district and of the State, and

WHEREAS, Bill Grant has devoted much time and energy to valuable service on important committees of the Legislature, including the Assembly Standing Committees on Manufacturing, Oil, and Mining Industry, Military Affairs, Public Health; Public Utilities and Corporations, and the Interim Committees on Military Affairs (Vice Chairman); Manufacturing, Oil, and Mining Industry, Public Health, Public Utilities and Corporations, and

WHEREAS, The affable Assemblyman from the Seventieth District will be missed by his many friends within and associated with the California Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby commend Bill Grant for his capable and energetic execution of the duties and responsibilities of his office and for the service he has performed for the State and for his district in the Legislature and wish him Godspeed and success in whatever future ventures he may undertake, and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to deliver a suitably engrossed copy of this resolution to the Honorable William S Grant

Resolution read, and ordered referred to the Committee on Rules

By Mr Chapel

House Resolution No. 45

Relative to the passing of Terry McGinnis

WHEREAS, Terry McGinnis, known to wrestling and television fans as the "Mayor of Westchester" was called to his heavenly rest on March 30, 1952 at the comparatively early age of 41, and

WHEREAS, He was a leader in social, religious, fraternal and commercial activities in Westchester and its neighboring cities in Los Angeles County, and

WHEREAS, His exemplary life and the example which it furnishes deserve recognition by the people of this State, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of this State expresses its regrets on the untimely death of Terry McGinnis, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the family of Terry McGinnis

Resolution read, and ordered referred to the Committee on Rules

By Mr Lowrey

House Resolution No. 46

WHEREAS, Harlan Hagen has served the State and the people of his district in an outstanding manner since his election to the Assembly in 1948, and

WHEREAS, During his service in the Assembly he has consistently exhibited an unusual knowledge and appreciation of the problems of the State and its people, and has devoted his time intelligence and energy to the welfare of the people and the solution of those problems, and

WHEREAS, Harlan Hagen is now seeking office as a U S Congressman from the Fourteenth Congressional District and thus will not be returning to the State Legislature; and

WHEREAS, The esteem and affection which his conduct and ability have earned for him cause the Assembly to regret the fact that his intelligence and analytical mind will be lost to future sessions of this body, now therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend their heartiest congratulations and commendations to Harlan Hagen for his outstanding services to this Assembly, to the State and to the people of his district, and hereby express the conviction that his capabilities will earn him further distinction in whatever venture he may undertake

Resolution read, and ordered referred to the Committee on Rules

By Messrs Brady, Connolly, Maloney, Berry Gaffney, Meyers, and George D Collins:

House Resolution No 47

Relative to Assemblyman Robert I McCarthy

WHEREAS, Honorable Robert I McCarthy, Assemblyman from the Twenty-fifth District in San Francisco, will not seek re-election to the Legislature because of the necessity of devoting more time to his thriving practice of the law, and

WHEREAS This session of the Legislature is the last at which the Members of the Assembly will be privileged to work and associate with Bob McCarthy, this excellent orator and gentleman who has endeared himself to his fellow members by his great knowledge of the duties of a legislator, and

WHEREAS, Bob McCarthy has distinguished himself during his terms in the Legislature by his capable representation of the interests of the people of his district in San Francisco and of all the people of California, and

WHEREAS, Robert I McCarthy has brought honor to the name of McCarthy, to his father and mother, Mr and Mrs Robert McCarthy, to his wife, Betty, and the four lovely little girls, including the McCarthy twins, by his diligence and devotion to duty, and

WHEREAS, Bob McCarthy has devoted much time and energy to valuable service on important committees of the Legislature, including the Assembly Standing Committees on Education, Governmental Efficiency and Economy, Judiciary, Revenue and Taxation, Rules, Ways and Means, and the Interim Committees on Governmental Efficiency and Economy, Inter-House Cooperation, Judicial System and Judicial Process, Military and Veterans Affairs, State Capitol, Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Trans-Bay Crossings, Legislative Process, and

WHEREAS, The affable Assemblyman from the Twenty-fifth District will be missed by his colleagues in the State Assembly and his many friends within and associated with the California Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby commend Bob McCarthy for his capable and energetic execution of the duties and responsibilities of his office and for the service he has rendered the State and his district in the Legislature and wish him Godspeed and success in whatever future ventures he may undertake; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to have suitably engrossed copies of this resolution presented to Honorable and Mrs Robert I McCarthy and to the father and mother of Assemblyman McCarthy, Mr and Mrs Robert McCarthy of San Francisco

Resolution read, and ordered referred to the Committee on Rules

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

The following resolutions were offered

Assembly Joint Resolution No. 15: By Messrs Lowrey, Coats, Moss, and Henderson—Relative to memorializing the Congress of the United States to suspend the importation of ladino clover seed

Referred to Committee on Rules

Assembly Joint Resolution No. 16: By Messrs Dickey, Cloyed, Luckel, and Mrs Nicholson—Relative to sanitary facilities in border cities

Referred to Committee on Rules

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Joint Resolution No. 16

Mr Dickey asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Joint Resolution No 16

Assembly Concurrent Resolution No. 14: By Mr Sam L Collins—Relative to adjournment sine die of the 1952 First Extraordinary Session of the Legislature of the State of California

Referred to Committee on Rules

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Concurrent Resolution No. 14

Mr Sam L Collins asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No 14

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER: Your Committee on Education 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 do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 47—An act to add Sections 5153 6, 7000 1, 7036 5, and 7123 1 to the Education Code, to amend Sections 5153 3, 7011, 7035, 7037 1, 7037 2, 7036, 7091, 7109 1, 7109 2, 7109 3, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for

all purposes, all relating to the Public School System, 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 Education

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Sections 7000 1, 7000 2, 7000 3, 7036 5, 7111 1, 7114 1, 7116 1, and 7118 to the Education Code, to amend Sections 5153 3, 7035, 7036, 7037 1, 7037 2, 7091, 7109 2, 7109 3, 7111, 7114, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System"

Amendment No. 2

On page 1, line 14, of said bill, strike out "One-third of the", and insert "The"

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 5, inclusive, and insert

"(e) The amounts allowed school districts by the Superintendent of Public Instruction under Sections 7111 1, 7114 1, 7116 1, and 7118

(f) One million six hundred thousand dollars ($1,600,000) for apportionment to elementary school districts"

Amendment No. 4

On page 2, line 6, of said bill, strike out "SEC 3", and insert

"SEC 2"

Amendment No. 5

On page 2 of said bill, strike out lines 14 to 29, inclusive, and insert "would, if the current tax rate, as defined in Section 7000 2, of such district were levied on such added amount, produce or will produce in the Fiscal Year 1951-1952 40 percent, in the Fiscal Year 1952-1953 60 percent, and in the Fiscal Year 1953-1954 and in each fiscal year thereafter 80 percent of the equivalent of all federal funds, as such federal funds are defined in Section 7000 3, received or to be received by such district for the fiscal year for which such added amount was determined"

Amendment No. 6

On page 2, line 30, of said bill, strike out 'financial assistance", and insert 'amount of federal funds'

Amendment No. 7

On page 2, lines 31 and 32, of said bill, strike out "on account of financial burdens placed on the district by the United States'

Amendment No. 8

On page 2, line 37, of said bill, strike out 'financial assistance", and insert 'federal funds"

Amendment No. 9

On page 2 of said bill, strike out lines 41 to 50, inclusive, and insert

"SEC 3 Section 7000 2 is added to said code, to read

7000 2 "Current tax rate" as used in Section 7000 1 shall mean the total of the rates of school district taxes levied for any school district and rates of municipal taxes levied for school purposes of such district in the fiscal year for which such added amount of assessed valuation is determined on each one hundred dollars ($100) of assessed valuation within the district or municipality, as the case may be, other than rates of tax levied under Sections 4963, 5063, 6357 2, 7516 and 19613 6

SEC 4 Section 7000 3 is added to said code, to read

7000 3. "Federal funds" as used in Section 7000 1 means the total amount the United States Commissioner of Education has determined the district is entitled to for a fiscal year under Section 3, except subsection (g) thereof, and exclusive of increases in local contribution rates made because of unusual geographic factors, and under subsection (c) of Section 5, of the act of Congress entitled 'An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874-81st Congress) or under any similar provisions of any other act of Congress"

Amendment No. 10

On page 3, line 17, of said bill, strike out "eighty-three", and insert "eighty-two"

Amendment No. 11

On page 5 of said bill, strike out lines 7 to 30, inclusive

Amendment No. 12

On page 5, line 31, of said bill, strike out "SEC. 12." and insert "SEC. 11."

Amendment No. 13

On page 5 of said bill, strike out lines 40 to 45, inclusive, and insert "except that"

Amendment No. 14

On page 5, line 50, of said bill, strike out "a", and insert "the first"

Amendment No. 15

On page 6, line 5, of said bill, strike out "7123.1", and insert "7118"

Amendment No. 16

On page 6 of said bill, between lines 9 and 10, insert

"The Superintendent of Public Instruction shall apportion to each school district for each unit by which the average daily attendance for the second period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the current fiscal year as basic state aid and state equalization aid, plus the amount added under Section 7118 to the amounts so apportioned, by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of the difference between 175 and the days maintained during the first period of the then current fiscal year to 175, except that for the second period of the Fiscal Year 1951-1952 the amount computed shall be multiplied by the ratio of the days maintained during the second period of the then current fiscal year to 175."

Amendment No. 17

On page 6, line 10, of said bill, strike out "SEC. 13.", and insert "SEC. 12."

Amendment No. 18

On page 6 of said bill, strike out lines 18 to 25, inclusive, and insert "sion, except that the computation of a day of"

Amendment No. 19

On page 6, line 30, of said bill, after "puted", insert "for the first period of the then current fiscal year"

Amendment No. 20

On page 6, line 36, of said bill, strike out "7123.1", and insert "7118"

Amendment No. 21

On page 6, line 39, of said bill, strike out "7123.1", and insert "7118"

Amendment No. 22

On page 6 of said bill, between lines 42 and 43, insert

"The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed for the second period of the then current fiscal year an amount determined by dividing the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance, plus the amounts which would have been added under Section 7118 to the amounts so apportioned had the district been in existence for all purposes during the preceding fiscal year and had the tax required to be levied for such district under Sections 7095 and 7118 been levied, by such average daily attendance multiplied by the ratio of the difference between 175 and the days maintained during the first period of the then current fiscal year to 175, except that for the second period of the Fiscal Year 1951-1952 the amount computed shall be multiplied by the ratio of the days maintained during the second period of the then current fiscal year to 175."

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 inclosed within brackets

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Amendment No. 23

On page 6, lines 45 and 46, of said bill, strike out "Section 7095 is not applicable to districts coming within this section.", and insert

"SEC 13 Section 7111 of said code is amended to read

7111 If the total amount allowed from the State School Fund to all elementary school districts and to all county school service funds under Articles 5, 6 and 10 of this chapter on account of the average daily attendance of pupils in elementary school districts and in schools or classes of elementary school grade maintained by county superintendents of schools, is less than the total amount provided in the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus three-fourths of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to elementary school districts receiving state equalization aid during the then current fiscal year *in proportion to the units of average daily attendance in each such district during the preceding fiscal year as computed under Chapter 14 of this division* [The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all elementary school districts, multiplied by the amount of equalization aid computed for the district.]

SEC 14 Section 7111 1 is added to said code, to read

7111 1 If an allowance is made under Section 7111 to elementary school districts receiving state equalization aid the Superintendent of Public Instruction shall allow to each elementary school district not receiving state equalization aid an amount which would have been allowed for each such district under Articles 6 and 10 of this chapter had the foundation program provided in Article 4 of this chapter been increased by the amount of the balance computed under Section 7111 divided by the average daily attendance during the preceding fiscal year as computed under Chapter 14 of this division in all districts receiving state equalization aid Amounts apportioned under this section are not subject to Sections 7111 and 7117

SEC 15 Section 7114 of said code is amended to read

7114 If the total amount allowed from the State School Fund to all elementary school districts and to all county school service funds under Articles 5, 6 and 10 of this chapter on account of the average daily attendance of pupils in elementary school districts and in schools or classes of elementary school grade maintained by county superintendents of schools is larger than the total amount provided in the State School Fund on account of such average daily attendance minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus three-fourths of the amount allowed under Section 7003, the amount allowed each such district as State Equalization Aid from the State School Fund shall be reduced in [the ratio that the amount of the deficit bears to the total amount of equalization aid computed for the district multiplied by the amount of equalization aid computed for the district] *proportion to the units of average daily attendance in each district during the preceding fiscal year as computed under Chapter 14 of this division*

SEC 16 Section 7114 1 is added to said code, to read

7114 1 The Superintendent of Public Instruction shall then allow to each elementary school district affected by Section 7114 such amount as will when added to the amount allowed the district under Section 7114 equal ninety dollars ($90) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Chapter 14 of this division, or two thousand four hundred dollars ($2,400) whichever is the greater

SEC 17 Section 7116 1 is added to said code, to read

7116 1 If the federal funds as defined in Section 7000 3 are reduced below the total amount determined for the district for the Fiscal Year 1952-53, the Superintendent of Public Instruction shall then allow the district such additional amount as will make the total amount allowed the district equal to that which would have been allowed to the district had the reduction occurred in the preceding fiscal year"

Amendment No. 24

On page 7, line 1, of said bill, strike out "SEC 14", and insert "SEC 18"

Amendment No 25

On page 7, line 6, of said bill, strike out "45", and insert "40"

Amendment No. 26

On page 7 of said bill, strike out lines 8 to 17, inclusive, and insert

"SEC 19 Section 7118 is added to said code, to read

7118 In addition to any and all other amounts allowed under this chapter, the Superintendent of Public Instruction shall allow to each district for which there was levied under Division 3 of this code a tax not less than that set forth in Article 9 of this chapter, five dollars ($5) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Chapter 14 of this division"

Amendment No. 27

On page 7, line 18, of said bill, strike out "SEC 16", and insert "SEC 20"

Amendment No. 28

On page 7, line 27, of said bill, strike out "SEC 17", and insert "SEC 21"

Amendment No. 29

On page 7, line 30 of said bill, strike out "SEC 18", and insert "SEC 22"

Amendment No. 30

On page 7 of said bill, strike out lines 32 to 43, inclusive

Amendments read and adopted

Bill ordered reprinted and engrossed

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No 47

Mr Dunn asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No 47

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr Dunn asked for and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal, in 10 point type, as follows

LETTER OF TRANSMITTAL

ASSEMBLY CALIFORNIA LEGISLATURE, March 31, 1952

Hon Sam L Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR SPEAKER Pursuant to a resolution adopted by the Assembly Interim Committee on Education, H R 197, on December 3, 1951, I engaged Mr Chester E Gilpin, Assistant Superintendent of Orange County Schools, to make a factual study of the impact of the veterans' tax exemptions on the ability of school districts to provide local revenues for public education

I am herewith submitting this study with the suggestion that all persons truly interested in the matter of the support of public education in the State of California, particularly the representatives of our veteran organizations give the matters herein contained their most earnest study and consideration

Sincerely yours,

FRANCIS DUNN, JR, Chairman
Assembly Interim Committee on
Education, H R 197

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND STUDY BE PRINTED AS A SEPARATE DOCUMENT

Mr Dunn asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and the above mentioned study of the impact of the veterans' tax exemptions on the ability of school districts to provide local revenues for public education be printed as a separate document, and that 1,000 copies be printed

EXPLANATION OF VOTE ON ABOVE MENTIONED STUDY

We members of the Education Committee voted in committee in opposition to the printing of the study with reference to the impact of the veterans' tax exemption, as a separate document, for the reason that the study is not the result of any testimony before the committee, but rather is one prepared by an individual, and hence, does not give the veterans' side of the matter To be impartial, any such study should only be adopted that is the result of testimony before the committee from all interested parties

CHARLES EDWARD CHAPEL
PAT McGEE
KATHRYN T NIEHOUSE
H W PAT KELLY
EVERETT G BURKHALTER
EDWARD M GAFFNEY
H R KLOCKSIEM

EXPLANATION OF VOTE ON UNANIMOUS CONSENT REQUEST TO PRINT STUDY AS SEPARATE DOCUMENT AND TO PRINT 1,000 COPIES

Statement re Study of Impact of Veterans' Tax Exemption

The above study was ordered printed on March 31st as a separate document by the Assembly Education Committee During the discussion on the matter, I was appearing before the Rules Committee on a matter vitally affecting my district in connection with overhead power lines. Had I been present at the Education Committee hearing, I would have opposed the printing of the study because no testimony was taken before the committee from interested parties

JULIAN BECK

RECESS

At 11 a m , on motion of Mr McCollister the Assembly recessed until 6 30 p m .

REASSEMBLED

At 6 30 p m , the Assembly reconvened
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

RECESS

At 6 31 p m , on motion of Mr Hollibaugh, the Assembly recessed until 8.45 p m

REASSEMBLED

At 8 45 p m , the Assembly reconvened
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31 1952

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

Senate Concurrent Resolution No 7

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read

Senate Concurrent Resolution No 7—Relative to appointing a joint committee to take the necessary action to insure that the Sacramento Solons have a successful year in 1952

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1952

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

Senate Bill No 26

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time

Senate Bill No. 26—An act to amend Section 34 of the State Water Resources Act of 1945, relating to the description of the plan of improvement for flood control on Littlejohn Creek

Referred to Committee on Conservation Planning, and Public Works

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1952

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

Senate Bill No 28

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time

Senate Bill No. 28—An act to add Section 5052 1 to the Education Code, relating to state school building aid

Referred to Committee on Education

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1952

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

Assembly Bill No 15
Assembly Bill No 28
Assembly Bill No 31

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

Above bills ordered enrolled

SENATE CHAMBER SACRAMENTO, March 31, 1952

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

Assembly Bill No 32

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

Above bill ordered enrolled

SENATE CHAMBER, SACRAMENTO, March 31, 1952

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

Senate Concurrent Resolution No 3

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

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER Your Committee on Judiciary, to which was referred

Senate Bill No 25

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

BROWN Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 25—An act authorizing the State Lands Commission to exchange property of the State of California for property in Marin County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land

Bill read second time, and ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER Your Committee on Rules, to which were referred

House Resolution No 43
House Resolution No 44
House Resolution No 46
House Resolution No 47

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

SAM L COLLINS, Chairman

Above reported resolutions ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER Your Committee on Rules, to which was referred

House Resolution No 42

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

SAM L COLLINS, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Senate Constitutional Amendment No 2

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

SAM L COLLINS, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 11

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Rules, to which was referred, Assembly Bill No. 49

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

SAM L. COLLINS, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 49—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 First Extraordinary Session of the Legislature, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 10—An act to repeal Chapter 1717 of the Statutes of 1951, relating to the validation of the West Side County Water District,

And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1952, at 1 p.m.

BURKE, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

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

Assembly Bill No. 43
Assembly Bill No. 44
Assembly Bill No. 45

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

BROWN, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 43—An act to amend Section 1 of, and to add Section 2 to, an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the Municipal Court of the City of San Bernardino.

Bill read second time, and ordered engrossed

Assembly Bill No. 44—An act to add Section 2 to an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to fees in such court

Bill read second time, and ordered engrossed

Assembly Bill No. 45—An act to amend Section 1 of an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches thereof

Bill read second time and ordered engrossed

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

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

Senate Bill No. 22
Senate Bill No. 27

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

DICKEY, Chairman

Above reported bills ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 22—An act to create a sanitation and flood control district to be called "Vallejo Sanitation and Flood Control District", to provide a complete and comprehensive sanitary sewerage disposal system for said district, including all works, property or structures necessary or convenient for the collection and disposal of sanitary sewerage, to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district, to provide for the payment of the costs and expenses of such acquisitions and improvements and the issuance of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments to provide for the issuance of revenue bonds payable from revenues of any facility of the district, to provide for the establishment and administration of revolving funds to assist in the carrying out of such acquisition, work and improvements, to provide for the annexation of property to said district, to provide for the government and control of said district, to define the powers and duties of the officers thereof, to authorize the incurring of obligations not exceeding two hundred thousand dollars, by said district in advance of the authorization of any bonds by said district, to provide for the redemption of warrants evidencing said indebtedness, to declare the necessity for this special act, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Senate Bill No. 27—An act to amend Sections 2, 4, 6, 8 and 20 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara County Flood Control and Water Conservation District

Bill read second time, and ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

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

Senate Bill No 13
Senate Bill No 24

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

STANLEY, Chairman

Above reported bills ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 13—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class

Bill read second time, and ordered to third reading

Senate Bill No. 24—An act to add Section 31 to the Municipal Water District Act of 1911, relating to municipal water districts comprised of land in two or more counties

Bill read second time and ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

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

Assembly Bill No 48
Assembly Bill No 50

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

DUNN, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 48—An act to amend Section 14744 of the Education Code relating to continuation of membership in school district retirement plans after discontinuance of service and declaring the urgency thereof, to take effect immediately

Bill read second time and ordered engrossed

Assembly Bill No. 50—An act to amend Section 4932 of the Education Code, relating to the unification of school districts, declaring the urgency thereof to take effect immediately

Bill read second time and ordered engrossed

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr Sherwin asked for and was granted, unanimous consent that an opinion from the Legislative Counsel relative to San Francisco Bay Crossings (No 1694) be ordered printed in the Journal in 10 point type, as follows

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 31, 1952

Honorable Marvin Sherwin
Assembly Chamber

SAN FRANCISCO BAY CROSSINGS—NO 1694

DEAR MR SHERWIN:

Question

You have asked us whether Assembly Bill No 33, as amended March 28, 1952, requires the California Toll Bridge Authority to proceed with the construction of the Southern Crossing by bonding the existing San Francisco-Oakland Bay Bridge regardless of cost, interest rate on financing, rate of toll that may be required, period the toll will be required, and amount of traffic relief that will accrue to the existing structure

You have also asked whether this bill gives any power of determination to the California Toll Bridge Authority or any other agency if these factors are unfavorable

Opinion

In our opinion, the answer to the first question is in the affirmative and to the second question is in the negative, although the authority is required by the bill to adopt a method of financing deemed most desirable from the standpoint of interest costs and bond terms which will be such that the best facility designed to meet traffic needs will be constructed at the lowest possible cost

Analysis

As soon as surveys, plans, specifications and estimates of cost are completed for the Southern Crossing and the approaches thereto, and the project has qualified for immediate construction under governmental restrictions then in effect, and as soon as all restrictions in the federal law imposing limitations upon the right of the State of California or the authority to collect tolls upon the existing San Francisco-Oakland Bay Bridge for the purpose of constructing a Southern Crossing have been deleted, the bill requires the authority to undertake the financing and construction of the Southern Crossing and the approaches as promptly as possible and without unnecessary delay (S & H C. 30656).

The only restriction which we have been able to find upon this direction is that the authority must consider the possibility of financing through a loan from the Reconstruction Finance Corporation as well as the issuance of bonds under the California Toll Bridge Authority Act (S & H C 30000-30608), and must adopt a method of financing deemed most desirable from the standpoint of interest cost, restrictions that might be imposed by the Reconstruction Finance Corporation, or any proposed bond indenture to the end that the best facility to meet traffic needs will be constructed at the lowest possible cost (S. & H. C. 30658).

It is observed that the bill requires that such financing must include the pledging of the revenues from the existing San Francisco-Oakland Bay Bridge as well as those of the Southern Crossing (S & H C 30658).

It thus appears that the Southern Crossing must be constructed regardless of cost, interest rate, rate of toll, period of toll, or traffic relief that will accrue to the existing structure, and that the only discretion which appears to be given to the California Toll Bridge Authority is that in connection with such financing, certain factors relative to the type of structure and method of financing must be considered by it.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By J. D. STRAUSS
Principal Deputy

Two copies to Honorable Richard J. Dolwig pursuant to Joint Rule 34.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 49

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sam L. Collins

Resolved, That Assembly Bill No. 49 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Cloyed, Coats, Collier, Condon, Conrad, Davis, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None

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

CONSIDERATION OF ASSEMBLY BILL NO. 49

Assembly Bill No. 49—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 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—Babbage, Belotti, Berry, Brown, Burke, Chapel, Cloyed, Coats, Collier, Condon, Conrad, Davis, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCall, McGee, McMillan, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Hollibaugh, the Journals for Monday, March 24, 1952, Tuesday, March 25, 1952, Wednesday, March 26, 1952, Thursday, March 27, 1952, and Friday, March 28, 1952, were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 13

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Concurrent Resolution No. 11

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 44
Assembly Bill No. 45
Assembly Bill No. 48
Assembly Bill No. 50

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

RESOLUTIONS

The following resolution was offered.

By Mr. Silliman.

House Resolution No. 48

Relative to severance of membership by Assemblyman Donald Lucius Grunsky

WHEREAS, Donald Lucius Grunsky, our fellow Member from the Thirty-second District, has declared his intention to forsake us by seeking membership in that select and illustrious group which sits on the southern side of the State Capitol; and

WHEREAS, Donald Lucius Grunsky has served the people of the State of California faithfully and with distinction since his first election to membership in this Assembly in 1946; and

WHEREAS, His character, probity, learning, counsel and capacity have won him the respect and admiration of us all; now, therefore, be it

Resolved by the Assembly of the State of California, That the fellow members of Donald Lucius Grunsky hereby declare that, one and all, they have enjoyed having him among them and that they sincerely regret that their association together is soon to be terminated; and be it further

Resolved, That the fellow members of Donald Lucius Grunsky hereby wish him a fond farewell and the best of success and good fortune throughout the future

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 3

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 3, temporarily passed on file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3

Senate Joint Resolution No. 3—Relative to first form reclamation withdrawals of lands on stream systems in the State of California

Resolution read

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

AYES—Babbage, Belotti, Berry, Burke, Chapel, Cloyed, Collier, Conrad, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly Kirkwood, Kloeksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—45

NOES—Beck, Brown, Condon, Davis, Elliott, Hagen, Henderson, Kilpatrick, Munnell, and Parker—10

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 5

Mr Kirkwood asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No 5, temporarily passed on file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to first form reclamation withdrawals of lands on stream systems in the State of California

Resolution read.

Demand for Previous Question

Messrs Levering, Evans, Morris, Lanterman, and Luckel demanded the previous question

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No 5

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

AYES—Babbage, Belotti, Berry, Burke, Chapel, Cloyed, Collier, Connolly, Conrad, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Kloeksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Nicholouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—44.

NOES—Beck, Brown, Coats, Condon, Davis, Dunn, Elliott, Gaffney, Hagen, Henderson, Kilpatrick, Lowrey, McFall, McMillan, Moss, Munnell, Parker, and Shaw—18

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 13

Mr Belotti asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 13, temporarily passed on file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 13

Assembly Joint Resolution No. 13—Relative to the Trinity River Diversion.

Resolution read.

Demand for Previous Question

Messrs Hahn, Cloyed, Luckel, Morris, and Geddes demanded the previous question

Demand for previous question sustained

The question being on the adoption of Assembly Joint Resolution No 13

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

AYES—Babbage, Belotti, Berry Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, Connolly, Conrad, Dunn, Erwin Evans, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem Levering Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Nicholson, Porter, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson and Mr Speaker—41

NOES—Beck, Coats, Condon, Davis, Doyle, Elliott, Fleury Gaffney Hagen, Henderson, Kilpatrick, Lowrey, Luckel, McFall, McMillan, Moss, Munnell, Parker, and Shaw—19

Notice of Motion to Reconsider Assembly Joint Resolution No. 13

Mr Davis gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No 13 was this day adopted

RESOLUTIONS

The following resolutions were offered

By Mr. Brady:

House Resolution No. 49

Relative to Duo-Rail Overhead System of Transportation

WHEREAS, Because of the inability of tens of thousands of our fellow Californians to travel as is their custom because of the unfortunate stoppage of a part of the public transportation system which points up the necessity of close and thorough examination of mass transportation facilities, and

WHEREAS, The citizens of California who must travel regularly are woefully distressed even in times of economic peace because of the transportation facilities which do not admit of travel rapidly and comfortably between their homes and places of employment, and

WHEREAS, The decentralization of the economic life of the metropolitan areas has focused attention of all business and corporate interests on the need for adequate public rapid transportation to protect property owners from tax increases and to end tax subsidies which have not enabled mass movements of our citizens, and

WHEREAS, The testimony of the operators of the major metropolitan transportation systems throughout the United States is that unless patronage increases and substantial fares are granted or allowed their interests must by necessity be sold to political subdivisions to prevent discontinuance of public transportation facilities, and

WHEREAS, If some form of public rapid transportation which is so urgently needed at this time is not forth-coming now the so-called "down-town metropolitan" areas of our larger cities will disintegrate and become decentralized, thereby incurring great economic and property loss; and

WHEREAS, There is a most economical, safe and efficient type of public rapid transportation which could move all the users of public transportation in all of the metropolitan areas when operated by operating transport companies and corporations in conjunction with extant facilities where possible, and

WHEREAS, There is an engineering and construction company which has made a profound study of the problem of transporting the mass movements of citizens to and from the down-town metropolitan areas and the possible integration of the modes of travel currently used and the economies built upon these serviceable, time-tested types of travel, and which is desirous of furnishing and assisting our citizenry who are dependent on public mass-transportation, and those citizens who would use a type of transportation for a reasonable fare which can be operated quickly and efficiently and profitably, and

WHEREAS, The engineers and the sponsors of this excellent type of public mass transportation have heretofore brought to the attention of the legislative body of the State of California, the Boards of Supervisors of San Francisco, Los Angeles, and Alameda Counties and the city councils of the large metropolitan areas and supervisorial districts within the State of California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Duo-Rail Overhead System of Transportation which supplies all these engineering and statistical studies shall be invited by the Assembly of the State of California to offer to present to the Public Utilities and Corporations Committee of the State Assembly, and the Assembly Committee on Transportation and Commerce, and the Senate Interim Committee on Rapid Transit for the San Francisco Bay Area, and the Senate Public Utilities Committee, and the Senate Transportation Committee, and the Golden Gate Bridge and Highway District, their plans, surveys, engineering data, financing methods and the actual possibility of constructing their system; and be it further

Resolved, That the Clerk of the Assembly be instructed to forward a copy of this resolution to the Chairmen of the Public Utilities and Corporations Committee of the State Assembly, and the Assembly Committee on Transportation and Commerce, and the Senate Interim Committee on Rapid Transit San Francisco Bay Area, and the Senate Public Utilities Committee, and the Senate Transportation Committee, and the Secretary of the Golden Gate Bridge and Highway District, and the Chairmen of the Board of Supervisors of San Francisco, Alameda and Los Angeles Counties

Resolution read, and ordered referred to the Committee on Rules

By Messrs Lowrey and Davis·

House Resolution No 50

Relative to the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Agriculture (created by House Resolution No 241 of the 1951 General Session) and any appropriately appointed subcommittee thereof, is hereby authorized to meet and act both within and without the State of California in carrying out the duties imposed upon it by the resolution which created it

Resolution read, and ordered referred to the Committee on Rules

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings

Today—

At 11 30 a m —

Revenue and Taxation, in Room 2384

Municipal and County Government, in Room 4164

At 1 p m (instead of at 2 p m , by unanimous consent)—

Education, in Room 3184

At 2 p m —

Rules, in Lounge Room

Today upon recess—

Conservation, Planning, and Public Works, in Lounge Room

Judiciary at desk of Mr Brown Subject Senate Bill No 25 and others

ADJOURNMENT

At 9 45 p m on motion of Mr Hollibaugh, the Speaker declared the Assembly adjourned until 9 30 a m , Tuesday, April 1, 1952.

SAM L COLLINS Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

THIRTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 1, 1952

The Assembly met at 9 30 a m
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman:

O Lord, We turn in prayer unto Thee as did our fathers We pray that peace may be restored to our world We pray that America may be the messenger of peace unto the peoples of the earth, the symbol of liberty and a new hope in life May all men everywhere find in the ideal of America a renewed purpose, increased strength and the hope to outgrow old fears and hates Continue Thy loving-kindness to our beloved Country, and Thy blessing in the years to come—AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr Clarke, on motion of Mr Smith

Mr Crowley, on motion of Mr. Smith

Mr Cooke, on motion of Mr Smith.

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

Mr Rosenthal, on motion of Mr Smith

Mr Thomas, on motion of Mr Porter.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1952

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

Assembly Bill No 16

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, March 31, 1952

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

Assembly Joint Resolution No 8

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

RESOLUTIONS

The following resolutions were offered

By Mr Elliott

House Resolution No. 51

Resolved That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

Department of Finance (supplies)	$61 44
Department of Finance (pro-rate cost of telephone service)	155 78
Addressograph-Multigraph Corporation (adjusting multigraph machine)	2 00

Request for Unanimous Consent

Mr Elliott asked for, and was granted, unanimous consent to take up House Resolution No 51, at this time, without reference to committee or file

Resolution read

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

AYES—Beck, Belotti, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Connolly, Conrad, Davis, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins Henderson, Kelly, Klocksiem, Lanterman, Landsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Tomlinson, and Mr Speaker—45

NOES—None.

By Mr Smith

House Resolution No 52

Relative to Assemblyman John D Babbage

WHEREAS, John D Babbage has served diligently and well in the Assembly of the State of California since he was elected to the Assembly on November 2, 1948, and

WHEREAS, In his service in the Legislature he has ever borne in mind the welfare of the people in his district and in the State of California and has authored numerous bills relating to matters of great public concern; and

WHEREAS, His membership on numerous committees of the Legislature, including the Committees on Agriculture, Education, Judiciary, and Ways and Means has called for long hours of hard work which he performed cheerfully and capably, and

WHEREAS, Assemblyman Babbage has announced his intention to devote his full time to the practice of law, thus depriving his friends and associates in the Legislature of the pleasure of his companionship and of his sage advice in legislative matters, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their regret that Assemblyman Babbage is leaving the Legislature of the State of California and express further their appreciation and commendation for the valuable services he has rendered to the people of the State and of his district during his career in the Legislature, and be it further

Resolved, That the Members of the Assembly join in wishing Assemblyman John D Babbage every happiness and continued success in his chosen profession

Resolution read, and ordered referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Ways and Means, to which were referred.

Assembly Bill No 40
Assembly Bill No 41

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

SHERWIN, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 40—An act to add Section 35 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 22, 1951, and before the effective date of this act

Bill read second time, and ordered engrossed

Assembly Bill No. 41—An act to add Sections 39 and 40 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor

Bill read second time, and ordered engrossed

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER: Your Committee on Rules, to which was referred
House Resolution No 48
Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER: Your Committee on Rules, to which were referred
Assembly Concurrent Resolution No 13
Assembly Concurrent Resolution No 14
Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER: Your Committee on Rules, to which was referred
House Resolution No 52
Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER: Your Committee on Rules, to which was referred
Senate Concurrent Resolution No 7
Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No 47
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Concurrent Resolution No 13
Assembly Concurrent Resolution No 14
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1952

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred
Senate Bill No 23
Has had the same under consideration and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DICKEY, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 23—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district for the purpose of cooperating and contracting with the United States, the State of California municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or water supply and the sale or other disposition of water, to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof, to provide for certain powers, rights and liabilities of member units located within or partially within said district, to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district, to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district, voting and issuing and selling of bonds, the voting and levying and collection of special assessments, the levying and collection of taxes, to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds, to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act, and to empower municipalities, irrigation districts, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency

Bill read second time

Consideration of Committee Amendments

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

Amendment No. 1

On page 4 of the printed bill, strike out lines 25 to 30, inclusive

Amendment No. 2

On page 4, line 31, of said bill, strike out "4 2", and insert "4 1"

Amendment No 3

On page 4, line 45, of said bill, strike out "4 3", and insert "4 2"

Amendment No. 4

On page 4, line 50, of said bill, strike out "4 4", and insert "4 3"

Amendment No. 5

On page 5, line 10, of said bill, strike out "4 5", and insert "4 4"

Amendment No. 6

On page 5, line 13, of said bill, strike out "4 6", and insert "4 5"

Amendment No. 7

On page 5, line 23, of said bill, strike out "4 7", and insert "4 6"

Amendment No. 8

On page 5, line 30, of said bill, strike out "4 8", and insert "4 7"

Amendment No. 9

On page 6, line 4, of said bill, strike out "4 9", and insert "4 8"

Amendments read and adopted

Bill ordered reprinted and to third reading

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 16—An act to amend Sections 5501, 5503, 5505, 5511, 5512, and 5517, of, and to add Sections 5500.5, 5501.5, 5503.5, 5512.3, 5519, 5520, and 5521 to, the Welfare and Institutions Code, to amend and renumber Section 5502 of the Welfare and Institutions Code to be Section 5511.7, and to amend Section 27706 of the Government Code, to provide for the prevention of sex offenses by revising the procedure for the commitment of sexual psychopaths

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 16?

Amendment No. 1

On page 7, line 20, of the printed bill, as amended in the Assembly on March 19, 1952, after "shall", insert "order the person returned to the Department of Mental Hygiene under the prior order of commitment for an indeterminate period, or, if the opinion of the superintendent of the state hospital was under (c) of Section 5517, he may"

Amendment No. 2

On page 7, line 22, of said bill, strike out "the state hospital", and insert "a state institution or institutional unit for the care and treatment of such sexual psychopaths designated by the court and provided pursuant to Section 5518"

Amendment No. 3

On page 7, line 25, of said bill, strike out "hospital", and insert "department"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 16 by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D. Collins, Connolly, Conrad, Davis, Doyle, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—55

NOES—None

Assembly Bill No. 16 ordered enrolled

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 11—Relative to congratulating the City of Oakland on the One Hundredth Anniversary of its incorporation.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—58

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 47

Mr Kirkwood asked for, and was granted, unanimous consent to take up Assembly Bill No 47, temporarily passed on file, out of order, for purpose of amendment

CONSIDERATION OF ASSEMBLY BILL NO. 47

Assembly Bill No. 47—An act to add Sections 5153 6, 7000 1, 7036 5, and 7123 1 to the Education Code to amend Sections 5153 3, 7011, 7035, 7037 1, 7307 2, 7036, 7091, 7109 1, 7109.2, 7109 3, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time

Motion to Amend

Mr Kirkwood moved the adoption of the following amendments

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Assembly on March 31, 1952, strike out "7116 1"

Amendment No. 2

On page 2 of said bill, between lines 20 and 21, insert

"(g) The amount apportioned to school districts under Section 7116 1 Such amount shall be apportioned only pursuant to Section 7116 1

Amendment No. 3

On page 3, line 39, of said bill, after "determined", insert ", and reported to the Superintendent of Public Instruction that,"

Amendment No 4

On page 6, line 44, of said bill, strike out "apportion", and insert "allow"

Amendment No. 5

On page 7, line 5, of said bill, strike out "apportion", and insert "allow"

Amendment No. 6

On page 7, line 15, of said bill, after "days", insert "the regular day schools of the district were"

Amendment No. 7

On page 7, line 18, of said bill, after "days", insert "the regular day schools of the district were"

Amendment No. 8

On page 8, line 17, of said bill, after "days", insert "the regular day schools of the district were"

Amendment No. 9

On page 8, line 20 of said bill, after "days", insert "the regular day schools of the district were"

Amendment No. 10

On page 9, line 21, of said bill, after "aid", insert ", or as basic state aid,"

Amendment No. 11

On page 9, line 27, of said bill after the period, insert "The reduction required by this section shall be first made in the amount allowed each such district as equalization aid to the extent that such equalization aid is allowed, and if further reduction is necessary such further reduction shall be made in the basic state aid."

Amendment No. 12

On page 9 of said bill, strike out lines 29 to 44, inclusive, and insert

"7114.1. If pursuant to Section 7114, any reduction is made in the basic state aid allowed a district the Superintendent of Public Instruction shall allow such district such amount as will when added to the amount of basic state aid so reduced equal the amount which the district would have been allowed as basic state aid, had such aid not been reduced.

SEC. 17. Section 7116.1 is added to said code to read:

7116.1. If the federal funds as defined in Section 7000.3 for any current fiscal year commencing with the 1952-1953 Fiscal Year are reduced below the total amount received by the district for the preceding fiscal year, the Superintendent of Public Instruction shall then apportion to the district such additional amount as equalization aid in such current fiscal year as will make the total amount of equalization aid allowed the district in such current fiscal year equal to that which would have been allowed in such current fiscal year had the reduction occurred in such preceding fiscal year. Such additional amount shall be apportioned on or before June 30 of such current fiscal year. The amount apportioned pursuant to this section shall be apportioned pursuant to this section only and shall not be apportioned pursuant to Article 13 of this chapter."

Amendment No. 13

On page 10 of said bill, after line 31, insert

"SEC. 23. This act shall remain in effect until July 1, 1953."

Amendments read and adopted

Bill ordered reprinted, and re-engrossed

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 47

Mr. Kirkwood asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 47.

RECESS

At 9:59 a.m., on motion of Mr. Hollibaugh, the Assembly recessed until 10:30 a.m.

REASSEMBLED

At 10:30 a.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 42

By Mr. Fleury

House Resolution No. 42

Relative to Assemblyman John E. Moss

WHEREAS, John E. Moss, Member of the Assembly from the Ninth Assembly District, will not be a candidate for re-election to the Legislature; and

WHEREAS, Through his boundless energy, hard work, and conscientious devotion to the interests of his constituency in Sacramento County and as a capable representative of the people of California in the Assembly, John E. Moss has earned the sincere respect and admiration of the Members of the Assembly; and

WHEREAS, The outstanding capabilities of John E. Moss are illustrated by the legislation he has sponsored and by the fact that he has served on many of the most important committees of the Legislature, among which are the Assembly Standing Committees on Rules, Ways and Means, Governmental Efficiency and Economy, Civil Service and State Personnel, Conservation Planning and Public Works, Public Utilities and Corporations, and Education, and the Interim Committees on Legislative Process, Ways and Means, Governmental Efficiency and Economy, Education, and Fairs and Expositions; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their regret that this is the last session at which they will have

the privilege of associating with John E Moss in the Legislature and wish by this resolution to commend him for his past services to the people of the State and of his district

Resolution read, and adopted unanimously

CONSIDERATION OF HOUSE RESOLUTION NO. 43

By Mr McFall:

House Resolution No. 43

Relative to Assemblyman Howard Q Parker

WHEREAS, The Members of the Assembly have learned with regret that Howard Q Parker will not be a candidate for re-election to the Legislature at the 1952 elections, and

WHEREAS, In his short career in the Legislature Howard Q Parker has often demonstrated his capabilities as a legislator and his sincere devotion to the interests of the people of his district and of the State, and

WHEREAS, Assemblyman Parker has served diligently and well as a Member of the Legislature as indicated by his record and illustrated by his membership on numerous legislative committees concerned with matters of great importance to the people of the State and of his district, among which are the Assembly Standing and Interim Committees on Education; Industrial Relations, and Transportation and Commerce, now, therefore, be it

Resolved by the Assembly of the State of California, That this capable legislator from the County of San Joaquin be commended for the outstanding and valuable service he has rendered in the California Legislature to the people of his district and of the State; and be it further

Resolved, That the Members of the Assembly extend to Howard Q Parker, friend and colleague, their best wishes for continued success and achievement in whatever future ventures he may undertake

Resolution read, and adopted unanimously

CONSIDERATION OF HOUSE RESOLUTION NO. 44

By Messrs Conrad and Klocksiem:

House Resolution No. 44

Relative to Assemblyman William S Grant

WHEREAS, William S Grant, Assemblyman from the Seventieth District in Long Beach, has announced that he will not seek re-election to the Legislature, and

WHEREAS, This session of the Legislature is the last at which the Members of the Assembly will be privileged to work and associate with Bill Grant in the Legislature; and

WHEREAS, Bill Grant has distinguished himself in his five years in the Legislature by his capable representation of the interests of the people of his district and of the State, and

WHEREAS, Bill Grant has devoted much time and energy to valuable service on important committees of the Legislature, including the Assembly Standing Committees on Manufacturing, Oil, and Mining Industry, Military Affairs, Public Health, Public Utilities and Corporations, and the Interim Committees on Military Affairs (Vice-Chairman), Manufacturing, Oil, and Mining Industry, Public Health, Public Utilities and Corporations, and

WHEREAS, The affable Assemblyman from the Seventieth District will be missed by his many friends within and associated with the California Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby commend Bill Grant for his capable and energetic execution of the duties and responsibilities of his office and for the service he has performed for the State and for his district in the Legislature and wish him Godspeed and success in whatever future ventures he may undertake, and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to deliver a suitably engrossed copy of this resolution to the Honorable William S Grant

Resolution read, and adopted unanimously

CONSIDERATION OF HOUSE RESOLUTION NO. 46

By Mr Lowrey

House Resolution No. 46

WHEREAS Harlan Hagen has served the State and the people of his district in an outstanding manner since his election to the Assembly in 1948; and

WHEREAS, During his service in the Assembly he has consistently exhibited an unusual knowledge and appreciation of the problems of the State and its people, and has devoted his time, intelligence and energy to the welfare of the people and the solution of those problems, and

WHEREAS, Harlan Hagen is now seeking office as a United States Congressman from the Fourteenth Congressional District and thus will not be returning to the State Legislature, and

WHEREAS, The esteem and affection which his conduct and ability have earned for him cause the Assembly to regret the fact that his intelligence and analytical mind will be lost to future sessions of this body, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend their heartiest congratulations and commendations to Harlan Hagen for his outstanding services to this Assembly, to the State and to the people of his district, and hereby express the conviction that his capabilities will earn him further distinction in whatever venture he may undertake

Resolution read, and adopted unanimously

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L Collins announced the appointment of Mrs Niehouse, and Messrs Beck, Lowrey, and Luckel as a Select Committee to escort to the rostrum the Hon Clinton D McKinnon of San Diego, Member of the House of Representatives from the Twenty-third District.

RECESS

At 10 35 a m, on motion of Mr Beck, the Assembly recessed until 10 40 a m to hear remarks from Congressman Clinton D McKinnon of San Diego

REASSEMBLED

At 10 40 a m, the Assembly reconvened

Hon Sam L Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No 40
Assembly Bill No 41

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 47

By Messrs Brady, Connolly, Maloney, Berry, Gaffney, Meyers, and George D Collins

House Resolution No. 47—Relative to Assemblyman Robert I McCarthy

Resolution read

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 47 As Co-authors

Mr Fleury asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No 47 as co-authors

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No 47

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—73

By Messrs Brady, Connolly, Maloney, Berry, Gaffney, Meyers, Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Sam L Collins, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Mrs Nichouse, Messrs Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters:

House Resolution No. 47

Relative to Assemblyman Robert I McCarthy

WHEREAS, Honorable Robert I McCarthy, Assemblyman from the Twenty-fifth District in San Francisco, will not seek re-election to the Legislature because of the necessity of devoting more time to his thriving practice of the law, and

WHEREAS, This session of the Legislature is the last at which the Members of the Assembly will be privileged to work and associate with Bob McCarthy, this excellent orator and gentleman who has endeared himself to his fellow members by his great knowledge of the duties of a legislator, and

WHEREAS, Bob McCarthy has distinguished himself during his terms in the Legislature by his capable representation of the interests of the people of his district in San Francisco and of all the people of California, and

WHEREAS, Robert I McCarthy has brought honor to the name of McCarthy, to his father and mother, Mr. and Mrs Robert McCarthy, to his wife, Betty, and the four lovely little girls, including the McCarthy twins, by his diligence and devotion to duty, and

WHEREAS, Bob McCarthy has devoted much time and energy to valuable service on important committees of the Legislature, including the Assembly Standing Committees on Education; Governmental Efficiency and Economy, Judiciary, Revenue and Taxation, Rules, Ways and Means, and the Interim Committees on Governmental Efficiency and Economy; Inter-House Cooperation, Judicial System and Judicial Process; Military and Veterans Affairs, State Capitol; Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Trans-Bay Crossings, Legislative Process, and

WHEREAS, The affable Assemblyman from the Twenty-fifth District will be missed by his colleagues in the State Assembly and his many friends within and associated with the California Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby commend Bob McCarthy for his capable and energetic execution of the duties and responsibilities of his office and for the service he has rendered the State and his district in the Legislature and wish him Godspeed and success in whatever future ventures he may undertake, and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to have suitably engrossed copies of this resolution presented to Honorable and Mrs Robert I McCarthy and to the father and mother of Assemblyman McCarthy, Mr. and Mrs. Robert McCarthy of San Francisco

Resolution read, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT

Mr Smith asked for, and was granted, unanimous consent to take up House Resolution No 52, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 52

By Mr Smith:

House Resolution No. 52

Relative to Assemblyman John D Babbage

WHEREAS John D Babbage has served diligently and well in the Assembly of the State of California since he was elected to the Assembly on November 2, 1948, and

WHEREAS In his service in the Legislature he has ever borne in mind the welfare of the people in his district and in the State of California and has authored numerous bills relating to matters of great public concern, and

WHEREAS, His membership on numerous committees of the Legislature, including the Committees on Agriculture, Education, Judiciary, and Ways and Means has called for long hours of hard work which he performed cheerfully and capably, and

WHEREAS, Assemblyman Babbage has announced his intention to devote his full time to the practice of law, thus depriving his friends and associates in the Legislature of the pleasure of his companionship and of his sage advice in legislative matters, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their regret that Assemblyman Babbage is leaving the Legislature of the State of California and express further their appreciation and commendation for the valuable services he has rendered to the people of the State and of his district during his career in the Legislature, and be it further

Resolved, That the Members of the Assembly join in wishing Assemblyman John D Babbage every happiness and continued success in his chosen profession

Resolution read, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT

Mr Sillman asked for, and was granted, unanimous consent to take up House Resolution No 48, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 48

By Mr Sillman:

House Resolution No. 48

Relative to severance of membership by Assemblyman Donald Lucius Grunsky

WHEREAS, Donald Lucius Grunsky, our fellow member from the Thirty-second District, has declared his intention to forsake us by seeking membership in that select and illustrious group which sits on the southern side of the State Capitol, and

WHEREAS, Donald Lucius Grunsky has served the people of the State of California faithfully and with distinction since his first election to membership in this Assembly in 1946, and

WHEREAS, His character, probity, learning, counsel and capacity have won him the respect and admiration of us all; now, therefore, be it

Resolved by the Assembly of the State of California, That the fellow members of Donald Lucius Grunsky hereby declare that, one and all, they have enjoyed having him among them and that they sincerely regret that their association together is soon to be terminated, and be it further

Resolved That the fellow members of Donald Lucius Grunsky hereby wish him a fond farewell and the best of success and good fortune throughout the future

Resolution read, and adopted unanimously

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 2—Relative to the Feather River Project and the Sacramento-San Joaquin Delta Diversion Projects

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Nicholson, Parker, Porter, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—77

NOES—None

Resolution ordered transmitted to the Senate

Senate Bill No. 25—An act authorizing the State Lands Commission to exchange property of the State of California for property in Marin County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Nicholson, Parker, Porter, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 22—An act to create a sanitation and flood control district to be called "Vallejo Sanitation and Flood Control District", to provide a complete and comprehensive sanitary sewerage disposal system for said district, including all works, property or structures necessary or convenient for the collection and disposal of sanitary sewerage, to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district, to provide for the payment of the costs and expenses of such acquisitions and improvements, and the issuance of bonds therefore and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, to provide for the issuance of revenue bonds payable from revenues of any facility of the district, to provide for the establishment and administration of revolving funds to assist in the carrying out of such acquisition, work and improvements, to provide for the annexation of property to said district, to provide for the government and control of said district, to define the powers and duties of the officers thereof, to authorize the incurring of obligations, not exceeding two hundred thousand dollars, by said district in advance of the authorization of any bonds by said district, to provide for the redemption of warrants evidencing said indebtedness, to declare the necessity for this special act, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills,

Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—64

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Cloyed, Collier, George D Collins, Condon Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 27—An act to amend Sections 2, 4, 6, 8, and 20 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the Santa Clara County Flood Control and Water Conservation District

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—67

NOES—None

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 13—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 24—An act to add Section 31 to the Municipal Water District Act of 1911, relating to municipal water districts comprised of land in two or more counties.

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 20 of Article IV, relating to public officers

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—64

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Connolly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 7, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to appointing a joint committee to take the necessary action to insure that the Sacramento Solons have a successful year in 1952

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, Condon Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw Silliman, Smith, Stanley, Waters, and Mr Speaker—64

NOES—None

Resolution ordered transmitted to the Senate

RESOLUTIONS

The following resolutions were offered:

By Mr Evans

House Resolution No. 53

Relative to grade crossings by vehicles carrying explosives and inflammables

WHEREAS, There have been many accidents in which high speed trains have collided with trucks or tanks loaded with gasoline or other dangerous high explosives, and

WHEREAS, Such accidents have resulted in serious injury or death to numerous persons and in extensive property damage, and

WHEREAS, The United States Supreme Court in *Boyce Motor Lines, Inc. v. United States*, 1952, upheld a governmental order requiring motor carriers of explosives and other dangerous cargoes to avoid heavily traveled routes, and

WHEREAS, The State of California has no law which is specifically intended to prevent railway grade crossing accidents, now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of the State of California is respectfully requested to expand the call for the present special session of the Legislature to include the matter of a Grade Crossing Law which would prohibit the use of railway grade crossings by motor vehicle carriers of explosives and would compel such vehicles to use separated grade crossings

Resolution read, and ordered referred to the Committee on Rules

By Messrs Henderson and Moss

House Resolution No. 54

Relating to appointment of women in civil defense policy-making positions

WHEREAS, The Legislature of the State of California is concerned with effective civil defense for this State, and

WHEREAS, A successful civil defense program will depend upon the most advantageous and expedient use of both materials and personnel, and

WHEREAS, During such time that the men of this State are called to active military duty the program of civil defense will depend greatly upon the women of this State, and

WHEREAS, Before such time women should be appointed to policy-making level positions in the civil defense program so that they might be acquainted with the problems, responsibilities, and duties which women may be called upon to assume, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly respectfully urges the Governor of the State of California to consider the appointment of women in civil defense policy-making positions, and be it further

Resolved That a copy of this resolution be transmitted to the Honorable Earl Warren, Governor of the State of California

Resolution read, and ordered referred to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENT TO ASSEMBLY JOINT RESOLUTION NO. 8

Mr Dickey asked for and was granted, unanimous consent to consider Senate amendment to Assembly Joint Resolution No 8, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 8—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on vehicles and vehicle fuels

The question being Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No 8?

Amendment No. 1

On page 1, line 11, of the printed resolution, after "upon", insert 'motor'

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No 8 by the following vote

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers Moss, Niehouse, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—56

NOES—Beck, George D Collins, and Condon—3

Assembly Joint Resolution No 8 ordered enrolled

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

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

Senate Bill No 26

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

DICKEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER SACRAMENTO, April 1, 1952

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

Assembly Bill No 49

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

Above bill ordered enrolled

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS The Legislature of the State of California convened on March 3, 1952, in extraordinary session pursuant to my Proclamation dated March 2, 1952, and is now in session, and

WHEREAS On account of extraordinary occasions which have arisen and now exist it is deemed desirable and necessary to submit additional subjects to the Legislature for consideration, now, therefore

I, EARL WARREN, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated March 2, 1952, by adding the following additional purposes thereto and thereby permitting the Legislature to legislate upon the following subjects in addition to the subjects specified in the original Proclamation, to wit

22 To consider and act upon legislation to amend Section 4932 of the Education Code relating to the effective date of the unification of school districts

23 To consider and act upon legislation relating to the continuance of membership of employees of school districts in local retirement systems after separation from service in such districts

24 To consider and act upon legislation to extend the provisions of Chapter 47 of the 1944 Fourth Extraordinary Session, and the provisions of the Construction and Employment Act to cities incorporated on and after September 22, 1951

25 To consider and act upon legislation relating to the number and compensation of attaches in the San Bernardino Municipal Court and the filing fees of that court

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of April, 1952

EARL WARREN
Governor of California

ATTEST FRANK M. JORDAN, Secretary of State
(SEAL)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered

Assembly Concurrent Resolution No. 15: By Mr Coats—Relative to increasing the membership of the Joint Committee on Water Problems and augmenting the funds of said committee

Referred to Committee on Rules

RECESS

At 11.53 a m , on motion of Mr. Dickey, the Assembly recessed until 6 30 p m

REASSEMBLED

At 6 30 p m , the Assembly reconvened

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

Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No 47

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 15—An act to amend Sections 264, 286, 288a, 311, and 647a of the Penal Code, relating to sex crimes;

Assembly Bill No. 28—An act prescribing the jurisdiction of justices' courts of Class B, and declaring the urgency thereof,

Assembly Bill No. 31—An act to add Sections 12011 5 12011 7, 12107, 12756 12785, 13001 3, and 14002 3 to the Education Code, relating to persons convicted of sex offenses in respect to employment in the Public School System and to certification documents in connection therewith;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of April, 1952, at 3 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No 32—An act to add Section 5083 3 to the Education Code, relating to state school building aid, declaring the urgency thereof to take effect immediately,

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1952, at 3 p m

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1952

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

Senate Bill No 12

Senate Bill No 18

J A BEEK, Secretary of the Senate

By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 12—An act to amend Sections 148, 188, 341, 397, 562, and 647 of the Military and Veterans Code and to add Section 322 to the Military and Veterans Code, relating to emergency services for the California National Guard and California National Guard Reserve, rules, regulations and orders published during emergencies, workmen's compensation benefits for the state military forces, toll exemption over state-owned bridges, participation in rifle competition and reimbursement for necessary travel expenses, declaring the urgency thereof, to take effect immediately

Referred to Committee on Finance and Insurance

Senate Bill No. 18—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered

By Mr Silliman

House Resolution No. 55

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of one thousand nine hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail, and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail, and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25)

Request for Unanimous Consent

Mr Berry asked for, and was granted, unanimous consent to take up House Resolution No 55, at this time, without reference to committee or file

Resolution read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Berry moved a call of the Assembly

Motion carried Time, 6 37 p m

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

Babbage, Belotti, Brady Brown, Burkhalter, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Davis, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes Hagen Hansen, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—44

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

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

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

The following bill was introduced, and read the first time

Assembly Bill No. 51: By Mr Waters—An act relating to the acquisition of properties for state highway purposes, and making an appropriation therefor

Referred to Committee on Ways and Means

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 55

At 6 58 p m on motion of Mr Berry, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and House Resolution No 55 adopted by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier Condon, Connolly, Conrad, Dickey, Dills, Doyle Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Mr Speaker—60

NOES—None

RECESS

At 6 59 p m , on motion of Mr Berry, the Assembly recessed until 7 02 p m.

REASSEMBLED

At 7 02 p m , the Assembly reconvened

Hon Sam L Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr Gubser

Resolved, That Assembly Bill No 40 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Connolly Conrad Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick Kirkwood, Klocksiem, Lanterman Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy McCollister, McFall, McMillan, Morris, Moss Munnell, Nicholson Parker, Porter Rumford, Shaw, Smith, Stanley, Stewart, and Mr Speaker—58

NOES—None

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

CONSIDERATION OF ASSEMBLY BILL NO. 40

Assembly Bill No. 40—An act to add Section 35 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 22, 1951, and before the effective date of this act

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick Kirkwood, Klocksiem, Lanterman Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Mr Speaker—58

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr Gubser.

Resolved, That Assembly Bill No 41 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—61

NOES—None

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

CONSIDERATION OF ASSEMBLY BILL NO. 41

Assembly Bill No. 41—An act to add Sections 39 and 40 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—61

NOES—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Ways and Means, to which was referred Senate Bill No 26

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 26—An act to amend Section 34 of the State Water Resources Act of 1945, relating to the description of the plan of improvement for flood control on Littlejohn Creek

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolution was offered

By Messrs McGee, Munnell, Elliott, and Chapel

House Resolution No 56

Relative to Assemblyman Everett G Burkhalter

WHEREAS, Everett G Burkhalter has served the State and the people of his district in an outstanding manner since his election to the Assembly 12 years ago, and

WHEREAS, After five highly successful terms in the Legislature, Assemblyman Burkhalter has announced his intention to leave the Legislature and seek other elective office; and

WHEREAS, During his service in the Assembly he has consistently exhibited an unusual knowledge and appreciation of the problems of the State and its people, and has devoted his energy and intelligence to the welfare of the people in the solution of those problems, particularly through his sponsorship of legislation in the fields of veterans' affairs, flood control, transportation and fraternal, social and religious affairs, and

WHEREAS, The Members of the Assembly will miss their esteemed colleague on the floor of the Assembly and in the deliberation of legislative committees, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their heartiest commendations to Everett G Burkhalter for his services to the people of the State and of his district in the Legislature and wish him continued success in whatever future ventures he may undertake

Request for Unanimous Consent

Mr McGee asked for, and was granted, unanimous consent to take up House Resolution No 56, at this time, without reference to committee or file

Resolution read, and adopted unanimously

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Rules, to which was referred Assembly Concurrent Resolution No 10

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

SAM L COLLINS, Chairman

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Rules, to which was referred House Resolution No 49

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended

SAM L COLLINS, Chairman

Above reported resolution ordered on file

REQUEST FOR UNANIMOUS CONSENT

Mr Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 14, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

Assembly Concurrent Resolution No. 14—Relative to adjournment sine die of the 1952 First Extraordinary Session of the Legislature of the State of California

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Munnell, Nichouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—60

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 43

Mr Shaw asked for, and was granted unanimous consent to take up Assembly Bill No 43, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 43

Assembly Bill No. 43—An act to amend Section 1 of, and to add Section 2 to, an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the Municipal Court of the City of San Bernardino

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister Meyers, Moss, Munnell, Nichouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 44

Mr Shaw asked for, and was granted, unanimous consent to take up Assembly Bill No 44, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 44

Assembly Bill No. 44—An act to add Section 2 to an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to fees in such court.

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO 45

Mr Shaw asked for, and was granted, unanimous consent to take up Assembly Bill No. 45, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 45

Assembly Bill No. 45—An act to amend Section 1 of an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches thereof.

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 48

Mr Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No 48, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 48

Resolution to Suspend Constitutional Provision

The following resolution was offered

By Mr. Dunn

Resolved, That Assembly Bill No 48 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, *and it is ordered that said bill be read the third time, and placed upon its passage*

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—64.

NOES—None

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

Assembly Bill No. 48—An act to amend Section 14744 of the Education Code, relating to continuation of membership in school district retirement plans after discontinuance of service, 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—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—64.

NOES—None

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined Assembly Concurrent Resolution No 10

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr Collier.

Resolved, That Assembly Bill No 50 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Conrad Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—65

NOES—None

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

CONSIDERATION OF ASSEMBLY BILL NO. 50

Assembly Bill No. 50—An act to amend Section 4932 of the Education Code, relating to the unification of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—65

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 7 45 p m, Mr Kirkwood asked for, and was granted, unanimous consent that Mr Waters be excused for the balance of the legislative day, because of legislative business elsewhere.

Hon. Stanley T. Tomlinson Presiding

At 7 51 p m, Hon Stanley T Tomlinson, Member of the Assembly from the Thirty-seventh District, presiding

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND COMMITTEE SCHEDULE BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a letter of transmittal and a schedule of the Subcommittees of the Committee on Ways and Means be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, April 1, 1952

To the Honorable Sam L. Collins, Speaker,

And to the Members of the Assembly:

Your Interim Committee on Ways and Means presents this report of its work since the adjournment of the 1951 Session of the Legislature

The committee began budget hearings on February 4, 1952 Three subcommittees held hearings each morning and afternoon for 10 days, giving full consideration to each budget item Reports from several members who had visited our various institutions were read and discussed

A schedule of subcommittees is attached hereto as Exhibit "A" The budget and analysis of the Budget Bill, prepared by the Department of Finance and the Legislative Auditor and his staff, were distributed at the first meeting of the committee, thus enabling the members to acquaint themselves with the budget requests of the departments and the recommendations of the Legislative Auditor.

The Legislature convened on March 3d, and the budget was before the Assembly March 21st, with recommendation "Do Pass as Amended"

House Resolution No 204, under which this interim committee was created, made $20,000 available for its use Of this sum $8,936 93 has been expended which leaves a balance of $11,063 07 to date

Respectfully submitted,

MARVIN SHERWIN, Chairman

EXHIBIT "A"

WAYS AND MEANS SUBCOMMITTEES

February, 1952

1 *Legislative Executive and General Administration*
Chairman—Silliman
Caldecott
Conrad
Erwin
Gaffney
Lowrey
Moss
Munnell
Waters

2 *Fiscal Affairs, Capital Outlay, Fish and Game, Miscellaneous*
Chairman—Erwin
Babbage
Caldecott
Clarke
Collier
Collins
Fleury
Hagen
Hinckley
Kirkwood
Lipscomb
Lowrey
McCarthy
Meyers
Silliman

3 *Agriculture, Natural Resources*
Chairman—Clarke
Caldecott
Cloyed
Crowley
Erwin
Fleury
Gaffney
Hagen
Hinckley
Lowrey
McCarthy
Porter
Silliman

4 *Motor Vehicles, Public Works, Highway Patrol, Highway Budget, Military Affairs*
Chairman—Fleury
Caldecott
Clarke
Cloyed
Collier
Gaffney
Kilpatrick
Klocksiem
McCarthy
Moss
Munnell
Porter
Silliman
Tomlinson
Waters

5 *Mental Hygiene, Veterans Affairs*
Chairman—Hinckley
Babbage
Clarke
Cloyed
Conrad
Crowley
Gaffney
Kirkwood
Klocksiem
Meyers
McCarthy
Porter
Silliman
Tomlinson

6 *Corrections, Youth Authority*
Chairman—Collier
Collins
Conrad
Hagen
Kilpatrick
Klocksiem
Lipscomb
McCarthy
Meyers
Munnell
Silliman
Waters

7 *Education*
Chairman—Lowrey
Babbage
Caldecott
Collins
Crowley
Hinckley
Kirkwood
Klocksiem
Lipscomb
Moss
Porter
Tomlinson

8 *Judicial, Justice, Investments, Professional and Vocational Standards, Public Utilities*
Chairman—Collins
Babbage
Cloyed
Collier
Gaffney
Kilpatrick
Lipscomb
Meyers
Munnell
Tomlinson
Waters

9 *Public Health, Industrial Relations, Social Welfare, Employment*
Chairman—Kirkwood
Conrad
Crowley
Erwin
Fleury
Hagen
Kilpatrick
Lipscomb
Moss
Porter
Tomlinson
Waters

Speaker Presiding

At 8 02 p m , Hon Sam L Collins, Speaker of the Assembly, presiding

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California convened on March 3, 1952, in extraordinary session pursuant to my Proclamation dated March 2, 1952, and is now in session , and

WHEREAS, On account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration , now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power vested in me by law hereby amend and supplement my Proclamation dated March 2 1952 by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subjects specified in the original Proclamation, to wit

26 To consider and act upon legislation relating to the expenditure of money for the support of the public schools

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this first day of April, 1952

EARL WARREN, Governor of California

(SEAL)

ATTEST FRANK M JORDAN, Secretary of State
By CHAS J HAGERTY, Assistant Secretary of State

RESIGNATION FROM INTERIM COMMITTEE

The following communication was received, and read

SPEAKER COLLINS I hereby submit my resignation from the Interim Committee on Public Utilities and Corporations

HARLAN HAGEN

APPOINTMENT TO INTERIM COMMITTEE

Speaker Sam L Collins announced the appointment of Mr Beck to membership on the Interim Committee on Public Utilities and Corporations, vice Mr Hagen

REQUEST FOR UNANIMOUS CONSENT

Mr Brady asked for, and was granted, unanimous consent to take up House Resolution No 49, at this time, without reference to file, for purpose of amendment

CONSIDERATION OF HOUSE RESOLUTION NO. 49

By Mr Brady

House Resolution No. 49

Relative to Duo-Rail Overhead System of Transportation

WHEREAS, Because of the inability of tens of thousands of our fellow Californians to travel as is their custom because of the unfortunate stoppage of a part of the public transportation system which points up the necessity of close and thorough examination of mass transportation facilities, and

WHEREAS, The citizens of California who must travel regularly are woefully distressed even in times of economic peace because of the transportation facilities which do not admit of travel rapidly and comfortably between their homes and places of employment, and

WHEREAS, The decentralization of the economic life of the metropolitan areas has focused attention of all business and corporate interests on the need for adequate public rapid transportation to protect property owners from tax increases and to end tax subsidies which have not enabled mass movements of our citizens, and

WHEREAS The testimony of the operators of the major metropolitan transportation systems throughout the United States is that unless patronage increases and substantial fares are granted or allowed their interests must be necessity be sold to political subdivisions to prevent discontinuance of public transportation facilities, and

WHEREAS If some form of public rapid transportation which is so urgently needed at this time is not forth-coming now the so-called "down-town metropolitan" areas of our larger cities will disintegrate and become decentralized, thereby incurring great economic and property loss, and

WHEREAS There is a most economical, safe and efficient type of public rapid transportation which could move all the users of public transportation in all of the metropolitan areas when operated by operating transport companies and corporations in conjunction with extant facilities where possible, and

WHEREAS, There is an engineering and construction company which has made a profound study of the problem of transporting the mass movements of citizens to and from the down-town metropolitan areas and the possible integration of the modes of travel currently used and the economies built upon these serviceable, time-tested types of travel, and which is desirous of furnishing and assisting our citizenry who are dependent on public mass-transportation, and those citizens who would use a type of transportation for a reasonable fare which can be operated quickly and efficiently and profitably, and

WHEREAS, The engineers and the sponsors of this excellent type of public mass transportation have heretofore brought to the attention of the legislative body of the State of California, the Boards of Supervisors of San Francisco, Los Angeles, and Alameda Counties and the city councils of the large metropolitan areas and supervisorial districts within the State of California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Duo-Rail Overhead System of Transportation which supplies all these engineering and statistical studies shall be invited by the Assembly of the State of California to offer to present to the Public Utilities and Corporations Committee of the State Assembly, and the Assembly Committee on Transportation and Commerce, and the Senate Interim Committee on Rapid Transit for the San Francisco Bay Area, and the Senate Public Utilities Committee, and the Senate Transportation Committee, and the Golden Gate Bridge and Highway District, their plans, surveys, engineering data, financing methods and the actual possibility of constructing their system, and be it further

Resolved, That the Clerk of the Assembly be instructed to forward a copy of this resolution to the Chairmen of the Public Utilities and Corporations Committee of the State Assembly, and the Assembly Committee on Transportation and Commerce, and the Senate Interim Committee on Rapid Transit San Francisco Bay Area, and the Senate Public Utilities Committee, and the Senate Transportation Committee, and the Secretary of the Golden Gate Bridge and Highway District, and the Chairmen of the Board of Supervisors of San Francisco, Alameda and Los Angeles Counties

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike paragraph 9 of the resolution as it appears on page 498 of the Assembly Journal of March 31, 1952, and insert

"*Resolved by the Assembly of the State of California*, That the Assembly recommends to the Los Angeles Metropolitan Transit Authority and the San Francisco Bay Area Rapid Transit Commission that they take cognizance of the Duo-Rail Overhead System of Transportation, and be it further"

Amendment read, and adopted

House Resolution No. 49, As Amended

By Mr Brady.

House Resolution No. 49

Relative to Duo-Rail Overhead System of Transportation

WHEREAS, Because of the inability of tens of thousands of our fellow Californians to travel as is their custom because of the unfortunate stoppage of a part of the public transportation system which points up the necessity of close and thorough examination of mass transportation facilities; and

WHEREAS, The citizens of California who must travel regularly are woefully distressed even in times of economic peace because of the transportation facilities which do not admit of travel rapidly and comfortably between their homes and places of employment, and

WHEREAS, The decentralization of the economic life of the metropolitan areas has focused attention of all business and corporate interests on the need for adequate public rapid transportation to protect property owners from tax increases and to end tax subsidies which have not enabled mass movements of our citizens, and

WHEREAS, The testimony of the operators of the major metropolitan transportation systems throughout the United States is that unless patronage increases and substantial fares are granted or allowed their interests must by necessity be sold to political subdivisions to prevent discontinuance of public transportation facilities, and

WHEREAS, If some form of public rapid transportation which is so urgently needed at this time is not forthcoming now the so-called "down-town metropolitan" areas of our larger cities will disintegrate and become decentralized, thereby incurring great economic and property loss, and

WHEREAS, There is a most economical, safe and efficient type of public rapid transportation which could move all the users of public transportation in all of the metropolitan areas when operated by operating transport companies and corporations in conjunction with extant facilities where possible, and

WHEREAS, There is an engineering and construction company which has made a profound study of the problem of transporting the mass movements of citizens to and from the down-town metropolitan areas and the possible integration of the modes of travel currently used and the economies built upon these serviceable, time-tested types of travel, and which is desirous of furnishing and assisting our citizenry who are dependent on public mass transportation, and those citizens who would use a type of transportation for a reasonable fare which can be operated quickly and efficiently and profitably, and

WHEREAS, The engineers and the sponsors of this excellent type of public mass transportation have heretofore brought to the attention of the legislative body of the State of California, the Boards of Supervisors of San Francisco, Los Angeles, and Alameda Counties and the city councils of the large metropolitan areas and supervisorial districts within the State of California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly recommends to the Los Angeles Metropolitan Transit Authority and the San Francisco Bay Area Rapid Transit Commission that they take cognizance of the Duo-Rail Overhead System of Transportation, and be it further

Resolved, That the Clerk of the Assembly be instructed to forward a copy of this resolution to the Chairmen of the Public Utilities and Corporations Committee of the State Assembly, and the Assembly Committee on Transportation and Commerce and the Senate Interim Committee on Rapid Transit San Francisco Bay Area, and the Senate Public Utilities Committee, and the Senate Transportation Committee and the Secretary of the Golden Gate Bridge and Highway District and the Chairmen of the Board of Supervisors of San Francisco, Alameda and Los Angeles Counties

Resolution ordered passed on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Rules, to which were referred

House Resolution No 19	House Resolution No 28
House Resolution No 20	House Resolution No 31
House Resolution No 23	House Resolution No 40
House Resolution No 25	House Resolution No 41
House Resolution No 26	

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended

SAM L COLLINS, Chairman

Above reported resolutions ordered on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 19

Mr Evans asked for, and was granted unanimous consent to take up House Resolution No 19, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 19

By Mr. Evans:

House Resolution No. 19

Relative to augmenting the funds of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, The Assembly Interim Committee on Public Utilities and Corporations was formed to study matters relating to public utilities and corporations and subjects pertinent thereto, and

WHEREAS, The committee has been unable to complete its study of some of the numerous items referred to it due to a shortage of funds, and

WHEREAS, New and additional inquiries are constantly being referred to the committee on the subjects committed to it for its consideration and study, now, therefore be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No 167, 1951 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

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules

Amendment No 1

In line 2 of the first "Resolved" clause of the resolution, as printed on page 322 of the Assembly Journal for March 26, 1952, strike out "ten thousand dollars ($10,000)", and insert "nine thousand seven hundred twenty-six dollars and eighty-eight cents ($9,726 88)"

Amendment No. 2

In line 8 of the first "Resolved" clause, strike out the period, and insert "; and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for a study of overhead power lines in the San Fernando Valley"

Amendments read, and adopted

House Resolution No. 19, As Amended

By Mr Evans

House Resolution No. 19

Relative to augmenting the funds of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, The Assembly Interim Committee on Public Utilities and Corporations was formed to study matters relating to public utilities and corporations and subjects pertinent thereto, and

WHEREAS, The committee has been unable to complete its study of some of the numerous items referred to it due to a shortage of funds, and

WHEREAS, New and additional inquiries are constantly being referred to the committee on the subjects committed to it for its consideration and study, now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of nine thousand seven hundred twenty-six dollars and eighty-eight cents ($9,726 88) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No 167, 1951 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, and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for a study of overhead power lines in the San Fernando Valley

Resolution ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO 20

Mr Hinckley asked for, and was granted, unanimous consent to take up House Resolution No 20, at this time without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 20

By Messrs Stewart, Hinckley Lincoln, Rumford Brown Gubser Lipscomb, McGee, Lanterman, Thomas, McCarthy, Evans, and Waters

House Resolution No 20

Relative to augmenting the funds of the Assembly Interim Committee on Governmental Efficiency and Economy

Resolved by the Assembly 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 Assembly for the expenses of the Assembly Committee on Governmental Efficiency and Economy (created by House Resolution No 186, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

In line 2 of the measure, as printed in the Assembly Journal for March 26, 1952 (First Extraordinary Session), on page 322, strike out "twenty thousand dollars ($20,000)", and insert "fourteen thousand three hundred ninety dollars and seventy-nine cents ($14,390 79)"

Amendment read, and adopted.

House Resolution No 20, As Amended

By Messrs Stewart, Hinckley, Lincoln, Rumford, Brown, Gubser, Lipscomb, McGee, Lanterman, Thomas, McCarthy, Evans, and Waters:

House Resolution No. 20

Relative to augmenting the funds of the Assembly Interim Committee on Governmental Efficiency and Economy

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of fourteen thousand three hundred ninety dollars and seventy-nine cents ($14,390 79) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Committee on Governmental Efficiency and Economy (created by House Resolution No 186, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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 ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 23

Mr Sherwin asked for, and was granted, unanimous consent to take up House Resolution No 23 at this time without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 23

By Mr Sherwin:

House Resolution No. 23

Relative to augmenting the funds of the Assembly Interim Committee on Ways and Means

Resolved by the Assembly of the State of California That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Ways and Means (created by House Resolution No 204, 1951 Regular Session) and its members, and for any charges, expenses or claims it may incur under said resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the measure, as printed in the Assembly Journal for March 26, 1952 (First Extraordinary Session) on page 327, strike out "ten thousand dollars ($10,000)", and insert "three thousand nine hundred thirty-six dollars and ninety-three cents ($3,936 93)"

Amendment read, and adopted

House Resolution No. 23, As Amended

By Mr Sherwin

House Resolution No. 23

Relative to augmenting the funds of the Assembly Interim Committee on Ways and Means

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of three thousand nine hundred thirty-six dollars and ninety-three cents ($3,936 93), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Ways and Means (created by House Resolution No 204, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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 ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 25

Mr Geddes asked for, and was granted unanimous consent to take up House Resolution No 25 at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 25

By Messrs Dickey, Lindsay, Dolwig, Dunn, Geddes, Hagen, Hansen, Lincoln, Luckel, McCollister, and McMillan:

House Resolution No. 25

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works was directed to study all matters relating to conservation of natural resources, state and local planning laws, and public works programs including special subcommittee studies on state-wide pollution problems, bay area regional problems, and ground water rights, now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No 242, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules

Amendment No. 1

In line 2 of the first "Resolved" clause of the resolution, as printed on page 367 of the Assembly Journal for March 27 1952 strike out "thirty-five thousand dollars ($35,000)", and insert "fourteen thousand seven hundred sixty-one dollars and fifty-five cents ($14,761.55)"

Amendment No. 2

In line 9 of the first "Resolved" clause, strike out the period, and insert , and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for the Subcommittee on Bay Area Problems

Amendments read, and adopted

House Resolution No 25, As Amended

By Messrs Dickey, Lindsay, Dolwig, Dunn, Geddes, Hagen, Hansen, Lincoln, Luckel, McCollister, and McMillan

House Resolution No. 25

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works was directed to study all matters relating to conservation of natural resources, state and local planning laws, and public works programs, including special subcommittee studies on state-wide pollution problems, bay area regional problems, and ground water rights, now therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of fourteen thousand seven hundred sixty-one dollars and fifty-five cents ($14,761.55) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Conservation Planning, and Public Works (created by House Resolution No 242, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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, and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for the Subcommittee on Bay Area Problems

Resolution ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 26

Mr Moss asked for, and was granted, unanimous consent to take up House Resolution No 26, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 26

By Mr Clarke

House Resolution No. 26

Relative to augmenting the funds of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of _____ _____ ($_____ _) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Agriculture (created by House Resolution No 241, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the title of the resolution as printed on page 368 of the Assembly Journal for March 27 1952 strike out "augmenting the funds of"

Amendment No 2

In line 2 of the first *Resolved* clause, strike out "_____ _____ ($_____ _)" and insert "four thousand eight hundred thirty-nine dollars and twelve cents ($4,839 12)"

Amendment No. 3

In line 8 of the first *Resolved* clause, strike out the period and insert ", and be it further

Resolved That out of the money made available to the committee a sum not to exceed five thousand dollars ($5,000) shall be made available to the Subcommittee on Public Lands and a sum not to exceed three thousand dollars ($3,000) shall be made available to the Subcommittee on Fairs and Expositions and be it further

Resolved That the Assembly Interim Committee on Agriculture and any appropriate subcommittee thereof is hereby authorized to meet and act both within and without the State of California in carrying out the duties imposed upon it by the resolution which created it"

Amendments read, and adopted

House Resolution No. 26, As Amended

By Mr Clarke

House Resolution No. 26

Relative to augmenting the funds of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of four thousand eight hundred thirty-nine dollars and twelve cents ($4,839 12) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Agriculture (created by House Resolution No 241, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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, and be it further

Resolved, That out of the money made available to the committee a sum not to exceed five thousand dollars ($5,000) shall be made available to the Subcommittee on Public Lands and a sum not to exceed three thousand dollars ($3,000) shall be made available to the Subcommittee on Fairs and Expositions, and be it further

Resolved, That the Assembly Interim Committee on Agriculture and any appropriate subcommittee thereof is hereby authorized to meet and act both within and

without the State of California in carrying out the duties imposed upon it by the resolution which created it

Resolution ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 28

Mr Connolly asked for, and was granted unanimous consent to take up House Resolution No 28 at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 28

By Mr Connolly·

House Resolution No. 28

Relative to augmenting the funds of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of _____ dollars ($_____ .) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Health (created by House Resolution No 155, 1951 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

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

In line 2 of the first "Resolved" clause of the resolution, as printed on page 456 of the Assembly Journal for March 28, 1952, strike out " _____ dollars ($ ___ .)", and insert "five thousand seven hundred sixty-four dollars and seventy-one cents ($5,764.71)"

Amendment read, and adopted

House Resolution No. 28, As Amended

By Mr Connolly

House Resolution No. 28

Relative to augmenting the funds of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five thousand seven hundred sixty-four dollars and seventy-one cents ($5,764.71) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Health (created by House Resolution No 155, 1951 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 ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 31

Mr Dunn asked for, and was granted, unanimous consent to take up House Resolution No 31 at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO 31

By Mr Dunn

House Resolution No 31

Relative to augmenting the funds of the Assembly Interim Committee on Education

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of seven thousand dollars ($7,000) or so much

thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Education (created by House Resolution No 197, 1951 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

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

In line 2 of the measure, as printed in the Assembly Journal for March 28, 1952 (First Extraordinary Session), on page 457, strike out "seven thousand dollars ($7,000)", and insert "two thousand seven hundred eighty-two dollars and fifty-one cents ($2,782.51)"

Amendment read, and adopted.

House Resolution No 31, As Amended

By Mr Dunn.

House Resolution No 31

Relative to augmenting the funds of the Assembly Interim Committee on Education

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of two thousand seven hundred eighty-two dollars and fifty-one cents ($2,782.51) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Education (created by House Resolution No 197, 1951 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 ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 40

Mr Silliman asked for, and was granted, unanimous consent to take up House Resolution No 40 at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Mr Silliman

House Resolution No. 40

Relative to augmenting the funds of the Assembly Committee on Governmental Reorganization

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to it the sum of ___ or so much thereof as may be necessary is hereby made available to the Assembly Committee on Governmental Reorganization (created by H R 203 of the 1951 Regular Session) from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

In line 2 of the first "*Resolved*" clause, as printed on page 476 of the Assembly Journal for March 31 1952, strike out "___", and insert "ten thousand three hundred ninety-two dollars and nine cents ($10,392.09)"

Amendment read, and adopted

House Resolution No. 40, As Amended

By Mr Sillman

House Resolution No 40

Relative to augmenting the funds of the Assembly Committee on Governmental Reorganization

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to it the sum of ten thousand three hundred ninety-two dollars and nine cents ($10,392.09) or so much thereof as may be necessary is hereby made available to the Assembly Committee on Governmental Reorganization (created by H R 203 of the 1951 Regular Session) from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from 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 ordered passed on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 41

Mr Geddes asked for, and was granted, unanimous consent to take up House Resolution No 41, at this time, without reference to file

Consideration of House Resolution No. 41

By Mr Geddes

House Resolution No. 41

Relative to augmenting the funds of the Assembly Interim Committee on Finance and Insurance

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Finance and Insurance (created by House Resolution No 194, 1951 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

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the measure, as printed in the Assembly Journal for March 31, 1952 (First Extraordinary Session) on page 478, strike out "ten thousand dollars ($10,000)", and insert "seven thousand eight hundred sixty dollars and fifty-eight cents ($7,860.58)"

Amendment read, and adopted

House Resolution No. 41, As Amended

By Mr Geddes

House Resolution No 41

Relative to augmenting the funds of the Assembly Interim Committee on Finance and Insurance

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of seven thousand eight hundred sixty dollars and fifty-eight cents ($7,860.58) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Finance and Insurance (created by House Resolution No 194, 1951 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 ordered passed on file

NOTICE OF MOTION TO RECONSIDER LAPSED

The notice of motion to reconsider Assembly Joint Resolution No 13 lapsed

Assembly Joint Resolution No 13 ordered transmitted to the Senate

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings

Today at 2 p m —

Rules, in Lounge Room

Tomorrow, Wednesday, April 2d—

At 9 a m —

Rules, in Lounge Room

At 9 30 a m —

Finance and Insurance, in Room 3184

At 10 30 a m (By unanimous consent)—

Education, in Room 3184

ADJOURNMENT

At 8 04 p m , on motion of Mr Dickey , the Speaker declared the Assembly adjourned until 10 a m , Wednesday, April 2 1952

SAM I. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 2, 1952

The Assembly met at 10 a m
Hon Sam L Collins, Speaker of the Assembly presiding
Chief Clerk Arthur A Ohnimus at the desk

ROLL CALL

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

Babbage, Beck, Belotti Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—69

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rabbi Irving Hausman

Lord Our God, We invoke Thy blessing upon the Members of this Assembly, its Speaker and all those in position of responsibility We pray that their deliberations which are about to end will affect favorably the course of our life We pray that their labors and decisions will promote the well-being of our State and Nation, and will contribute to the peace and order of our world May they always be conscious of their obligation to Thee and of the opportunity for service to their fellowmen which Thou hast granted unto them May they be blessed by their worthy actions dedicated to the sanctity of life and the dignity of man —AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr Clarke, on motion of Mr Lowrey

Mr Cooke, on motion of Mr Lowrey.

Mr Crowley, on motion of Mr. Lowrey

The following members were granted leaves of absence for the day, because of legislative business elsewhere·

Mr Lincoln, on motion of Mr Waters

Mr. Thomas, on motion of Mr Porter.

Mr Dills, on motion of Mr Brown.

Mr McCollister, on motion of Mr. Dolwig

Mr. Condon, on motion of Mr Hagen

Mr McMillan, on motion of Mr. Evans.

The following member was granted leave of absence for the day, and desired to waive his per diem

Mr Hollibaugh, on motion of Mr Waters.

RESOLUTIONS

The following resolution was offered·

By Mr Sam L. Collins:

House Resolution No. 57

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

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same, said compensation to be upon a seven-day week basis

Commencing Wednesday, April 2, 1952	*Per day*
Chief Clerk, Arthur A Ohnimus	$30 00
Minute Clerk, Geraldine B Hadsell	18 00
Sergeant-at-Arms, Wilkie Ogg	18 00
Chaplain, Rabbi Irving Hausman	7 50
Assistant Clerk, Harold F Lewright	18 00
Engrossing-Enrolling Clerk, Charles W Robbins	17 00
History Clerk, Ethel E Brockelbank	15 75
File Clerk, Ruth Riley	14 50
Assistant Clerk, Paul F Crum	14 50
Assistant Clerk, Robert J Finnie	14 50
Journal Clerk, Walter W Feeley	14 50
Assistant-at-Desk, William J Greene	13 50
Assistant Sergeant-at-Arms, Andrew J Cecchettini	16 00

Request for Unanimous Consent

Mr Sam L Collins asked for, and was granted, unanimous consent to take up House Resolution No 57, at this time, without reference to committee or file

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, Morris, Moss, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—60

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 49—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 First Extraordinary Session of the Legislature, to take effect immediately,

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of April, 1952, at 8 p m

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Assembly Joint Resolution No 16

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

SAM L COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No 16

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

COMMUNICATIONS

By the Chief Clerk

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

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF EMPLOYMENT
SACRAMENTO 14, CALIFORNIA, April 1, 1952

Honorable Arthur A Ohnimus, Chief Clerk
California State Assembly
State Capitol, Sacramento, California

DEAR MR OHNIMUS I am pleased to present to the Members of the Assembly for their information, the Annual Report of the Activities of the State Department of Employment during the calendar year 1951

Sincerely yours

JAMES G BRYANT, Director

Copies of above transmitted report ordered distributed to the Members.

REQUEST FOR UNANIMOUS CONSENT THAT 2,000 ADDITIONAL COPIES OF REPORT BE PRINTED

Mr Brown asked for, and was granted, unanimous consent that 2,000 additional copies be ordered printed of the following report which was previously printed as a separate document The Preliminary Report of the Subcommittee on Narcotics of the Assembly Interim Committee on Judiciary, and the Assembly Interim Committee on Public Health

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO April 1, 1952

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

Senate Bill No 34
Senate Bill No 35
Senate Bill No 36

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time

Senate Bill No. 34 —An act to add Section 2 to an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to fees in such court

Senate Bill No 34 ordered held at desk

Senate Bill No. 35—An act to amend Section 1 of an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges officers, and attaches thereof" approved June 28, 1951, relating to the number and salaries of attaches thereof

Senate Bill No 35 ordered held at desk

Senate Bill No. 36—An act to amend Section 1 of, and to add Section 2 to, an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the Municipal Court of the City of San Bernardino

Senate Bill No 36 ordered held at desk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1952

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

Assembly Joint Resolution No 6
Assembly Concurrent Resolution No 11

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

Above resolutions ordered enrolled

SENATE CHAMBER, SACRAMENTO April 1, 1952

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

Assembly Bill No 27

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

Above bill ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 1, 1952

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

Senate Bill No 10

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time

Senate Bill No 10—An act to amend the title to Chapter 3, Part 2, Division 2 of the Military and Veterans Code and to amend Sections 51, 120, 213, 215, 422, 550, 554, 562, 565, 640, 643 1, and 648 of the Military and Veterans Code, relating to the change of the name of the California National Guard Reserve to California Guard, to disability and death benefits for the state military forces and to the wearing of decorations by the California Guard, declaring the urgency thereof, to take effect immediately

Referred to Committee on Finance and Insurance

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Finance and Insurance, to which was referred

Senate Bill No 12
Senate Bill No 10

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

GEDDES, Chairman

Above reported bills ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1952

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

Assembly Bill No. 39

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 39—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or a water supply and the sale or other disposition of water, to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire

or construct or have constructed dams conduits, and other works for the control, conservation, diversion, and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used, to provide for the organization, government and management of said district and establishing the boundaries thereof, to provide for certain powers, rights and liabilities of member units located within or partially within said district, to provide for the appointment, powers duties, liabilities and compensation of the officers and employees of said district, to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and issuing and selling of bonds, the voting and levying and collection of special assessments, the levying and collection of taxes, to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds, to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act, and to empower municipalities, irrigation districts county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency

The question being Shall the Assembly concur in the following Senate amendment to Assembly Bill No 39?

Amendment No 1

On page 4 of the printed bill, as amended in the Assembly on March 26, 1952, strike out lines 32 to 37, inclusive

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 39 by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—60

NOES—None

Assembly Bill No 39 ordered enrolled

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 47—An act to add Sections 7000 1, 7000 2, 7000 3, 7036 5, 7111 1, 7114 1, 7116 1, and 7118 to the Education Code, to amend Sections 5153 3, 7035, 7036, 7037 1, 7037 2, 7091, 7109 2, 7109 3, 7111, 7114, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System.

Resolution to Suspend Constitutional Provision

The following resolution was offered

By Mr Kirkwood

Resolved, That Assembly Bill No 47 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers Morris Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—69

NOES—None

Article IV, Section 15 of the Constitution was declared suspended

Assembly Bill No. 47—An act to add Sections 7000 1, 7000 2, 7000 3, 7036 5, 7111 1, 7114 1, 7116 1, and 7118 to the Education Code, to amend Sections 5153 3, 7035, 7036, 7037 1, 7037 2, 7091, 7109 2, 7109 3, 7111, 7114, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky Gubser, Hagen, Hahn Hansen Hawkins Henderson Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers Morris Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart Tomlinson, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate

Explanation of Vote on Assembly Bill No. 47

At the time Assembly Bill No 47 was passed, I was in the Senate on legislative business I would have voted "Aye"

LAUGHLIN E WATERS

Assembly Concurrent Resolution No 13—Relative to adjournment in respect to the memory of Chief Deputy District Attorney Daniel Beecher

Resolution read

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

AYES—Babbage Beck Belotti Berry, Brady, Brown Burke, Burkhalter, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis Dickey Doyle, Elliott Erwin, Evans, Gaffney Geddes, Grant Grunsky Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Kelly Kilpatrick, Kirkwood Klocksiem, Lanterman Levering, Lindsay, Lipscomb, Lowrey Luckel, Lyon Maloney, McCarthy McFall, McGee, Meyers, Morris, Moss Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—64

NOES—None

Resolution ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 10 55 a m , Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Assembly Concurrent Resolution No. 10—Relative to encouragement of academic training for engineers

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey Doyle Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman Levering, Lindsay, Lipscomb, Lowrey Lucke, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford Shaw, Sherwin Silliman, Smith, Stanley, Stewart and Tomlinson—64

NOES—None

Resolution ordered transmitted to the Senate

CONSIDERATION OF HOUSE RESOLUTION NO. 19

By Mr Evans·

House Resolution No 19

Relative to augmenting the funds of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, The Assembly Interim Committee on Public Utilities and Corporations was formed to study matters relating to public utilities and corporations and subjects pertinent thereto , and

WHEREAS, The committee has been unable to complete its study of some of the numerous items referred to it due to a shortage of funds , and

WHEREAS, New and additional inquiries are constantly being referred to the committee on the subjects committed to it for its consideration and study ; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of nine thousand seven hundred twenty-six dollars and eighty-eight cents ($9,726 88) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No 167, 1951 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 , and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for a study of overhead power lines in the San Fernando Valley

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McFall, McGee, Meyer, Moss Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Tomlinson—54

NOES—George D Collins—1

CONSIDERATION OF HOUSE RESOLUTION NO. 20

By Messrs Stewart, Hinckley, Lincoln, Rumford, Brown, Gubser, Lipscomb, McGee, Lanterman, Thomas, McCarthy, Evans, and Waters

House Resolution No. 20

Relative to augmenting the funds of the Assembly Interim Committee on Governmental Efficiency and Economy

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of fourteen thousand three hundred ninety dollars

and seventy-nine cents ($14,390 79) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Committee on Governmental Efficiency and Economy (created by House Resolution No 186, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—58

NOES—None

CONSIDERATION OF HOUSE RESOLUTION NO. 23

By Mr Sherwin

House Resolution No. 23

Relative to augmenting the funds of the Assembly Interim Committee on Ways and Means

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of three thousand nine hundred thirty-six dollars and ninety-three cents ($3 936 93), or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Ways and Means (created by House Resolution No 204, 1951 Regular Session) and its members, and for any charges, expenses or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, and Tomlinson—59

NOES—None

CONSIDERATION OF HOUSE RESOLUTION NO. 25

By Messrs Dickey, Lindsay, Dolwig, Dunn, Geddes, Hagen, Hansen, Lincoln, Luckel, McCollister, and McMillan

House Resolution No. 25

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works was directed to study all matters relating to conservation of natural resources, state and local planning laws, and public works programs, including special subcommittee studies on state-wide pollution problems, bay area regional problems, and ground water rights now therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of fourteen thousand seven hundred sixty-one dollars and fifty-five cents ($14,761 55) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No 242 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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, and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for the Subcommittee on Bay Area Problems

Resolution read, and ordered passed on file

CONSIDERATION OF HOUSE RESOLUTION NO. 26

By Mr Clarke

House Resolution No 26

Relative to augmenting the funds of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of four thousand eight hundred thirty-nine dollars and twelve cents ($4,839 12) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Agriculture (created by House Resolution No 241, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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, and be it further

Resolved, That out of the money made available to the committee a sum not to exceed five thousand dollars ($5,000) shall be made available to the Subcommittee on Public Lands and a sum not to exceed three thousand dollars ($3,000) shall be made available to the Subcommittee on Fairs and Expositions, and be it further

Resolved, That the Assembly Interim Committee on Agriculture and any appropriate subcommittee thereof is hereby authorized to meet and act both within and without the State of California in carrying out the duties imposed upon it by the resolution which created it

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dickey, Doyle Elliott, Erwin, Evans, Fleury, Gaffney, Geddes Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey Lyon, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford Shaw, Sherwin, Silliman, Smith, Stanley, and Tomlinson—57

NOES—None

CONSIDERATION OF HOUSE RESOLUTION NO. 28

By Mr Connolly.

House Resolution No. 28

Relative to augmenting the funds of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of five thousand seven hundred sixty-four dollars and seventy-one cents ($5,764 71) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Public Health (created by House Resolution No 155 1951 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

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

AYES—Babbage, Beck, Belotti, Berry Brady, Brown, Burke Burkhalter Chapel, Coats, Collier, George D Collins Connolly, Conrad, Davis, Dickey, Doyle, Elliott Erwin, Evans, Gaffney Geddes, Grant, Grunsky, Gubser, Hagen Hahn Hansen, Hawkins, Henderson Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem Lanterman, Levering, Lindsay Lipscomb, Lowrey Maloney McCarthy, McFall McGee, Meyers Morris, Moss, Munnell, Niehouse, Parker, Rosenthal Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—59

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Mr Silliman

House Resolution No. 40

Relative to augmenting the funds of the Assembly Committee on Governmental Reorganization

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to it the sum of ten thousand three hundred ninety-two dollars and nine cents ($10,392 09) or so much thereof as may be necessary is hereby made available to the Assembly Committee on Governmental Reorganization (created by H R 203 of the 1951 Regular Session) from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Connolly, Conrad, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58

NOES—None

CONSIDERATION OF HOUSE RESOLUTION NO. 41

By Mr Geddes

House Resolution No. 41

Relative to augmenting the funds of the Assembly Interim Committee on Finance and Insurance

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of seven thousand eight hundred sixty dollars and fifty-eight cents ($7,860 58) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Finance and Insurance (created by House Resolution No 194, 1951 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

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

AYES—Babbage, Beck, Belotti, Berry Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant Grunsky Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley Stewart, and Waters—59

NOES—None

CONSIDERATION OF HOUSE RESOLUTION NO. 49

By Mr Brady

House Resolution No 49

Relative to Duo-Rail Overhead System of Transportation

WHEREAS, Because of the inability of tens of thousands of our fellow Californians to travel as is their custom because of the unfortunate stoppage of a part of the public transportation system which points up the necessity of close and thorough examination of mass transportation facilities, and

WHEREAS The citizens of California who must travel regularly are woefully distressed even in times of economic peace because of the transportation facilities which do not admit of travel rapidly and comfortably between their homes and places of employment, and

WHEREAS, The decentralization of the economic life of the metropolitan areas has focused attention of all business and corporate interests on the need for adequate public rapid transportation to protect property owners from tax increases and to end tax subsidies which have not enabled mass movement of our citizens, and

WHEREAS, The testimony of the operators of the major metropolitan transportation systems throughout the United States is that unless patronage increases and substantial fares are granted or allowed their interests must by necessity be sold to political subdivisions to prevent discontinuance of public transportation facilities; and

WHEREAS, If some form of public rapid transportation which is so urgently needed at this time is not forthcoming now the so-called "down-town metropolitan" areas of our larger cities will disintegrate and become decentralized, thereby incurring great economic and property loss, and

WHEREAS, There is a most economical, safe and efficient type of public rapid transportation which could move all the users of public transportation in all of the metropolitan areas when operated by operating transport companies and corporations in conjunction with extant facilities where possible, and

WHEREAS, There is an engineering and construction company which has made a profound study of the problem of transporting the mass movements of citizens to and from the down-town metropolitan areas and the possible integration of the modes of travel currently used and the economies built upon these serviceable, time-tested types of travel, and which is desirous of furnishing and assisting our citizenry who are dependent on public mass transportation, and those citizens who would use a type of transportation for a reasonable fare which can be operated quickly and efficiently and profitably, and

WHEREAS, The engineers and the sponsors of this excellent type of public mass transportation have heretofore brought to the attention of the legislative body of the State of California, the Boards of Supervisors of San Francisco, Los Angeles, and Alameda Counties and the city councils of the large metropolitan areas and supervisorial districts within the State of California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly recommends to the Los Angeles Metropolitan Transit Authority and the San Francisco Bay Area Rapid Transit Commission that they take cognizance of the Duo-Rail Overhead System of Transportation; and be it further

Resolved, That the Clerk of the Assembly be instructed to forward a copy of this resolution to the Chairmen of the Public Utilities and Corporations Committee of the State Assembly, and the Assembly Committee on Transportation and Commerce, and the Senate Interim Committee on Rapid Transit San Francisco Bay Area and the Senate Public Utilities Committee, and the Senate Transportation Committee, and the Secretary of the Golden Gate Bridge and Highway District and the Chairmen of the Board of Supervisors of San Francisco Alameda and Los Angeles Counties

Resolution read, and adopted

REQUEST FOR UNANIMOUS CONSENT

Mr Dickey asked for and was granted unanimous consent to take up Assembly Joint Resolution No 16, at this time, without reference to file

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 16

Assembly Joint Resolution No. 16—Relative to sanitary facilities in border cities

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D Collins, Connolly, Conrad, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—55

NOES—None

Resolution ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Joint Resolution No 4

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read

Senate Joint Resolution No. 4—Relative to memorializing the Congress of the United States with respect to state control of wildlife on federal property

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Senate Joint Resolution No. 4

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

SAM L COLLINS, Chairman

Above reported resolution ordered on file for adoption

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Concurrent Resolution No 2
Senate Concurrent Resolution No 5
Senate Joint Resolution No 3

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 25

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No 25, temporarily passed on file

CONSIDERATION OF HOUSE RESOLUTION NO. 25

By Messrs Dickey, Lindsay, Dolwig, Dunn, Geddes, Hagen, Hansen, Lincoln, Luckel, McCollister, and McMillan

House Resolution No. 25

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works was directed to study all matters relating to conservation of natural resources, state and local planning laws, and public works programs, including special subcommittee studies on state-wide pollution problems, bay area regional problems, and ground water rights, now therefore be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of fourteen thousand seven hundred sixty-one dollars and fifty-five cents ($14,761.55) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No 242, 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under said 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, and be it further

Resolved, That the sum of three thousand dollars ($3,000) of the money made available by this resolution shall be used for the Subcommittee on Bay Area Problems

Resolution read

Motion to Amend

Mr Dickey moved the adoption of the following amendments

Amendment No. 1

In the resolution, as printed in the Assembly Journal for April 1, 1952, at page 582, in the first "Resolved" paragraph, lines 2 and 3, strike out "fourteen thousand seven hundred sixty-one dollars and fifty-five cents ($14,761.55)", and insert "thirty-four thousand nine hundred ninety-nine dollars ($34,999)

Amendment No. 2

In the resolution, as printed, in the second "Resolved" paragraph, line 1, strike out "three thousand dollars ($3,000)", and insert "ten thousand dollars ($10,000)"

Amendments read

Speaker Presiding

At 12:32 p.m., Hon Sam L Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Waters, Luckel, Klocksiem, Hansen, and Burke demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr Dickey to House Resolution No 25.

Request for Unanimous Consent That Time of Mr Dickey Be Extended

Mr. Hahn asked for, and was granted, unanimous consent that an additional three minutes be granted Mr Dickey for his closing remarks.

The question being on the adoption of the amendments offered by Mr Dickey

Roll Call Demanded

Messrs. Collier, Hinckley, and Grunsky demanded a roll call

The roll was called, and the amendments offered by Mr Dickey to House Resolution No 25 refused adoption by the following vote

AYES—Berry, Brady, Chapel, Dickey, Doyle, Dunn, Elliott, Geddes, Hagen, Hansen, Hawkins, Lindsay, Lyon, Porter, Rumford, and Stanley—16

NOES—Beck, Belotti, Burke, Burkhalter, Caldecott, Collier, George D Collins, Connolly, Conrad, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—41

The question being on the adoption of House Resolution No 25

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Collier, Connolly, Conrad, Dickey, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—52

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 31

Mr Dunn asked for, and was granted, unanimous consent to take up House Resolution No. 31, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Mr Dunn

House Resolution No. 31

Relative to augmenting the funds of the Assembly Interim Committee on Education

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of two thousand seven hundred eighty-two dollars and fifty-one cents ($2,782 51) or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Education (created by House Resolution No 197, 1951 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

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, Connolly, Conrad, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—59

NOES—None

RESOLUTIONS

The following resolutions were offered

By Messrs Morris, McGee, and Lanterman:

House Resolution No. 58

Relative to commending Howard Hughes for refusing to temporize with suspected Communists

WHEREAS, At the direction of Howard Hughes, RKO Pictures Corporation instituted the first legal action to be brought by any motion picture studio against any of the men or women who were subpenaed by the House Un-American Activities Committee, and who refused to answer the question of whether they were Communists; and

WHEREAS, The filing of this action was the result of the refusal of Howard Hughes to submit to great pressure, intimidation, and appeals from all directions to compromise his righteous and forthright stand in the interest of all Americans, and

WHEREAS, The firm and unyielding position of Howard Hughes has been recognized throughout the United States as being highly patriotic and congratulatory as witnessed by the following statements

> "I am highly gratified that Howard Hughes has taken this position I am one member of my committee who has felt for some time the responsible members of the major picture producers are sincerely trying to eliminate men and women of subversive tendencies from the industry I congratulate Mr Hughes on his stand"—Congressman John S Wood, Chairman of the House Un-American Activities Committee,

and

> "The action of Mr Hughes will meet with widespread approval throughout the Country and here in Washington"—Congressman Donald L Jackson;

now, therefore, be it

Resolved by the Assembly of the State of California That Howard Hughes is hereby commended and congratulated for his action in dealing with subversive elements in the motion picture industry, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitable copy of this resolution to Mr Howard Hughes in Hollywood, California

Resolution read, and ordered referred to the Committee on Rules

By Mr Morris

House Resolution No. 59

Relative to a study by the Assembly Interim Committee on Judiciary

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary (created by House Resolution No 168, 1951 Regular Session)

is instructed to study the present budget session and to prepare a constitutional amendment to abolish the budget session should the committee determine such action to be in the interest of the people of the State of California

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

RECESS

At 12 42 p m , on motion of Mr. Dickey, the Assembly recessed until 2 p m.

REASSEMBLED

At 2 p m , the Assembly reconvened
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 8—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on vehicles and vehicle fuels,

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of April, 1952, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 16—An act to amend Sections 5501, 5503, 5505, 5511, 5512, and 5517 of, and to add Sections 5500 5, 5501 5, 5503 5, 5512 3, 5519, 5520, and 5521 to, the Welfare and Institutions Code, to amend and renumber Section 5502 of the Welfare and Institutions Code to be Section 5511 7, and to amend Section 27706 of the Government Code, to provide for the prevention of sex offenses by revising the procedure for the commitment of sexual psychopaths,

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of April, 1952, at 2 p m

BURKE, Chairman

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Public Health, to which was referred Assembly Bill No 23

Respectfully reports the same back without further action

CONNOLLY, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Concurrent Resolution No 14
Assembly Joint Resolution No 2
Assembly Joint Resolution No 5
Assembly Joint Resolution No 10

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

Above resolutions ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No 6

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

REQUEST FOR UNANIMOUS CONSENT THAT CORRECTED LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr Lowrey asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal, in 10 point type, as follows

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 25, 1952

Hon George A Clarke, Chairman
Assembly Interim Committee on Agriculture
State Capitol, Sacramento, California

Your subcommittee presents the following Progress Report on Public Lands, Grazing, and Forest Practices

At the 1951 Session of the Legislature the Assembly, pursuant to House Resolution No 193, authorized a Subcommittee on Public Lands, Grazing, and Forest Practices

"* * * to ascertain, study and analyze all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Government relationships involved therein, including but not limited to the effect of such public acquisition ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; all facts relating to the recordation and registration of land titles, all facts relating to grazing lands, including but not limited to the conversion of brush-covered lands to grazing lands by controlled burning, and all facts relating to forest practices, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendation for appropriate legislation."

This report covers the activities of the State Division of Forestry in the range improvement program and also, in Section Two, the range research program of the University of California, College of Agriculture It includes a brief exposition of more detailed information presented by the Division of Forestry and the College of Agriculture at hearings held in Shasta and Mendocino Counties in October, 1951, and at San Francisco in February, 1952 Further field trips and hearings are planned for early summer when some of the actual results of the program can be observed first hand and a more conclusive evaluation made

The activities of other state and federal agencies in the range improvement program are being studied, the results of which will be presented as the material is briefed and compiled

Your committee is particularly fortunate in having a friendly working relationship with the state agencies involved. Furthermore, the subcommittee members take this opportunity to express their appreciation for the continuing full cooperation of the United States Forest Service and the Federal Bureau of Land Management

The range improvement program as it relates to the public lands of the State of California is growing so fast that several instances of duplication of research studies have already occurred Aware of this costly and unnecessary expense, your committee has aimed at correlating the activities of the many agencies involved to achieve the economy and efficiency of close cooperation

Respectfully submitted,

LLOYD W. LOWREY, Chairman
FRANK P. BELOTTI
ARTHUR W. COATS, JR.
FRANCIS C LINDSAY
MARVIN SHERWIN

REQUEST FOR UNANIMOUS CONSENT THAT 500 ADDITIONAL COPIES OF REPORT BE PRINTED

Mr. Lowrey asked for, and was granted, unanimous consent that 500 additional copies of the First Progress Report of the Assembly Interim Committee on Agriculture, relative to Public Lands, Grazing and Forest Practices (previously printed as a separate document) be printed, and that the corrected letter of transmittal, appearing above, replace the letter of transmittal previously appearing

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No 22
Assembly Bill No 26
Assembly Bill No 34
Assembly Bill No 35
Assembly Bill No. 36

Respectfully reports the same back without further action

STEWART, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Revenue and Taxation, to which were referred

Assembly Bill No 20
Assembly Bill No 21

Respectfully reports the same back without further action

HOLLIBAUGH, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Judiciary, to which were referred

Assembly Bill No 1
Assembly Bill No 2
Assembly Bill No 3
Assembly Bill No 4
Assembly Bill No 5
Assembly Bill No 11
Assembly Bill No 37

Respectfully reports the same back without further action

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Judiciary, to which was referred

Senate Bill No 15

Respectfully reports the same back without further action

BROWN, Chairman

Above reported bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Joint Resolution No 7

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 7—Relative to retirement pay for postal employees

The question being Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No 7?

Amendment No. 1

On page 1, line 12, of the printed measure, strike out "6450", and insert "6540"

Amendment No 2

On page 1, line 17, of said measure, strike out "6450", and insert "6540".

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Morris moved a call of the Assembly.

Motion carried Time, 2 02 p m

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

Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D Collins, Conrad, Davis, Dickey, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Nicholson, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—55

Further Proceedings Under Call of the Assembly Dispensed With

At 2 25 p m , on motion of Mr Morris, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No 7 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—55

NOES—None

Assembly Joint Resolution No 7 ordered enrolled

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which was referred
Assembly Joint Resolution No 15

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

SAM L COLLINS, Chairman

Above reported resolution ordered engrossed

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Concurrent Resolution No 8

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

Above resolution ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Concurrent Resolution No 8

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read

Senate Concurrent Resolution No. 8—Relative to Joint Committee on Water Problems

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, April 2, 1952

Hon Arthur A Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR MR OHNIMUS This is to respectfully request your honorable body to return to the Senate Assembly Bill No 6 for further action

Very truly yours,

J A BEEK, Secretary of the Senate

Assembly Bill No 6 ordered returned to the Senate.

RESOLUTIONS

The following resolutions were offered.

By Mr Tomlinson

House Resolution No. 60

Resolved, That Justin G Child, Chief of the Bureau of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the Members and Officers of the Assembly in such condition that they will be available for use by the Assembly at any time It is further directed that no person other than the Members and Officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly, or any of the Assembly equipment, and that the committee rooms, offices, desks, furniture and equipment of the Assembly be under the control of the Committee on Rules of the Assembly subsequent to the sine die adjournment of the session and until the Assembly shall reconvene for the next regular session,

Resolved, That any requests for the use of the Assembly Chamber must be made to the Speaker at least 10 days prior to the requested date for the use of the Assembly Chamber, and that subsequent to the sine die adjournment, and until the reconvening of the Assembly for the next regular session the use of the Assembly Chamber shall not be permitted except on the written authorization of the Speaker and be it further

Resolved, That any requests for the use of the committee rooms, offices, desks, furniture, or equipment of the Assembly shall be made to the Speaker of the Assembly, in writing, at least 10 days prior to the requested date for the use of such committee rooms

Request for Unanimous Consent

Mr Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No 60, at this time, without reference to committee or file

Resolution read, and adopted

By Mr Porter

House Resolution No. 61

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly after the close of the session, or that may be drawn upon the Contingent Fund of the Assembly

Request for Unanimous Consent

Mr Porter asked for, and was granted, unanimous consent to take up House Resolution No 61, at this time, without reference to committee or file

Resolution read, and adopted

By Mr McCarthy

House Resolution No 62

Resolved by the Assembly of the State of California, That each and every person, officer, attache, or employee heretofore employed by the Assembly during this First Extraordinary Session, is stricken from the list of Assembly attaches, officers, and employees, and the names stricken from the payroll of the Assembly, to take effect upon the completion of work on Wednesday, April 2 1952, except those persons who are certified to the Controller by the Chief Clerk of the Assembly

Request for Unanimous Consent

Mr. McCarthy asked for, and was granted, unanimous consent to take up House Resolution No 62, at this time, without reference to committee or file

Resolution read, and adopted

By Mr Klocksiem

House Resolution No. 63

Resolved, That the Speaker appoint a Committee of Three to notify the Senate that the Assembly is ready to adjourn sine die and ask if the Senate has any further communications to transmit to this House

Request for Unanimous Consent

Mr Klocksiem asked for, and was granted, unanimous consent to take up House Resolution No 63, at this time, without reference to committee or file

Resolution read, and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No 63, Speaker Sam L Collins announced the appointment of Messrs Klocksiem, Smith, and Hawkins as such Select Committee to wait upon the Senate

By Mr Burke

House Resolution No. 64

Resolved, That the Speaker appoint a Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors, is ready to adjourn, and awaits his further pleasure

Request for Unanimous Consent

Mr Burke asked for, and was granted, unanimous consent to take up House Resolution No 64, at this time, without reference to committee or file

Resolution read, and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No 64, Speaker Sam L Collins announced the appointment of Messrs Burke, Waters, Lipscomb, Gaffney, and Moss as such Select Committee to wait upon the Governor

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

Senate Bill No. 23—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or water supply and the sale or other disposition of water, to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof, to provide for certain powers, rights and liabilities of member units located within or partially within said district, to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district, to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district, voting and issuing and selling of bonds, the voting and levying and collection of special assessments, the levying and collection of taxes, to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds, to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities,

irrigation districts, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency.

Bill read third time

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—52

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 26—An act to amend Section 34 of the State Water Resources Act of 1945, relating to the description of the plan of improvement for flood control on Littlejohn Creek

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—54

NOES—None

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, George D Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate

Senate Joint Resolution No. 4—Relative to memorializing the Congress of the United States with respect to state control of wildlife on federal property

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, Condon, Conrad, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Rumford, Shaw, Stanley, Stewart, Waters, and Mr. Speaker—48

NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined Assembly Joint Resolution No 15

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Bill No 39

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time

Senate Bill No 39—An act to add Section 7713 1 to Chapter 18, Division 3, of the Education Code, relating to state school building aid

Referred to Committee on Education

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr Shaw

Resolved, That Senate Bill No 34 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, considered engrossed, and placed upon its passage

Resolution read

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

AYES—Beck Belotti, Berry Brady, Burke Burkhalter, Chapel, Cloyed, Coats, Collier George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn Elliott Erwin, Fleury, Gaffney, Grant Grunsky, Gubser, Hagen, Hahn, Hansen Hawkins, Henderson, Hinckley, Kelly, Klocksiem Lanterman Lincoln, Lindsay, Lipscomb Lowrey Luckel Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell Niehouse, Parker Rumford, Shaw, Sillman, Stanley, Stewart, Waters, and Mr Speaker—77

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 34

Senate Bill No 34—An act to add Section 2 to an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28 1951, relating to fees in such court

Bill read second time

Senate Bill No. 34—An act to add Section 2 to an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and

compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to fees in such court

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nicholson, Parker, Rumford, Shaw, Sillman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr Shaw

Resolved That Senate Bill No 35 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 considered engrossed and placed upon its passage

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nicholson, Parker, Rumford, Shaw, Sillman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

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

CONSIDERATION OF SENATE BILL NO 35

Senate Bill No. 35—An act to amend Section 1 of an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges officers, and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches thereof

Bill read second time.

Senate Bill No. 35—An act to amend Section 1 of an act entitled "An act providing for the constitution of a municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers, and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches thereof

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen,

Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sillman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None.

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr Shaw·

Resolved, That Senate Bill No 36 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, considered engrossed, and placed upon its passage

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sillman, Stanley, Stewart, Waters, and Mr Speaker—57.

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 36

Senate Bill No. 36—An act to amend Section 1 of, and to add Section 2 to, an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the Municipal Court of the City of San Bernardino

Bill read second time

Senate Bill No. 36—An act to amend Section 1 of, and to add Section 2 to, an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the Municipal Court of the City of San Bernardino

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sillman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr Davis·

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 second and third times, considered engrossed, and placed upon its passage

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 12

Senate Bill No. 12—An act to amend Sections 148, 188, 341, 397, 562, and 647 of the Military and Veterans Code and to add Section 322 to the Military and Veterans Code, relating to emergency services for the California National Guard and California National Guard Reserve, rules, regulations and orders published during emergencies, workmen's compensation benefits for the state military forces, toll exemption over state-owned bridges, participation in rifle competition and reimbursement for necessary travel expenses, declaring the urgency thereof, to take effect immediately

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None.

Senate Bill No. 12—An act to amend Sections 148, 188, 341, 397, 562, and 647 of the Military and Veterans Code and to add Section 322 to the Military and Veterans Code, relating to emergency services for the California National Guard and California National Guard Reserve, rules, regulations and orders published during emergencies, workmen's compensation benefits for the state military forces, toll exemption over state-owned bridges, participation in rifle competition and reimbursement for necessary travel expenses, declaring the urgency thereof, to take effect immediately.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Nicholse, Parker, Rumford, Shaw, Silliman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Lowrey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 15, at this time, without reference to file

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 15

Assembly Joint Resolution No. 15—Relative to memorializing the Congress of the United States to suspend the importation of ladino clover seed

Resolution read

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Waters, and Mr Speaker—55

NOES—George D Collins—1

Resolution ordered transmitted to the Senate

ANNOUNCEMENT

Speaker Sam L Collins announced that all members are requested to leave instructions for the mailing of their papers and documents in their desks for the purpose of assisting the Sergeant-at-Arms with his work, at the close of the session

Speaker pro Tempore Presiding

At 4 10 p m, Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn sine die

The Select Committee appointed to wait upon His Excellency, the Governor, appeared before the bar of the Assembly, and reported that it had communicated with the Governor, and that he had no further communication to make to the Assembly

Speaker Presiding

At 4 25 p m, Hon Sam L Collins, Speaker of the Assembly, presiding

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No 6

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which were referred

Senate Concurrent Resolution No 1
Senate Concurrent Resolution No 6

Respectfully reports the same back without further action

SAM L COLLINS, Chairman

Above reported resolutions ordered transmitted to the Senate

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules to which was referred

Assembly Constitutional Amendment No 1

Respectfully reports the same back without further action

SAM L COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which were referred

Assembly Concurrent Resolution No 6
Assembly Concurrent Resolution No 12
Assembly Concurrent Resolution No 13
Assembly Joint Resolution No 1
Assembly Joint Resolution No 4
Assembly Joint Resolution No 9
Assembly Joint Resolution No 11
Assembly Joint Resolution No 12
Assembly Joint Resolution No 14

Respectfully reports the same back without further action

SAM L COLLINS, Chairman

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO April 2, 1952

MR SPEAKER Your Committee on Public Utilities and Corporations, to which was referred

House Resolution No 22

Respectfully reports the same back without further action

EVANS, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which were referred

House Resolution No 4
House Resolution No 15
House Resolution No 16
House Resolution No 17
House Resolution No 32
House Resolution No 38
House Resolution No 39
House Resolution No 45
House Resolution No 50
House Resolution No 53
House Resolution No 54
House Resolution No 58
House Resolution No 59

Respectfully reports the same back without further action

SAM L COLLINS, Chairman

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 6?

Amendment No. 1

On page 2 of the printed bill, as amended in Assembly March 19, 1952, strike out lines 11 and 12

Amendment No. 2

On page 2 of said bill, strike out lines 21 to 23, inclusive

Amendment No. 3

On page 2, line 24, of said bill strike out "(i)", and insert "(h)

Amendment No. 4

On page 2 line 26, of said bill, strike out "250,000", and insert "100,000"

Amendment No. 5

On page 2 of said bill, strike out lines 28 to 34, inclusive and insert

"(i) For attack warning system, primarily sirens $160,617
(j) For rescue equipment 53,500
(k) For fire equipment pumpers 239,818
(l) For other civil defense requirements, the remainder of the unexpended balance of the amount set forth in paragraph (d) of the schedule contained in Item 362.1 of the Budget Act of 1951, provided, that no expenditure shall be made therefrom until federal grants are available for matching and until this item is implemented by a specific enactment of this State allocating this item

No expenditure shall be made from paragraphs (f), (i), (j), and (k) of this section until federal grants are available therefore, and no expenditure shall be made from paragraphs (f), (i), and (j), until, in addition to federal grants, the affected county and city governments shall have provided an amount equal to the proposed expenditure from said paragraphs

Title to any equipment purchased from money made available by this section shall remain vested at all times in the State In the event that any of said equipment is salvaged there shall be distributed to the city or county government which contributed to the purchase of the salvaged equipment a percentage of the amount realized upon sale of the salvaged equipment equal to the percentage of its contribution to the total purchase price of the equipment salvaged"

Amendment No. 6

On page 2, in line 38, of said bill, strike out "graph (j)" and insert "graphs (f), (i), (j), (k), and (l)"

Amendment No. 7

On page 2 of said bill, strike out lines 49 to 51, inclusive, and insert "Government for the particular purpose"

Amendment No. 8

On page 3 of said bill, strike out lines 1 to 17, inclusive

Amendment No. 9

On page 3 of said bill, in line 18, strike out "5", and insert "4"

Amendment No. 10

On page 3 of said bill, in line 26, strike out "It is also anticipated", and strike out lines 27 to 30, inclusive

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No 6 by the following vote:

AYES—Belotti, Chapel, Evans, Munnell, Niehouse, and Silliman—6
NOES—Berry, Burkhalter, Erwin, Gaffney, Grunsky, Hahn, Hansen, Hinckley, Lincoln, Lipscomb, McGee, Meyers, Rumford, Sherwin, Smith, Stanley, Stewart, and Mr Speaker—18

Appointment of Committee on Conference Concerning Assembly Bill No. 6

The Speaker announced the appointment of Messrs Sherwin, Stanley, and Munnell as a Committee on Conference concerning Assembly Bill No 6.

ANNOUNCEMENT

Speaker Sam L Collins announced that many members are present in the Assembly Chamber who did not vote upon the concurrence in Senate amendments to Assembly Bill No. 6

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr Dunn, on behalf of Mr Dickey, asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal, in 10 point type, as follows

LETTER OF TRANSMITTAL

Hon. Sam L Collins
Speaker of the Assembly
California State Legislature

MR SPEAKER: Transmitted herewith is a progress report of your Interim Committee on Conservation, Planning, and Public Works, created by House Resolution 256, 1951 Regular Session Included are preliminary reports of the Subcommittee on Bay Area Regional Problems, the Subcommittee on Ground-Water Rights, and the Subcommittee on Pollution Problems

This report will serve to inform the Members of the Assembly and other interested individuals and organizations of the scope of the studies which have been undertaken and will be completed during the remainder of this year. The comment and suggestion of the members and others on any of these subjects will be sincerely welcomed by the committee

Respectfully submitted,

RANDAL F. DICKEY, Chairman

FRANCIS DUNN, JR.	HARLAN HAGEN
L. A McMILLAN	R H McCOLLISTER
WM W. HANSEN	ERNEST C CROWLEY
L. H LINCOLN	RICHARD J DOLWIG
FRANCIS LINDSAY	FRANK LUCKEL

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS A SEPARATE DOCUMENT

Mr Dunn, on behalf of Mr Dickey, asked for, and was granted, unanimous consent that the above letter of transmittal and the above mentioned Progress Report of the Assembly Interim Committee on Conservation, Planning, and Public Works be printed as a separate document, and that 2,000 copies be printed

RECESS

At 4 30 p m , on motion of Mr Stewart, the Assembly recessed until 4.35 p.m.

REASSEMBLED

At 4 35 p m , the Assembly reconvened
Hon Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which was referred
Senate Concurrent Resolution No 8
Has had the same under consideration, and reports the same back with the recommendation Be adopted.

SAM L COLLINS, Chairman

Above reported resolution ordered on file for adoption

ANNOUNCEMENT

Mr Stanley announced that Mr Cooke, who has been very ill for some time, feels that he is slowly recovering from his illness, and has sent word to the Assembly that if his vote is badly needed tonight he will leave his sick bed at the Senator Hotel and temporarily return to the Assembly Chamber to cast his vote

REQUEST FOR UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent that, when the Assembly does this day adjourn, it do so with a prayer for the immediate recovery of its three ill members, Messrs Clarke, Cooke, and Crowley.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed
Assembly Bill No 47

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

Above bill ordered enrolled

SENATE CHAMBER SACRAMENTO, April 2, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Hatfield, Burns, and Miller as a Committee on Conference concerning
Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately

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

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed
Senate Bill No 33

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time

Senate Bill No. 33—An act to amend Section 5048 of the Education Code, relating to school district public works

Referred to Committee on Education

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO April 2, 1952

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

Senate Concurrent Resolution No 12
Senate Concurrent Resolution No 14

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read

Senate Concurrent Resolution No. 12—Relative to effecting adequate information to California suppliers and declaring a public policy thereon

Senate Concurrent Resolution No 12 ordered held at desk

Senate Concurrent Resolution No. 14—Relative to Lloyd's reinsurance

Referred to Committee on Finance and Insurance

REQUEST FOR UNANIMOUS CONSENT

Mr Moss asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 8, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

Senate Concurrent Resolution No. 8—Relative to Joint Committee on Water Problems

Resolution read

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Moss moved a call of the Assembly

Motion carried Time, 4 50 p m

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

Babbage, Belotti, Brady, Brown, Chapel, Coats, Davis, Dickey, Dolwig, Dunn, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Henderson, Klocksiem, Levering, Lipscomb, Lowrey, McCarthy, McFall, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Tomlinson, and Waters—34

Further Proceedings Under Call of the Assembly Dispensed With

At 5 16 p m , on motion of Mr Moss, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Concurrent Resolution No 8 adopted by the following vote

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D Collins, Connolly, Conrad, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr Speaker—51

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Connolly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 12, at this time, without reference to committee or file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12

Senate Concurrent Resolution No. 12—Relative to effecting adequate information to California suppliers and declaring a public policy thereon

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Niehouse, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Waters, and Mr Speaker—54

NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Finance and Insurance, to which was referred Senate Concurrent Resolution No 14

Respectfully reports the same back without further action

GEDDES, Chairman

Above reported resolution ordered transmitted to the Senate

REPORT OF COMMITTEE ON CONFERENCE

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

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER The Committee on Conference concerning

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately

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

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

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in the Senate on March 31, 1952, strike out "53,500", and insert "303,500"

Amendment No. 2

On page 2, line 39, of said bill, strike out "239,818", and insert "489,818"

HATFIELD	SHERWIN
BURNS	STANLEY
MILLER	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Meyers, Moss, Niehouse, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Waters, and Mr. Speaker—55.

NOES—Morris—1.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 5 32 p m , Mr Dunn asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Education, in Room 3184, at this time

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Bill No 38
Senate Bill No. 40

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time

Senate Bill No. 38—An act to add Section 5048 7 to Chapter 1 6 of Division 3 of the Education Code, relating to state school building aid declaring the urgency thereof, to take effect immediately

Referred to Committee on Education

Senate Bill No. 40—An act to amend Sections 5071, 5072, 5073, 5103, and 5103 1 of the Education Code relating to school district building aid, declaring the urgency thereof, to take effect immediately

Referred to Committee on Education

Speaker pro Tempore Presiding

At 5 35 p m , Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Concurrent Resolution No 5
Assembly Concurrent Resolution No 9

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

Above resolutions ordered enrolled

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Joint Resolution No 5
Senate Joint Resolution No 6

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No 5—Relative to requesting the National Production Authority to allocate steel for vital projects

Senate Joint Resolution No 5 ordered held at desk.

Senate Joint Resolution No. 6—Relative to federal participation in the cost of independent audit of joint public assistance programs

Senate Joint Resolution No 6 ordered held at desk.

REQUEST FOR UNANIMOUS CONSENT

Mr Sillman asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 5, at this time, without reference to committee or file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 5

Senate Joint Resolution No. 5—Relative to requesting the National Production Authority to allocate steel for vital projects

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Nicholse, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Waters, and Mr Speaker—54

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Sillman asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 6, at this time without reference to committee or file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Senate Joint Resolution No. 6—Relative to federal participation in the cost of independent audit of joint public assistance programs

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Nicholse, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Waters, and Mr. Speaker—54.

NOES—None

Resolution ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No 40
Assembly Bill No 41
Assembly Bill No 43
Assembly Bill No 48
Assembly Bill No 50

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

Above bills ordered enrolled

Speaker Presiding

At 5 40 p m , Hon Sam L Collins, Speaker of the Assembly, presiding

COMMUNICATIONS

By the Chief Clerk

A communication from Seth Gordon, Director of the Department of Fish and Game, relative to a House resolution adopted by the California Assembly, pertaining to the feeding of snowbound deer was received, and ordered referred to the Committee on Fish and Game

By the Chief Clerk:

A communication from Seth Gordon, Director of the Department of Fish and Game, relative to a House resolution adopted by the Assembly pertaining to applications to appropriate water, was received, and ordered referred to the Committee on Fish and Game

Hon. William Byron Rumford Presiding

At 5 42 p m , Hon William Byron Rumford, Member of the Assembly from the Seventeenth District presiding

MESSAGES FROM THE SENATE

SENATE CHAMBER SACRAMENTO, April 2, 1952

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

Senate Bill No 23

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

SENATE CHAMBER SACRAMENTO, April 2, 1952

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

Assembly Concurrent Resolution No 10
Assembly Concurrent Resolution No 13
Assembly Joint Resolution No 15
Assembly Joint Resolution No 16

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

Above resolutions ordered enrolled

APPOINTMENT OF SELECT COMMITTEE

Acting Speaker William Byron Rumford appointed Mr Maloney as a Select Committee to escort to the rostrum Mr Harrison Call, a former Member of the Assembly

RECESS

At 5 44 p.m , on motion of Mr Dunn, the Assembly recessed until 5 45 p m to hear remarks from Mr Harrison Call, a former Member of the Assembly

REASSEMBLED

At 5 45 p m , the Assembly reconvened
Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No 25

Respectfully reports the same back without further action

DICKEY, Chairman

Hon. William Byron Rumford Presiding

At 5 47 p.m , Hon. William Byron Rumford, Member of the Assembly from the Seventeenth District, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Bill No 32

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 32—An act to add Article 3 to Chapter 18, Division 3 of the Education Code, relating to state school building aid, and making an appropriation therefor

Referred to Committee on Education

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Constitutional Amendment No 1
Senate Concurrent Resolution No 11

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate 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 17 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State

Referred to Committee on Rules

Senate Concurrent Resolution No. 11—Relative to the Alien Land Law and claims filed thereunder

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Bill No 19

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 19—An act to add Chapter 19 to Division 3 of the Education Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the adminis-

tration of the provisions hereof, providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter, and providing for the submission of the electors of California at the next succeeding general election of an amendment to the Constitution of the State proposed by the Legislature, authorizing the issuance of such bonds

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 19 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr Dunn asked for, and was granted, unanimous consent that Senate Bill No. 19 be withdrawn from the Committee on Rules, and be re-referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 5 48 p m , Mr Dunn asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Education, in the Lounge Room, at this time.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF JOINT MEETING BE PRINTED IN JOURNAL

Mr Lowrey asked for, and was granted, unanimous consent that a notice of a joint meeting be ordered printed in the Journal, in 10-point type, as follows:

NOTICE OF JOINT MEETING
SENATE COMMITTEE ON PUBLIC LANDS
AND
ASSEMBLY SUBCOMMITTEE ON PUBLIC LANDS,
GRAZING AND FOREST PRACTICES

Topic for Discussion	**Range Improvement and Grazing Problems in California**
Place	**Room 4202, State Capitol, Sacramento**
Date	**Saturday, May 17, 1952, 10 a.m.**

You are cordially invited to attend and participate in this hearing

Because of the scope of the subject to be covered in this one hearing, the committees would appreciate your indicating your desire to be heard Also, it would be of great assistance to the committees if you could have at least a summary of your remarks reduced to writing to be filed as part of the official record

Very truly yours,

EDWIN J REGAN, Chairman
Senate Committee on Public Lands
LLOYD W. LOWREY, Chairman
Assembly Subcommittee on Public Lands, Grazing and Forest Practices

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Education, to which were referred

Senate Bill No 28
Senate Bill No 38
Senate Bill No 40

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

DUNN, Chairman

Above reported bills ordered to second reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Senate Concurrent Resolution No 11

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

SAM L COLLINS, Chairman

Speaker Presiding

At 5 49 p m , Hon Sam L Collins, Speaker of the Assembly, presiding

Request for Unanimous Consent

Mr George D Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 11, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11

Senate Concurrent Resolution No. 11—Relative to the Alien Land Law and claims filed thereunder

Resolution read, and adopted

Resolution ordered transmitted to the Senate

Appeal From the Decision of the Chair

Mr Lowrey appealed from the decision of the Chair

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Lowrey, Munnell, Shaw, and Sherwin—4
NOES—Berry, George D Collins, Doyle, Elliott, Fleury, Hagen, Hansen, Hawkins Henderson, Lincoln, Luckel, Lyon, McFall, Morris, Parker, and Mr Speaker—16

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr Shaw asked for, and was granted, unanimous consent that his name be placed upon the roll call on the appeal from the decision of the Chair on Senate Concurrent Resolution No 11, and that he be recorded as voting "Aye"

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately

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

Assembly Bill No 6 ordered enrolled

Speaker pro Tempore Presiding

At 5.50 p m , Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 5 51 p m., Hon Sam L Collins, Speaker of the Assembly, presiding

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered ·

By Mr Geddes

Resolved, That Senate Bill No 38 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, considered engrossed, and placed upon its passage

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 38

Senate Bill No. 38—An act to add Section 5048 7 to Chapter 1 6 of Division 3 of the Education Code relating to state school building aid, declaring the urgency thereof, to take effect immediately

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote ·

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

Senate Bill No. 38—An act to add Section 5048 7 to Chapter 1 6 of Division 3 of the Education Code relating to state school building aid, declaring the urgency thereof, to take effect immediately

Bill read third time

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Stewart, Waters, and Mr Speaker—57

NOES—None

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day refused passage to

Assembly Bill No 30

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

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Bill No 33·

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 33—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code and to add Section 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making an appropriation therefor

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 33?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 26, 1952, strike out "30607", and insert "30605, 30606, 30607,"

Amendment No. 1.5

On page 1, line 1, of said bill strike out "30607", and insert "30605, 30606, 30607,"

Amendment No. 2

On page 1 of said bill, between lines 2 and 3, insert

"SEC 2 Section 30605 is added to said code, to read

30605 (a) The cost of operation and insurance of the toll bridge and any additional highway crossing of San Francisco Bay constructed between the County of Alameda and the City and County of San Francisco shall be paid by the department from the tolls and revenues received from the use and operation of the toll bridge and additional highway crossing

(b) The cost of physical maintenance (exclusive of the approaches) of the toll bridge and any additional highway crossing of San Francisco Bay constructed between the County of Alameda and the City and County of San Francisco shall be paid by the department from moneys accruing and to accrue in the State Highway Fund available for the widening, resurfacing, and reconstruction of state highways for the group of counties designated as Group No 1 in Section 187

SEC 3 Section 30606 is added to said code, to read

30606 The approaches designated in that certain resolution of the California Toll Bridge Authority dated the nineteenth day of February, 1952, and entitled "Supplemental Resolution Concurring in the Supplemental Determination and Recommendation of the Department of Public Works Relative to the Construction of Additional Approaches on the East and West Ends of the San Francisco-Oakland Bay Bridge, Declaring the Public Interest and Necessity Therefor and Authorizing the Issuance of Revenue Bonds," are hereby declared to be approaches to the existing San Francisco-Oakland Bay Bridge and may be constructed or improved with funds borrowed by the California Toll Bridge Authority, including the proceeds of bonds issued by it, or with any other funds legally available therefor"

Amendment No. 3

On page 3, line 8, of said bill, strike out '2', and insert '3"

Amendment No. 4

On page 3, line 13, of said bill, after the period, insert "In addition there shall be repaid into the State Highway Fund an amount equal to all expenditures therefrom for maintenance of the toll bridge for the period commencing February 1, 1952 to the effective date of this section, which amount shall be determined by the department and the authority "

Amendment No. 5

On page 3, line 16, of said bill, strike out "construc" and strike out lines 17 and 18, and insert 'bonds for the construction of the Southern Crossing and its approaches are sold "

Amendment No. 6

On page 3, line 28, of said bill, strike out con-" and strike out line 29, and insert "bonds for the construction of the Southern Crossing and its approaches are sold "

Amendment No. 7

On page 3, line 37, of said bill, strike out '30654', and insert '30652"

Amendment No. 8

On page 3, line 43, of said bill, strike out "construction' and strike out line 44, and insert 'the bonds for the construction of the Southern Crossing and its approaches are sold "

Amendment No. 8.5

On page 4, line 1, of said bill, strike out "3', and insert "5"

Amendment No. 9

On page 4 of said bill, strike out lines 6, 7 and 8, and insert

"30651 (a) As used in this article, 'toll bridge' means that certain bridge across San Francisco Bay known as the San Francisco-Oakland Bay Bridge and the approaches thereto

(b) As used in this article, 'Southern Crossing" means an additional toll bridge or other highway crossing, as provided by this article and by Chapter 1 of this division, across San Francisco Bay from the City and County of San Francisco to the County of Alameda, and including the approaches thereto

30652 As soon after the effective date of this section as it may lawfully do so under federal law, the California Toll Bridge Authority shall issue additional 1951 Refunding and Improvement Toll Bridge Revenue Bonds in a sufficient amount to pay or provide for the payment of engineering studies, plans, and specifications of an additional bridge or other highway crossing across San Francisco Bay to relieve congestion of traffic on the toll bridge and to reimburse the State for such engineering expenses as have theretofore been incurred by it for that purpose, which additional bridge or other highway crossing is designated the Southern Crossing From the proceeds of the sale of such bonds there shall be made available to the department the sum of one million five hundred thousand dollars ($1,500,000), or so much thereof as may be necessary, for the purpose of bringing the surveys and plans for the Southern Crossing to the same state of completion as those heretofore made for a northern crossing or crossing parallel to the San Francisco-Oakland Bay Bridge

Amendment No. 10

On page 4 of said bill, strike out lines 9 to 19, inclusive, and insert

'30653 (a) The authority and the department shall apply promptly to the appropriate officials of the Federal Government for permission to construct a Southern Crossing having its westerly terminus in the vicinity of Army and Third Streets in the City and County of San Francisco and its easterly terminus on Bay Farm Island, and shall obtain the necessary permits thereto as promptly as feasible

(b) If permission to construct the Southern Crossing at the location specified in subdivision (a) of this section cannot be obtained, the authority and the department shall forthwith determine the most feasible location of the Southern Crossing and type of construction thereof, located southerly from the toll bridge and having its westerly terminus between the southern city limits and Army Street in the City and County of San Francisco and its easterly terminus on Bay Farm Island and shall promptly confer with the appropriate officials of the Federal Government from whom permits must be obtained for the construction of such bridge or other highway crossing and shall obtain such permits as promptly as feasible "

Amendment No. 11

On page 4 of said bill, strike out line 20, and insert

'30654 If the westerly terminus of the Southern Crossing is in the vicinity of Third and Army Streets, then the westerly approaches shall include "

Amendment No. 12

On page 1 of said bill, strike out line 32, and insert "If the easterly terminus of the Southern Crossing is on Bay Farm Island at or in the vicinity of a point on the southwesterly shore thereof south of the intersection of Kilkenny Road and the county road connecting Bay Farm Island with the City of Alameda, the easterly approaches shall included"

Amendment No. 13

On page 5 of said bill, strike out lines 8 to 51, inclusive; on page 6, strike out lines 1 to 7, inclusive, and insert

"30655 If the terminal points of the Southern Crossing differ substantially from those set forth in Section 30654, the authority and the department shall promptly determine appropriate approaches thereto as soon as its location and type of construction are determined to provide suitable connections with Bayshore Freeway and it necessary the construction of portions of such freeway and other connections to the main arterial routes in the City and County of San Francisco. It shall likewise determine appropriate approaches in Alameda County, including connections from the easterly terminus of such bridge or other crossing with the Eastshore Freeway at one or more points, and including an additional tube connecting the City of Alameda and the City of Oakland under the Oakland Estuary with suitable connections on each end of said tube. In connection with the location of the approaches to the bridge or other highway crossing to be constructed, the authority shall advise the governing bodies of the City and County of San Francisco, the County of Alameda, and all of the cities in the County of Alameda, as to the approaches it deems appropriate, and upon the request of any such governmental agencies shall hold public hearings concerning the location of said approaches before they are finally determined by the authority.

30656 As soon as surveys, plans, specifications and estimates of cost are completed for the Southern Crossing and the approaches thereto and the project has qualified for immediate construction under any governmental restrictions then in effect, the authority shall undertake the financing and construction of the Southern Crossing and the approaches as promptly as possible and without unnecessary delay, except that no construction shall be commenced unless and until all restrictions in the Federal law imposing limitations upon the right of the State of California or the authority to collect tolls upon the existing San Francisco-Oakland Bay Bridge for the purpose of constructing a Southern Crossing of San Francisco Bay, or approaches leading to such crossings, have been deleted. The construction of the Southern Crossing, however, shall precede construction of any other such crossing.

30657 The authority, to the extent that it finds it feasible to do so in connection with the financing of the Southern Crossing and the approaches thereto, shall include sufficient funds in any borrowing or issuance of bonds therefor to provide such amounts as will be necessary for the construction of the approaches mentioned in Section 30606 on each side of San Francisco Bay.

30658 The authority shall consider the possibility of financing through a loan from the Reconstruction Finance Corporation as well as the issuance of bonds under Chapter 1 of this division and shall adopt a method of financing deemed most desirable from the standpoint of interest costs, restrictions that might be imposed by the Reconstruction Finance Corporation, or under any proposed bond indenture, to the end that the best facility designed to meet traffic needs will be constructed at the lowest possible cost. Such financing shall include the pledging of the revenues from the existing San Francisco-Oakland Bay Bridge as well as those of the Southern Crossing. The authority may exercise any power conferred under Chapter 1 of this division with reference to the borrowing of funds or the issuance of bonds to accomplish the improvements mentioned in this article, and may borrow funds or issue bonds to provide funds as needed to carry on the work."

Amendment No. 14

On page 6, line 8, of said bill, strike out "4", and insert "6"

Amendment No. 15

In lines 2 and 3 of the title of the printed bill, as amended in Assembly March 26, 1952, strike out "Sections 30605, 30606," and insert "Section"

Amendment No. 16

In line 2 of the title of the printed bill, as amended in Senate March 28, 1952, after "Code", insert ", to amend Section 100.7 thereof,"

Amendment No. 17

In line 3 of the title of said bill, strike out "Section", and insert "Sections 30605, 30606, and"

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

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Amendment No. 18

On page 1, between lines 2 and 3, of said bill, insert

"SEC 1 5 Section 100 7 of said code is amended to read

100 7 The department may, for the protection of the State of California, insure any bridge on the State Highway System acquired or constructed under provisions of the California Toll Bridge Authority Act against all risks in any amount up to the full insurable value thereof In case of damage or destruction, the proceeds of such insurance shall be applied to the restoration of such bridge Any such bridge may be so insured irrespective of the retirement of all indebtedness incurred for its acquisition or construction, and the cost of such insurance shall be paid from any funds available to the department for highway purposes

Any such bridge, *other than bridges over the San Francisco Bay,* shall, after retirement of all indebtedness incurred for its acquisition or construction, be maintained and operated as a free bridge and the cost thereof charged to funds available for maintenance of State Highways [Nothing in this section contained shall repeal or impair the provisions of Chapter 24 of the Statutes of 1933, providing for the continued collection of tolls on the San Francisco-Oakland Bay Bridge until moneys advanced by the State are reimbursed, and said Chapter 24 is continued in full force and effect]"

Amendment No. 19

On page 1, line 9, of said bill, after the period, insert 'The cost of operation and insurance of any toll bridge or other highway crossing upon which tolls are now being collected or that may hereafter be acquired or constructed over the San Francisco Bay shall be paid by the department from the tolls and revenues received from the use and operation thereof"

Amendment No. 20

On page 1 of said bill, strike out line 14, and on page 2, strike out lines 1, 2, and 3, and insert "paid by the department from the tolls and revenues received from the use and operation of the toll bridge and additional highway crossing, and the cost of physical maintenance (exclusive of the approaches) of any toll bridge or other highway crossing on which tolls are now being collected or that may hereafter be acquired or constructed over the San Francisco Bay, shall be paid by the department from the tolls and revenues received from the use and operation thereof, except as follows

If the terms and conditions of any bonds that are outstanding on the effective date of this section and that are payable from such tolls are such as to require that the cost of physical maintenance of the toll bridge shall be paid from sources other than tolls and revenues from the use and operation of the toll bridge, the cost of such maintenance shall be paid by the department out of funds available to it for the maintenance of state highways until such bonds are refunded or retired or until payment of the cost of maintenance out of tolls and revenues from the toll bridge is authorized in the manner provided in the proceedings authorizing the issuance of such bonds The State Highway Fund shall be reimbursed by the authority for all amounts so expended with interest thereon at the rate of one and one-half percent (1½%) per annum to be computed on the total amount expended during any one year

Whenever after the effective date of this section any bonds secured by pledge of the tolls and revenues of the toll bridge are refunded or retired, in the total then outstanding, the authority shall include in the proceedings for any new issue of bonds for such purpose bonds in a sufficient amount to repay to the State Highway Fund the amount provided by this section If the amount is not repaid from the proceeds from the sale of bonds and all revenue bonds secured by revenues on the toll bridge are fully retired, and all other obligations secured by revenues of the toll bridge, whether by means of bond issue or other provisions of law have been fully paid then such repayment shall be made from the tolls and revenues of the toll bridge, and the authority and the department shall fix and collect tolls on the toll bridge at a rate sufficient to include provision for such repayment until the amount required to be paid into the State Highway Fund by this section has been paid thereto"

Amendment No. 21

On page 2, line 20, of said bill, strike out $13,411,875", and insert "$11,500,000"

Amendment No 22

On page 3, lines 3 to 5, of said bill, inclusive, strike out "and after all revenue bonds issued and sold as provided in Section 30652 (if any are so issued)"

Amendment No 23

On page 2, line 16, of the printed bill, as amended in the Senate on April 2, 1952, strike out "and the approaches thereof"

Amendment No 24

On page 2, line 20, of said bill, strike out "and the approaches thereof"

Amendment No 25

On page 2, line 25, of said bill, strike out 'inclusive", and insert "exclusive"

Amendment No. 26

On page 2, line 32, of said bill, strike out "inclusive", and insert exclusive"

Amendment No 27

On page 8, line 9, of said bill, after "from", insert ' such portion of"

Amendment No 28

On page 2, line 21, of the printed bill, as amended in the Senate on April 1, 1952, after ' Francisco ', insert "and the approaches thereof"

Amendment No 29

On page 2, line 25, of said bill, after ' crossing", insert "and the approaches thereof"

Amendment No. 30

On page 2, line 29, of said bill, strike out "physical"

Amendment No. 31

On page 2, line 29, of said bill, strike out 'exclusive", and insert ' inclusive"

Amendment No. 32

On page 2, line 39, of said bill strike out "physical"

Amendment No 33

On page 2. line 39, of said bill, strike out "exclusive", and insert "inclusive"

Amendment No. 34

On page 3 of said bill, strike out line 1, and in line 2, strike out "ways", and insert "from money accruing and to accrue in the State Highway Fund available for the widening, resurfacing and reconstruction of state highways for the group of counties designated as Group No 1 in Section 187"

Amendment No. 35

On page 3 of said bill, between lines 26 and 27, insert

"The moneys required to be repaid by this section shall be credited to the money available for construction of state highways in County Group No 1 as specified in Section 187 "

Amendment No. 36

On page 4 of said bill, strike out lines 2 to 7, inclusive, and insert "ity "

Amendment No. 37

On page 4 of said bill, between lines 35 and 36, insert

"The moneys required to be repaid by this section shall be credited to the money available for construction of state highways in County Group No 1 as specified in Section 187 "

Amendment No. 38

On page 7 line 43 of said bill, strike out 'the State Highway Fund", and insert "money accruing and to accrue in the State Highway Fund available for the widening, resurfacing and reconstruction of state highways for the group of counties designated as Group No 1 in Section 187"

Amendment No. 39

On page 8, line 27, of said bill after the period insert "The moneys required to be repaid by this section shall be credited to the money available for the construction of state highways in County Group No 1 as specified in Section 187 "

Amendment No. 40

On page 4, line 14, of said bill, strike out "Payment from the proceeds of the sale", and strike out lines 15 to 19, inclusive

Amendment No. 41

On page 4 of said bill, strike out lines 33 to 35, inclusive, and insert a period

Amendment No. 42

On page 7 of the printed bill, as amended in the Senate on April 1, 1952, between lines 15 and 16, insert

"It is hereby declared to be the intent of the Legislature that the construction of the Southern Crossing shall be commenced as soon as the federal law is amended so as to permit the collection of tolls upon the existing Bay Bridge for the purpose of constructing a Southern Crossing, but that this section is not intended to indicate a legislative declaration in favor of amending the federal law to permit collection of the existing bridge's tolls for construction of only one additional crossing, but rather that the Legislature favors amending the federal law to permit collection of such tolls for construction of other crossings in addition to the Southern Crossing."

Speaker pro Tempore Presiding

At 5:52 p.m. Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Speaker Presiding

At 5:53 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

Roll Call Demanded

Messrs. Dolwig, Munnell, and Lincoln demanded a roll call

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 33 by the following vote

AYES—Belotti, Berry, Brady, Connolly, Dolwig, Doyle, Dunn, Gaffney, Geddes, Kelly, Lanterman, Lindsay, Maloney, McCarthy, McGee, Meyers, Nicholson, and Mr. Speaker—18

NOES—Burke, Caldecott, Chapel, Cloved, Coats, Condon, Conrad, Davis, Fleury, Hagen, Hansen, Henderson, Hinckley, Lincoln, Lowrey, Lyon, McFall, Moss, Munnell, Parker, Rumford, Sherwin, and Silliman—23

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Constitutional Amendment No. 2

And respectfully requests your honorable body to concur in said amendments

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

Above bill ordered to unfinished business file

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16.5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 2?

Amendment No. 1

In line 3 of the title of the printed measure, strike out "16.5", and insert "17"

Amendment No. 2

In line 5 of the title of said measure, after "State", insert ", providing for the repayment to the General Fund of appropriations made therefrom for state school building aid and prescribing the terms and conditions under which such grants and loans to school districts shall be made and repaid"

Amendment No. 3

On page 1, line 7, of said measure, strike out "16.5", and insert "17"

Amendment No. 4

On page 1 of said measure, strike out line 9, and insert

"SEC. 17. Bonds of the State of California shall be prepared, issued, and sold in the amount of one hundred twenty million dollars ($120,000,000), in such denominations, to be numbered, to bear such dates, and to bear such rate of interest as shall be determined by the Legislature.

The proceeds of such bonds shall be used

(a) Subject to such legislation as the Legislature may, from time to time, enact, to provide loans and grants to school districts of the State for use in purchasing and improving school sites, the purchasing of furniture and equipment for schools, and the planning and constructing, reconstructing, repairing, altering, and making additions to, school buildings. In apportioning funds to school districts, priority shall be given to those school districts where the children will benefit most from additional schoolhouse facilities. This priority shall be based on acuteness of overcrowding, on rapid growth in attendance, on amount of local tax funds expended in providing school buildings, and the time of the district's application.

(b) To be paid to the General Fund a sum equal to the sum for which the Controller has drawn his warrants in accordance with the terms of final apportionments made prior to January 1, 1953, pursuant to an act entitled "An act to add Article 3 to Chapter 18, Division 3 of the Education Code, relating to state school building aid, and making an appropriation therefor," to be repaid from the first proceeds of the bonds issued pursuant to this section.

(c) To pay the expenses that may be incurred in preparing, advertising, issuing, and selling the bonds, and in administering and directing the expenditure of the moneys realized from the sale of such bonds.

The issuance, signing, countersigning, endorsing, and selling of the bonds herein provided for, and the interest coupons thereon, the place and method of payment of principal and interest thereon, the procedure for initiating, advertising and holding sales thereof, and the performance by the several state boards and state officers of their respective duties in connection therewith, and all other provisions, terms, and conditions relating to the bonds, shall be as provided by the Legislature.

The Legislature shall pass all laws, general or special, necessary or convenient to carry into effect the provisions of this section. No money received from the sale of bonds pursuant to this section shall be allocated to any school district until legislation providing for such allocation of the proceeds of the bonds herein authorized is enacted. Such laws may provide for the allocation of funds to school districts pursuant to this section by the State Allocations Board or a similar agency, and in that event, notwithstanding any other provision of this constitution, Members of the Legislature who are required to meet with such board shall have equal rights and duties with the nonlegislative members to vote and act upon matters pending before such board.

From the proceeds of bonds sold pursuant to this section, twenty-five million dollars ($25,000,000) shall be made available for apportionment to school districts on May 5, 1953, or shall have been apportioned to school districts under an act entitled "An act to add Article 3 to Chapter 18, Division 3 of the Education Code, relating to state school building aid and making an appropriation therefor,", and five million dollars ($5,000,000) shall be made available on June 5, 1953, and on the fifth day of each month thereafter to and including December 5, 1954.

Before any school district receives any apportionment from the money realized from the sale of the bonds, a two-thirds majority of the qualified electors of the school district, voting thereon, shall authorize the governing board thereof to repay upon the amount apportioned an amount which would have been raised during the fiscal year preceding the year in which repayment is made by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of assessed valuation within the district each year until the principal of the amount apportioned, and the interest thereon as determined by the Legislature, is repaid, but not to exceed 30 years. The Legislature may provide that in determining the amount of yearly repayment, a school district may receive a credit for a portion of the yearly amount the school district is required to pay on the principal and interest of that portion of its bonded indebtedness incurred prior to or as a requirement for the making of the apportionment.

The amount required to be repaid annually by a unified school district or by a high school district which maintains a junior college shall be determined separately for each type of school included in the district, so that for the purposes of this section the elementary schools, high schools, or junior colleges comprising a unified district or a high school district which maintains a junior college shall be considered as separate districts, and if more than one apportionment is made to a type of school included in such a unified school district or a high school district which maintains a junior college, the annual repayment of such district for such type of school shall not exceed the amount which would have been repaid by the district for one apportionment to such type of school. If more than one apportionment is made to a school district which is not a unified school district nor a high school district which maintains a junior college the amount of annual repayment by such district shall not exceed the amount which would have been repaid by the district for one apportionment to the district

The people of the State of California in adopting this section hereby declare that it is in the interests of the State and of the people thereof for the State to aid school districts of the State in providing necessary school sites and buildings for the pupils of the Public School System, such system being a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State"

Amendment No. 5

On page 1 of said measure, strike out lines 10 to 21, inclusive, and strike out all of page 2

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Constitutional Amendment No 2 by the following vote:

AYES—Dolwig, Dunn, Lowrey, and McGee—4

NOES—Belotti, Berry, Brady, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McFall, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Rumford, Shaw, Sherwin, Silliman, Waters, and Mr Speaker—48

Appointment of Committee on Conference Concerning Assembly Constitutional Amendment No. 2

The Speaker announced the appointment of Messrs Kirkwood, Geddes, and Dunn as a Committee on Conference concerning Assembly Constitutional Amendment No 2

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Watson, and Williams as a Committee on Conference concerning

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 17 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State, providing for the repayment to the General Fund of appropriations made therefrom for state school building aid and prescribing the terms and conditions under which such grants and loans to school districts shall be made and repaid

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

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Ways and Means, to which was referred

Assembly Bill No 51

Respectfully reports the same back without further action

SHERWIN, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Education, to which was referred

Assembly Bill No 29

Respectfully reports the same back without further action (To be studied by the Assembly Interim Committee on Public Education, House Resolution No 197)

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER Your Committee on Education, to which were referred

Assembly Bill No 42
Assembly Bill No 46

Respectfully reports the same back without further action

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

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

Senate Bill No 18
Senate Bill No 19
Senate Bill No 32
Senate Bill No 33
Senate Bill No 39

Respectfully reports the same back without further action

DUNN, Chairman

Above reported bills ordered transmitted to the Senate

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER: Your Committee on Military Affairs, to which were referred

Assembly Bill No 12
Assembly Bill No 13
Assembly Bill No 14

Respectfully reports the same back without further action

McCOLLISTER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned the following bills which died on Senate file

Assembly Bill No 44
Assembly Bill No 45

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

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned from committee without further action

Assembly Bill No 17
Assembly Bill No 18
Assembly Bill No 19

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

SENATE CHAMBER, SACRAMENTO, April 2, 1952

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

Assembly Concurrent Resolution No 7

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

SENATE CHAMBER, SACRAMENTO, April 2, 1952

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned from committee without further action

Assembly Joint Resolution No 13

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

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN THE JOURNAL

Mr Coats asked for, and was granted, unanimous consent that a letter of transmittal and a First Progress Report of the Assembly Interim Committee on Elections Relative to the Purity of Election Laws, be ordered printed in the Journal in 10 point type, as follows:

FIRST PROGRESS REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON ELECTIONS

Relative to

PURITY OF ELECTIONS LAWS

(H. R. 201, 1951)

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 30, 1952

Honorable Sam L Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY. In accordance with House Resolution No 201, 1951 Regular Session, the Assembly Interim Committee on Elections submits a progress report prepared by its Subcommittee on Purity of Elections Laws

Respectfully submitted

LAUGHLIN E. WATERS
Chairman
WILLIAM C BERRY
MONTIVEL A. BURKE
EVERETT G BURKHALTER
ARTHUR W COATS, JR.
GEORGE D COLLINS, JR
LESTER T DAVIS
RANDAL F DICKEY
RICHARD J. DOLWIG
CHARLES J. CONRAD
Vice Chairman
GORDON R HAHN
AUGUSTUS F HAWKINS
STEWART HINCKLEY
CHARLES W. LYON
EARL W STANLEY
MARVIN SHERWIN
STANLEY T. TOMLINSON

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 30, 1952

Honorable Laughlin E Waters, Chairman
Assembly Interim Committee on Elections
State Capitol, Sacramento, California

DEAR MR WATERS Your subcommittee presents the following First Progress Report on Purity of Elections Laws

This report consists of material prepared for the advice of the subcommittee by the staffs of the Legislative Counsel and Bureau of Public Administration, University of California

Your subcommittee, at its meeting in Sacramento on March 27, 1951, authorized its chairman to work with the Legislative Counsel, the Department of Justice and other agencies in the preparation of legislative proposals to be subsequently considered by the subcommittee

Respectfully submitted,

ARTHUR W. COATS, JR , Chairman
EVERETT G BURKHALTER
RANDAL F DICKEY
RICHARD J DOLWIG
CHARLES W. LYON

HOUSE RESOLUTION NO. 201

Relative to a study of the Purity of Elections Laws by the Assembly Interim Committee on Elections

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections Laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature.

Resolution adopted June 15, 1951, Assembly Journal Page 5745.

EFFECTIVENESS OF THE CALIFORNIA "PURITY OF ELECTIONS" LAW

by
John F. McCarty
Bureau of Public Administration
University of California
Berkeley 4

March, 1952

That portion of California's Elections Code, relating to the expenditures of moneys by candidates for public office, and the reporting thereof, has undergone careful scrutiny in a master's thesis prepared at the University of California in 1950 [1] This study presents examples of the thwarting, in actual practice, of the original intent of the law, and makes several suggestions for improvement

Expenditure Statements by Candidates

The Elections Code requires *merely a post-election statement* of expenditures by candidates for designated offices The Carey study notes (p 71) that such statements cannot be a factor in the voter's attitude or behavior toward any candidate in the election for which such statement is filed The author takes the position that a pre-election statement would be of greater news value, would probably be better publicized, and would be received by the public with more interest prior to the election.

The thesis notes that *the law is not actually complied with by all candidates* (p 74) By citing figures from the primary elections and general elections of 1944 and 1946, it is shown that 100 percent of all winning candidates filed statements of expenditures while approximately one-third of the losing candidates failed to file This is explained by the fact that certificates of nomination and election are withheld from candidates who fail to file There is therefor virtual automatic enforcement machinery in the case of successful candidates, and none in the case of defeated contestants.

[1] Richard W Carey, "The Regulation of Campaign Expenditures in California" Thesis, M A University of California, 1950

Further criticism is found in the fact the *California law provides no form for expenditure statements* (p 78) This renders many statements lacking in essential information, and extremely difficult to analyze Carey suggests that the code should either prescribe the form of the statement or designate an official to prescribe a form

Notice is also taken of the fact that *the code provision requiring the names of persons contributing money to a candidate's campaign is frequently evaded* (p. 78) A study of a number of expenditure statements revealed either a total failure to acknowledge the contributor, or a failure to indicate the significance of the contributor to the fortunes of the candidate.

Those *provisions of the code relating to the publicity of expenditures are said to be entirely inadequate* either to give adequate publicity to the expenditure statements, or to make such publicity a factor in a campaign (p. 85) Carey suggests that if it could be made legally and practically effective, the requirement that the contributor as well as the candidate account for contributions would strengthen the present law.

Carey notes *the lack of actual publicity given to expenditure statements* (p 92) Newspaper publicity is purely on a voluntary basis and publication is often made nearly a month after the election is held Such reports are often quite brief, giving no more than the total expenditures of each candidate Since such publications usually contain no evaluation of the statement and fail to comment on the candidate who fails to file, they do no more than work a hardship on the candidate who does comply with the legal requirements

Expenditure Statements by Committees

The Elections Code requires the filing of statements by campaign committees in the same manner as candidates (p 95) In practice however, only a small number of committees actually report. Part of this failure is due to the fact that no committee reports are required to be filed in primary elections Statements filed by committees are said to exhibit the same faults as are found in statements filed by candidates The fact that no standard form is prescribed makes analysis and comparison difficult (p 99) Especially confusing in such reports are transfers of funds from one committee to another or to a candidate

Enumeration of Expenditures

Carey gives consideration to the effectiveness of the code's *enumeration of lawful expenditures* for candidates and committees (p 107) He notes that this regulation has served at least one useful purpose, that is, to give some semblance of uniformity to the statements He notes, however, that a legally prescribed form of statement would be conducive to even greater uniformity. He notes that the enumeration has the disadvantage of being quite "out of date," and makes no provision for expenditures for motion picture costs and radio time He suggests that the law be revised to include expenditures for the use of contemporary media

Campaign Expenditures Upon Ballot Proposals

Carey observes that the effectiveness of California regulations upon expenditures for and against ballot proposals depends mainly upon the publicity given to filed statements (p 145) There are no limitations of

a restrictive type to be found in such regulations However, in providing detailed requirements for the filing of such statements, along with comprehensive enforcement and clear-cut responsibility provisions, the author notes that the California law is one of the best drafted in the Country His chief criticism is that although the law is excellent in designating the groups required to file, a more effective means of notifying responsible groups of their duties might be written into the law (p 178)

General Effectiveness

A general reference work on California Government has characterized the "Purity of Elections" Law as hopelessly inadequate [2] The authors note that the requirement of a financial statement is only partly enforced Successful candidates file in order to secure certificates of election, but unsuccessful candidates frequently fail to file Even when such statements are filed, they are often incomplete or unintelligible The list of purposes for which lawful expenditures may be made fails to include the modern media of radio and motion pictures The authors note that the necessity to enumerate "legitimate" expenses would be unlikely to constitute an effective barrier to a person who would stoop to really illegitimate expenditures

Commenting on the 1949 repeal of limitations on the amount spent, the authors note that such limitations were too low and that a conscientious candidate was likely to report expenditures in excess of the allowable figure In view of the ineffectiveness of the limitations, the repeal is characterized as wisely enacted

The authors cite further grounds for their position regarding the ineffectiveness of the present law They note that voters rarely examine the statements, that individual contributors are often hidden behind a screen, either of a committee or a campaign manager, that the law fails to require political funds to pass through a single responsible person, that candidates may freely disclaim responsibility for expenditures in their behalf, and that although the law is notoriously flouted, prosecutions are rare

BUREAU OF PUBLIC ADMINISTRATION
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SAMUEL C MAY, Director

STATE AND FEDERAL REGULATION OF CAMPAIGN EXPENDITURES

by
John C. McCarty
January, 1951

Existing California Legislation

The California Elections Code requires that candidate and committee campaign statements be filed following primary and general elections (Sections 4530-4531) Such statements shall indicate (Section 4501):

1. All money paid, loaned, contributed, or otherwise furnished to him in aid of his nomination or election

2 All money expended by him or through any other person in aid of his nomination or election

3. Names of all persons who furnished such moneys.

[2] Crouch and McHenry, "California Government Politics and Administration" (ed 2 rev 1949) pp 63-66

4. Names of all persons to whom such moneys were contributed, loaned, or paid.

5. The specific nature of each item

6 Services performed for the candidate, by whom they were performed.

7. Purposes for which the money was expended, contributed, or loaned

Such campaign statements are to be filed within 15 days after the election or primary (Section 4532). Candidates for offices to be filled by voters of the State, or of any political division greater than a county, and for Members of the Senate or Assembly, Representative in Congress, members of the State Board of Equalization, or judges of the superior court shall file one copy of such statement with the Secretary of State (Section 4533) Candidates for all other offices shall file one copy with the clerk of the county wherein the election is held and wherein the duties of the office are to be exercised (Section 4533) Candidates are also to file a copy of the statement with the recorder of the county of their residence (Section 4534) Certificates of nomination or election are to be withheld from successful candidates until their campaign statements are filed (Section 4536). All contributions must be made to and disbursed by a committee treasurer (Section 4538) Campaign statements are to be preserved by the officer with whom they are filed during the term of office for which filed and for four years after the expiration of such term (Section 4539).

Lawful expenses for candidates at elections other than primaries include necessary incidental expenses which plus traveling expenses, do not exceed $100 if expended by a candidate and $1,000 if expended by a committee (Section 4571) Expenditures for the rental of premises where alcoholic beverages are sold are prohibited (Section 4572). Printed matter having reference to an election or to any candidate must bear the name and address of the printer and publisher, and no payment therefor shall be made or allowed unless the address is so printed (Section 4573)

Prior to 1949 the California law placed definite limitation on the amounts which candidates were permitted to expend during campaigns Such limitations were based on percentages of the annual salary of the office sought by the candidate, the percentage increasing with the number of years of the term Those sections of the *Election Code* dealing with the limitation of expenditures were repealed at the 1949 Regular Session

Claims payable by campaign committees must be presented to such committee within 10 days after the return day of the election (Section 4640) Expenses incurred by and properly presented to a committee shall be paid within 15 days after the completion of the official canvass (Section 4641) Claims incurred by or on behalf of a candidate must be presented to the candidate within 10 days after the day of election (Section 4642) Expenses incurred and properly presented to the candidate are to be paid within 12 days after the day of the election (Section 4643) By reason of proceedings in the superior court, a campaign statement may be allowed to be filed after the prescribed time limit, and an incorrect statement may be corrected or a claim may be presented and paid after the time limit (Section 4645).

The *California Elections Code* also contains provisions relating to expenditures made in connection with ballot measures Associations seeking to influence the action of voters in regard to ballot measures must

file statements of receipts and expenditures not more than 45 nor less than 40 days prior to the election (Section 4800) Such statement must be filed in triplicate in the office of the Secretary of State and be itemized, detailed, and verified (Section 4801) Such statement must show (Section 4802):

1 Names and addresses of all contributors contributing in excess of $25 and the amount contributed by each

2 Total sum contributed in amounts of less than $25.

3. Total sum contributed from all sources.

4. Names and addresses of all contributors contributing in excess of $10 and the amount contributed by each

5 Total sum contributed in amounts of less than $10

6 Total sum contributed, disbursed, or advanced by the association to all persons for all expenses

A second statement must be filed not less than seven nor more than twelve days prior to an election Such statement must show all information not included in the previous statement and must contain and include a recapitulation showing the totals of the various receipts and expenses (Section 4803). Within 30 days next succeeding the date of the election, each association must file a third statement of receipts and expenses Such statement must show all information not included in either previous statement and must contain and include a recapitulation showing the totals of the various receipts and expenses (Section 4804).

Civil penalties of up to $1,000 are recoverable from associations or committee treasurers for violations of these provisions (Section 4860).

Regulation of Expenditures in Other States

The statutes concerning the regulation of campaign expenditures in other states, while being far from uniform in their context and operation, display certain patterns which are worthy of note (See Table I.)

Of the 46 states requiring the filing of expenditure statements, 27 require such statements to be filed after the election, 15 require filing both before and after elections, and four require filing only prior to elections. Statements must be filed by the candidate and by the party he represents in 36 states, and by the candidate alone in 10

Thirty of the state enactments enumerate specifically those expenditures which are allowed The amounts of campaign expenditures are limited by a variety of devices The most common method is to limit candidates for various offices to specific sums This type of limitation is to be found in 19 states and ranges from $50,000 for the office of Governor in New Jersey to $800 for Congressmen in Oklahoma Other jurisdictions base the expenditure limitation on a percentage of the yearly salary of the office sought Such limitations, ranging from 100 percent in Arkansas to 10 percent in Oregon, are to be found in the laws of 11 states Eleven other states, including California, have no specific limitation, although statements of expenditures are required Florida has recently enacted a provision in its election law to the effect that expenditures shall not be limited Four states base the limitation upon the number of votes cast at the last preceding election, allowing specified amounts for certain proportions of the total vote West Virginia bases its limitation upon the number of counties represented by the candidate Contributions

and expenditures are required to be made through a committee treasurer in 31 states

Provisions concerning penalties for violation of such regulations are widely varied For failure to file a statement of expenditures, disqualification from office together with possible fine and/or imprisonment is provided for in 13 states, withholding of certificates of election until compliance is found in the laws of 10 jurisdictions including California, disqualification from office in seven states, and forfeiture of office in Louisiana and Missouri Penalties in the form of the usual punishments for misdemeanor are provided in Iowa and North Carolina For expenditures in excess of the prescribed limits, penalties in the form of disqualification, fine, and/or imprisonment are exacted in 14 jurisdictions, while fine and imprisonment without disqualification is prescribed in 15 statutes.

Federal Regulations

The *U. S. Code,* Title 2, Sections 242 to 248, provides that candidates for the offices of United States Senator, Representative in Congress, Delegate, and Resident Commissioner (from the territories) must file statements of expenditures three times a year and immediately prior to each election Statements must also be filed by party officers The law enumerates the legitimate expenses of such candidates Candidates for senatorial office are permitted to expend $10,000 annually, and those seeking other offices may expend $2,500 unless the state law provides a lower limit. Fines or imprisonment are authorized for violation of these provisions

The Federal Penal Code (*U S Code,* Title 18, Section 609) limits the expenditures of national political committees to $3 million annually and prescribes fines for excessive expenditures

Table I

State and Federal Regulation of Campaign Expenditures

State	Campaign statements		Limitation			Penalties	
	Filing time with relation to elections	By whom	Legitimate expenses enumerated	Elections affected	Type of limitation*	For failure to file statement	For exceeding limitation
Ala	Before, After	Candidate, party	Yes	Primary, General	$2,500 to $10,000	Disqualification, fine, and imprisonment	Same as foregoing
Ariz	Before, After	Candidate, party	--	Primary	$2,000 to $3,500	Disqualification, fine, or imprisonment	Fine or imprisonment
Ark	After primary	Candidate	--	Primary, General	Governor, $5,000 Others, yr sal	Disqualification, fine, or imprisonment	
Cal	After	Candidate, party	Yes	Primary, General	No provision	Withholding certification of election, fine, or imprisonment	
Colo	After	Candidate, party	Yes	Primary, General	$2,500 to $3,500	Disqualification, fine, or imprisonment	Fine or imprisonment
Conn	After	Candidate, party	Yes	Primary, General	Based on vote at preceding election	Fine	Fine and/or imprisonment
Del	After	Candidate	--	Primary	No provision	Disqualification, fine and/or imprisonment	
Fla	Before Primary, After General	Candidate	--	Primary	None	Disqualification, fine and /or imprisonment	
Ga	Before, After	Candidate	--	Primary	No provision	Disqualification	
Idaho	After primary	Candidate	--	Primary	$2,500 to $3,500	Disqualification	Fine and/or imprisonment
Ind	After	Candidate, party	Yes	Primary, General	Based on vote at preceding election	Disqualification, fine, and/or imprisonment	Same as foregoing
Iowa	After	Candidate, party	--	Primary, General	50% of yr sal	Misdemeanor	Misdemeanor

* The monetary limits shown apply to candidates for the U S Senate, U S House of Representatives, and the State Governorship In each case only the highest and lowest of these three figures are presented in the table

Table I—Continued

State and Federal Regulation of Campaign Expenditures

State	Campaign statements		Limitation			Penalties	
	Filing time with relation to elections	By whom	Legitimate expenses enumerated	Elections affected	Type of limitation*	For failure to file statement	For exceeding limitation
Kans	After	Candidate, party	--	Primary, General	10% of yr sal	Disqualification, fine	Same as foregoing
Ky	Before, After	Candidate, party	Yes	Primary, General	$5,000 to $10,000	Disqualification, fine	Fine
La	After	Candidate, party	--	Primary	$1,000 to $25,000	Forfeiture of office	Same as foregoing
Me	Before, After Primary, After General	Candidate, party	Yes	Primary, General	No provision	Withholding salary, fine	Disqualification
Md	After	Candidate, party	Yes	Primary, General	Based on vote at preceding election	Disqualification, fine, and/or imprisonment	Same as foregoing
Mass	After	Candidate, party	Yes	Primary, General	$7,500 to $20 000	Disqualification, fine or imprisonment	Same as foregoing
Mich	After	Candidate, party	Yes	Primary, General	25% of yr sal	Disqualification, fine, or imprisonment	Fine, and/or imprisonment
Minn	Before	Candidate, party	Yes	Primary, General	$7,000	Disqualification, fine, and/or imprisonment	Same as foregoing
Miss	Before, After Primary	Candidate	--	Primary	$1 500 to $15 000	Fine, and/or imprisonment	Same as foregoing
Mo	After	Candidate, party	--	Primary, General	Based on vote at preceeding election	Forfeiture of office, fine	Forfeiture of office
Mont	After	Candidate, party	Yes	Primary, General	10% of sal (election), 15% of sal (nomination)	Withholding certification of election, fine	Disqualification, fine and/or imprisonment

* The monetary limits shown apply to candidates for the U S Senate, U S House of Representatives, and the State Governorship In each case only the highest and lowest of these three figures are presented in the table

Table I—Continued

State and Federal Regulation of Campaign Expenditures

State	Campaign statements		Limitation			Penalties	
	Filing time with relation to elections	By whom	Legitimate expenses enumerated	Elections affected	Type of limitation*	For failure to file statement	For exceeding limitation
Neb	After	Candidate, party	Yes	Primary, General	No provision	Withholding certification of election, fine	Disqualification, fine or imprisonment
Nev	Before, After	Candidate, party	--	Primary, General	20% of yr sal	Withholding certification of election, fine	Fine and/or imprisonment
N H	Before, After	Candidate, party	Yes	Primary, General	$4,000 to $8,000	Disqualification, fine	Disqualification, fine and/or imprisonment
N J	After	Candidate, party	Yes	Primary, General	$2,500 to $50,000	Disqualification and disfranchisement	Same as foregoing
N M	Before, After	Candidate, party	--	Primary, General	$2,500 to $3,500 (nomination) 10% of salary (election)	Disqualification, fine	Same as foregoing
N Y	Before, After	Candidate, party	Yes	Primary, General	$4,000 to $10,000	Fine and/or imprisonment	Same as foregoing
N C	Before	Candidate, party	Yes	Primary	$6,000 to $12,000	Misdemeanor	Same as foregoing
N D	After	Candidate	--	Primary, General	15% of yearly salary	Disqualification, fine	Disqualification, fine, and/or imprisonment
Ohio	After	Candidate, party	Yes	Primary, General	$2,500 to $5,000	Withholding certificate of election	Fine and/or imprisonment
Okla	After primary	Candidate, party	--	Primary	$800 to $3,000	Withholding certificate of election	Disqualification, fine, and/or imprisonment
Ore	After	Candidate, party	Yes	Primary, General	15% of salary (nomination) 10% of salary (election)	Disqualification, fine	Disqualification, fine.
Pa	After	Candidate, party	Yes	Primary, General	No provision	Disqualification	Disqualification, fine, and/or imprisonment

* The monetary limits shown apply to candidates for the U S Senate, U S House of Representatives, and the State Governorship In each case only the highest and lowest of these three figures are presented in the table

Table I—Continued
State and Federal Regulation of Campaign Expenditures

State	Campaign statements		Limitation			Penalties	
	Filing time with relation to elections	By whom	Legitimate expenses enumerated	Elections affected	Type of limitation*	For failure to file statement	For exceeding limitation
S C	Before, after primary	Candidate	--		No provision	Disqualification	
S D	After	Candidate, party	Yes	Primary, General	5% of yearly salary	Disqualification, fine, or imprisonment	Fine or imprisonment
Tenn	Before	Candidate, party	--	Primary, General	$5,000 to $10,000	Withholding certificate of election, fine, and/or imprisonment	
Tex	Before primary, After general	Candidate, party	Yes	Primary	$2,500 to $10,000	Disqualification, fine	Fine and/or imprisonment
Utah	Before	Candidate, party	Yes	Primary, General	$2,000 to $4,000	Withholding certificate of election	Disqualification, fine, and/or imprisonment
Vt	After primary	Candidate	Yes		No provision	Fine and/or imprisonment	Fine
Va	After	Candidate	Yes	Primary	Based on vote cast at preceding election	Withholding certificate of election	Disqualification
Wash	After primary	Candidate	Yes		No provision		
W Va	Before, After	Candidate, party	Yes	Primary, General	Based on number of counties represented	Withholding certificate of election	Fine and imprisonment
Wis	Before, After	Candidate, party	Yes	Primary, General	$875 to $5,000	Disqualification	Same as foregoing
Wyo	After	Candidate, party	Yes	Primary, General	20% of yearly salary	Disqualification	Fine and/or imprisonment
U S	Before	Candidate, party	Yes	General	State law or Senator $10,000, Representative, Delegate, or Resident Commissioner $2,500 unless state law prescribes lower amounts	Fine or imprisonment	Same as foregoing

* The monetary limits shown apply to candidates for the U S Senate, U. S House of Representatives, and the State Governorship In each case only the highest and lowest of these three figures are presented in the table

Selected Reading List

CAREY, RICHARD W., *"The Regulation of Campaign Expenditures in California,"* Thesis, M.A., University of California, 1948.

COUNCIL OF STATE GOVERNMENTS, *Corrupt Practices Legislation in the 48 States;* by S. S. Mmault 26 p. Chicago, 1942

NATIONAL LEAGUE OF WOMEN VOTERS Department of Efficiency in Government, *Corrupt Practices Legislation;* by Helen M. Rocca 75 p Washington, D. C., 1928

OVERACKER, LOUISE, *Money in Elections* 476 p New York, The Macmillan Co., 1932

OPINIONS OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 12, 1952

Honorable Arthur W. Coats, Jr.
Assembly Chamber

Elections—Corrupt Practices Legislation in the 48 States—No. 747

DEAR MR. COATS: You have requested us to analyze the laws of the various states regulating election campaigns and to prepare charts showing the various requirements of law on a comparative basis.

Submitted herewith are three charts which we have prepared.

Chart I concerns the laws regulating contributions and expenditures in political campaigns.

Chart II is concerned with laws relating to the reporting of contributions and expenditures for political campaigns.

Chart III covers the various provisions for penalties and enforcement of laws referred to in Charts I and II.

There is also submitted herewith a summary of Chart I and a summary of Chart II.

For more detailed information and bibliographies on the subject of corrupt practices legislation in the various jurisdictions, we refer you to the following:

1. Corrupt Practices Legislation In The 48 States—The Council of State Governments, January 1942 (BX 225).
2. State and Federal Regulation of Campaign Expenditures—Bureau of Public Administration, University of California, January 1951.
3. Corrupt Practices in Political Campaigns—Boston University Law Review, June 1950, Volume XXX, page 331.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 11, 1952

Summary of Data Compiled in Chart I on General Provisions of the Various State Laws on Contributions and Expenses in Political Campaigns—No 747

Proper Expenses Specified

1 Twenty-nine states, *including California,* specify by statute which are legally permissible expenses for campaign purposes

2. The legitimate expenses that are authorized vary slightly in different states, but usually include such things as traveling expenses, fees connected with candidacy, clerical and stenographic services, messengers, telephone, telegraph, postage, freight, printing, stationery, advertising, publicity, rent for offices and places for meetings Some states also authorize expenditures for a limited number of poll watchers and for transporting voters to the polls

Exceptions Permitted

1 Seventeen states permit certain exceptions to those specified as proper, and, where a maximum amount of allowable expenditure is specified, these excepted expenses may exceed the maximum The exceptions are usually limited to the candidate's personal expenses for subsistence, travel, stationery, telephone, etc , which are deemed not to be expenditures which must be included as part of the limited amount authorized

2 *In California,* it is provided that *as a part of lawful expenses* candidates may expend money for necessary incidental expenses which, plus traveling expenses, do not exceed one hundred dollars if expended by a candidate or one thousand dollars if expended by a committee There is no limit on the amount which may be spent for other expenses listed by statute as lawful expenses

Contributions by Corporations Prohibited

1. Thirty-six states prohibit political contributions by all or some corporations *California* does not.

Limit on Individual Contributions

1. Four states have limits on the maximum amount which may be contributed by any one individual to a candidate California has no such limitation.

2 In one of these states more than the maximum may be contributed if done through a political committee

Solicitation of Campaign Funds From State Employees Prohibited

1 Sixteen states prohibit solicitation of political contributions from state civil service employees

2 *California* does not, although it prohibits any person from entering any state office or sending any letter to such office for the purpose of soliciting political contributions.

3 Of the 16 states, three prohibit solicitation from both civil service personnel and appointive office holders

Contributions and Expenditures by Committee Only Through Treasurer or Agent

1 Thirty states, *including California,* permit campaign contributions and expenditures to be received and expended by a campaign committee only through a campaign treasurer or other agent.

3 Of these 30 states several (but not California) prohibit any contributions or expenditure to be received or made by or on behalf of a candidate except by the treasurer of a political committee or other political agent.

RALPH N KLEPS
Legislative Counsel
By ROBERT G HINSHAW, Deputy

Chart I

Contributions and Expenses in Political Campaigns

	Proper expenses specified (1)	Exceptions permitted (2)	Corporate contributions prohibited	Individual contributions limited to	Solicitation from state employees prohibited	Contributions and expenditures only through treasurer or agent
Alabama	X		X			X
Arizona		X	X			X
Arkansas		X			X	
California	X					X
Colorado	X					
Connecticut	X	X	X		X (3)	X
Delaware	X		X			X
Florida	X		X			
Georgia			X			
Idaho	X					
Illinois						
Indiana	X	X	X		X	X
Iowa			X			
Kansas		X	X			X
Kentucky	X		X			
Louisiana			X			
Maine	X	X				
Maryland	X	X	X			X
Massachusetts	X		X	$1,000	X	X
Michigan	X		X		X	X
Minnesota	X		X	(4)		X
Mississippi		X	X			X
Missouri			X			X
Montana	X		X		X (3)	X
Nebraska	X	X	X	$1,000 (5)		X
Nevada		X	X		X (3)	X
New Hampshire	X	X	X		X	X
New Jersey	X	X	X		X	X
New Mexico		X				X
New York	X		X		X	X

Chart I—Continued

Contributions and Expenses in Political Campaigns

	Proper expenses specified (1)	Exceptions permitted (2)	Corporate contributions prohibited	Individual contributions limited to	Solicitation from state employees prohibited	Contributions and expenditures only through treasurer or agent
North Carolina		X	X			(6)
North Dakota		X	X			
Ohio	X		X		X	X
Oklahoma			X			X
Oregon	X	X	X		X	X
Pennsylvania	X		X		X	X
Rhode Island						
South Carolina						
South Dakota	X	X	X			X
Tennessee			X			X
Texas	X		X		X	X
Utah	X		X			X
Vermont	X					
Virginia	X					
Washington						
West Virginia	X		X	$5,000	X	X
Wisconsin	X		X		X	X
Wyoming			X			X

EXPLANATORY NOTES

(1) The legitimate expenses that are authorized vary slightly in different states, but they usually include such things as traveling expenses, fees connected with candidacy, clerical and stenographic services, telephone telegraph, messengers postage freight printing stationery advertising publicity rent for offices and places for meetings Some states also authorize expenditures for a limited number of poll watchers and for transporting voters to the polls

(2) The exceptions permitted vary in the different states but are usually limited to the candidate's personal expenses for subsistence travel stationery, telephone, telegraph, etc , which are deemed not to be expenditures which must be included as part of the limited amount authorized

(3) Civil servants and appointive office holders

(4) No person may contribute or spend more than $50 except through a political committee

(5) No treasurer of a committee may accept contributions in excess of $1,000 made by or on behalf of one individual

(6) The limitation applies to expenditures for and on behalf of the candidate, and there is a further provision that all who make contributions or expenditures must report them to the candidate or a political committee for inclusion in their reports to state officials

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 10, 1952

Summary of Data Compiled in Chart II on Statutory Provisions re Reports of Campaign Contributions and Expenditures—No. 747

From Whom Report Required

1 Twenty states (including California) require reports from candidates and all political committees

2. Two states require reports from candidates, all political committees, and all others who make expenditures in excess of $5 on behalf of the candidate.

3 Eight states require reports from candidates only

4 One state requires reports from candidates and all others who make expenditures in their behalf.

5 Six states require reports from candidates, political committees and all others who make expenditures on behalf of candidates

6. Four states require reports from candidates, political committees, and all others who make expenditures on behalf of candidates in excess of $50

7. One state requires reports from candidates, political committees, and all others whose contributions exceed $250 or whose expenditures exceed $20.

8 One state requires reports from candidates, political committees, and all others who make expenditures in excess of $100 on behalf of the candidate

9 One state requires reports from candidates, political committees, and all others who receive money for political purposes

10 Four states require no reports

Form of Report

1 Twenty-eight states, *including California,* do not furnish forms for the report, nor do they prescribe the exact form.

2 Twenty states provide forms on which to make the reports Three of these states prescribe by law the exact form in which the report must be made.

Time of Filing Report

1 Nine states require reports to be filed before and after primary, and *before* and *after* general elections

2. Two states require reports to be filed before and after primaries

3 Four states require reports to be filed after primaries

4. One state (*California*) requires candidates to file reports after primary and general elections, but political committees must file only after general elections

5 Nineteen states require reports to be filed after both primary and general elections

6 Three states require reports to be filed before and after primaries, and after general elections

7. One state requires contributions to be reported before primary, and expenditures to be reported after primary elections

8 One state requires reports of candidates and state committees of political parties to be filed before and after primary and before and after general elections Reports of other committees need be filed only after primary and general elections

9. One state requires candidates to file after primaries, political committees after general election

10 One state requires reports to be filed by candidate before primary and general elections, but by political committees and all others after primary and general elections

11 One state requires the first report on the second Saturday after the first expenditures, and subsequent reports are required on every Saturday thereafter until campaign expenses have all been paid.

Failure to File Reported to Prosecutor

1 Twenty states provide that a failure to file a report shall be reported to a prosecutor by the official with whom the reports must be filed *California* has no such requirement

2 One state of the 20 provides that a complaint of a violation (failure to file) may be made by any candidate or voter to the Attorney General, who must investigate

3 Two states of the 20 provide that an appropriate court may require filing upon complaint of any candidate or five qualified voters

Report Inspected by Official

1 Fourteen states require an official to inspect the report *California* does not.

2 Two states provide that five voters may petition the appropriate court for an audit of expenses

3 One state provides that a candidate or 10 voters may petition for an investigation of the election; the findings of the investigation are certified to the appropriate prosecuting officer

4 In one state the Attorney General is charged with investigating to ascertain all violations of the filing law

Excessive or Illegal Expenditures Reported to Prosecuting Officer

1 Sixteen states require excessive or illegal expenditures to be reported to a prosecuting officer *California* does not

2 Two states of the 16 require such a report only if, upon petition of five voters for an audit, the court finds excessive or illegal expenditures

3 One state of the 16 provides that a candidate or 10 voters may petition for an investigation of the election, and the findings of the investigation are certified to the appropriate prosecuting officer

4 One state of the 16 provides that a complaint of a violation may be made by any candidate or voter to the Attorney General, who must investigate

5 One state of the 16 provides that a voter may petition for special proceedings against a violating candidate

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Chart II

Statutory Provisions on Reports of Contributions and Expenditures

	Report required from	Forms provided by State	Time of filing	Failure to file reported to prosecutor	Report inspected by official	Excessive or illegal expenditures reported to prosecuting officer
Alabama	(1)		(2)			
Arizona	(3)	X	(4)			
Arkansas	(5)		(6)			
California	(1)		(7)			
Colorado	(1)		(8)			
Connecticut	(1)	X	(8)	X	X	X
Delaware	(1)	X	(8)		(9)	X (10)
Florida	(11)		(12)	X		
Georgia	(5)		(2)			
Idaho	(5)		(6)			
Illinois						
Indiana	(1)		(8)	X	X	X
Iowa	(1)		(8)			
Kansas	(13)		(8)			
Kentucky	(13)		(2)			
Louisiana						
Maine	(1)	X	(12)	X	X	
Maryland	(1)	X	(8)	X	(14)	(14)
Massachusetts	(1)	X	(8)	X	X	X
Michigan	(1)	X	(8)	X	X	X
Minnesota	(1)	X	(2)	X	X	X
Mississippi	(5)	X	(15)			
Missouri	(1)		(8)			
Montana	(16)	X (17)	(8)	X	X	X
Nebraska	(18)		(8)			
Nevada	(16)	X (17)	(2)	X	X	X
New Hampshire	(13)		(19)	X (20)	X	X (20)
New Jersey	(1)		(2)			
New Mexico	(1)	X	(8)			
New York	(13)	X	(2)	X (21)		
North Carolina	(1)		(6)	X		
North Dakota	(5)		(8)			
Ohio	(13)	X	(8)	X	X	X

Chart II—Continued

Statutory Provisions on Reports of Contributions and Expenditures

	Report required from	Forms provided by State	Time of filing	Failure to file reported to prosecutor	Report inspected by official	Excessive or illegal expenditures reported to prosecuting officer
Oklahoma	(1)	X	(22)			
Oregon	(23)	X (17)	(8)	X	X	X
Pennsylvania	(1)	X			(9)	X (10)
Rhode Island						
South Carolina	(5)		(4)			
South Dakota	(3)		(8)		(24)	X
Tennessee	(13)		(25)			
Texas	(26)		(12)	X (21)		
Utah	(1)	X	(27)	X	X	X
Vermont	(5)		(6)			
Virginia	(5)		(8)			
Washington						
West Virginia	(1)	X	(2)	X		
Wisconsin	(16)	X	(2)	X	X	X (28)
Wyoming	(16)		(8)	X	X	X

EXPLANATORY NOTES

(1) Reports required from candidates and all political committees

(2) Reports must be filed before and after primary, and before and after general elections

(3) Reports required from candidates all political committees and all others who make expenditures in excess of $5 on behalf of the candidate

(4) Reports must be filed before and after primaries

(5) Reports required from candidate only

(6) Reports must be filed after primaries

(7) Candidates must file reports after primary and general election campaigns, but political committees must file reports only after general elections

(8) Reports must be filed after both the primary and general election campaigns

(9) Five voters may petition appropriate court for an audit of expenses

(10) If upon petition of five voters for an audit, the court finds excessive or illegal expenditures that finding is reported to the appropriate prosecuting officer

(11) Reports required from candidates and all others who make expenditures on his behalf

(12) Reports must be filed before and after primaries, and after general elections

(13) Reports required from candidate, political committees and all others who made expenditures on behalf of the candidate

(14) A candidate or 10 voters may petition for an investigation of the election and the findings of the investigation are certified to the appropriate prosecuting officer

(15) Contributions must be reported before the primary, and expenditures must be reported after the primary election

(16) Reports required from candidates political committees, and all others who made expenditures on behalf of the candidate in excess of $50

(17) Form prescribed by statute

(18) Reports required from candidates, political committees and all others whose contributions exceed $250 or whose expenditures exceed $20

(19) The reports of the candidates and the state committees of the political parties must be filed before and after the primary and before and after the general elections The reports of other committees need be filed only after the primary and general elections

(20) A complaint of a violation may be made by any candidate or voter to the Attorney General, who must investigate

(21) Appropriate court may require filing upon complaint of any candidate or five qualified voters

(22) Candidates must file reports after primaries, political committees must file after general elections

(23) Reports required from candidates, political committees, and all others who make expenditures in excess of $100 on behalf of the candidate

(24) Attorney General is charged with the duty of investigating all violations of the law

(25) Reports must be filed by candidate before primary and general elections, and by political committees and all others after primary and general elections

(26) Reports required from candidate, political committees and all others who receive money for political purposes

(27) First report is required on the second Saturday after the first expenditures and subsequent reports are required on every Saturday thereafter until campaign expenses have all been paid

(28) Voter may petition for special proceedings against violating candidate

Chart III

Statutory Provisions for Penalties and Enforcement of Provisions Relating to Campaign Contributions and Expenditures

	Penalty for Failure to File	Penalty for Excessive or Illegal Expenditures	Enforcement of Penalties
Alabama	Disqualification, fine to $500, prison to 6 mos	Disqualification, fine to $500, prison to 6 mos	
Arizona	No name on ballot, no certificate of election, fine $50-$100, prison up to one year	Fine of $100-$2,000 or prison of 6 to 24 mos	
Arkansas	Disqualified, conviction makes ineligible to hold office, fine up to $1,000, prison up to 1 year	Disqualified, ineligible to hold office, fine of $500-$1,000, prison up to one year	
California	Disqualified, no certificate of nomination, misdemeanor	Disqualified, misdemeanor	
Colorado	Disqualified, misdemeanor	Disqualified, felony	
Connecticut	Fine of $25 00 per day in default	Fine up to $1,000, prison up to 2 years	Prosecuting officer to be notified and shall proceed to prosecute
Delaware	Can't assume office, fine $50-$1,000, 1-24 mos	Fine $50-$1,000, 1-24 mos (1)	(2)
Florida	No name on ballot, no certificate of election, fine up to $1,000, prison up to one year	Disqualified, fine up to $1,000, prison up to 1 year	Grand juries shall make special investigations
Georgia	Disqualified, misdemeanor	Impeachment if elected	
Idaho	No name on ballot, ineligible for office, fine of $100-$500, prison 1-6 mos	Person who swears falsely liable to fine of $100-$500, prison 1-6 mos	
Illinois			
Indiana	Election annulled, misdemeanor	Ineligible for office for 4 years, misdemeanor	Prosecutor notified for appropriate action
Iowa	Misdemeanor	Misdemeanor	
Kansas	Office vacated, disqualified for 2 years, misdemeanor	Office vacated, disqualified for 2 years, misdemeanor	
Kentucky	No certificate of election, fine of $100-$1,000	Fine of $100-$1,000	Grand jury may investigate alleged violations
Louisiana			
Maine	No salary while in default and fine of $25 00 per day	Disqualified for willfully false statement	When notified prosecutor shall prosecute failure to file
Maryland	Can't assume office, fine of $300-$2,000, up to 2 yrs (3)	Disqualified for 4 yrs , $300-$1,000, up to 2 years	Candidate or ten voters may petition court, and findings reported to prosecutor

Chart III—Continued

Statutory Provisions for Penalties and Enforcement of Provisions Relating to Campaign Contributions and Expenditures

	Penalty for Failure to File	Penalty for Excessive or Illegal Expenditures	Enforcement of Penalties
Massachusetts	Disqualified as candidate and voter for 3 years, fine up to $1,000, prison up to one year	Same as for failure to file	Prosecutor to be notified for appropriate action
Michigan	Can't assume office fine up to $1,000, up to 1 yr	Fine up to $1,000, prison up to two years	Prosecutor to be notified for appropriate action
Minnesota	No name on ballot, no certificate of election, gross misdemeanor	Disqualified, misdemeanor	Prosecutor shall investigate failure to file
Mississippi	Willful violation—election is void, other violation—up to $500 and up to one year	Same as for failure to file	
Missouri	Forfeit office Fine of $1,000 (4)	Forfeit office	(5)
Montana	No certificate of election, fine $25 per day	Disqualified, fine up to $5,000 and/or up to 1 yr	Prosecutor to be notified for appropriate action (6)
Nebraska	No certificate of election, fine up to $1,000 (7)	Disqualified, fine not less than $50 or up to 1 yr	(8)
Nevada	No certificate of election, $25 per day in default	Fine up to $10,000 and/or up to one year	Prosecutor notified for appropriate action
New Hampshire	Can't assume office, $100-$500, 30-90 days	Disqualified, up to $500 and/or up to one year	Prosecutor must investigate complaint of voter
New Jersey	Nomination or election null and void (9)	Same as for failure to file	Prosecutor notified and must investigate
New Mexico	No name on ballot, forfeit office, up to $500 (10)	No name on ballot, forfeit office, $100-$2,000 (10)	
New York	Fine of $100-$500 and/or up to one year in prison	Same as for failure to file	(11)
North Carolina	Court may remove from office and deprive of citizenship for two years, misdemeanor	Same as for failure to file	Appropriate prosecutor has duty to prosecute
North Dakota	No name on ballot, up to $1,000 and/or up to 6 mos	Office declared vacant, up to $1,000 and/or up to 6 mos	Offender deprived of office by contest proceedings
Ohio	No certificate of nomination or election	Nomination office forfeited, $100-$5,000, up to 6 mos	Prosecutor notified for appropriate action
Oklahoma	No certificate of nomination, not entitled to hold office, $25-$500 (12)	Permanently barred from holding office, $100-$2,000 or 6-24 mos.	
Oregon	Nomination annulled, disqualified, up to $5,000 or 1 yr	Same as for failure to file and (13)	Prosecutor notified and shall prosecute in 10 days or candidate or voter may demand proper filing
Pennsylvania	Can't assume office or receive salary	Disqualified, $50-$1,000 and/or 1-24 mos	(2)

Chart III—Continued

Statutory Provisions for Penalties and Enforcement of Provisions Relating to Campaign Contributions and Expenditures

	Penalty for Failure to File	Penalty for Excessive or Illegal Expenditures	Enforcement of Penalties
Rhode Island			
South Carolina			
South Dakota	Office forfeited, up to $1,000 and 6 mos	Same as for failure to file	Prosecutor must investigate violations
Tennessee	No certificate of election, can't receive salary, $100-$5,000 and/or 1-12 mos		
Texas	No name printed on ballot, $200-$500	No name on ballot, up to $1,000 and/or 1-5 yrs	Quo warranto by any citizen
Utah	No certificate of nomination or election, can't hold office or receive salary	Disqualified, $25-$1,000, 1-36 mos	Prosecutor notified for appropriate action (14)
Vermont	Up to $500 and/or 6 mos	Fine of not less than $100	
Virginia	Election null and void, misdemeanor	Election null and void	
Washington			
West Virginia	No name on ballot, no certificate of election, can t receive salary, not less than $50, up to 6 mos	Disqualified from public office for 5 years	Prosecutor notified of failure to file
Wisconsin	No name on ballot, office forfeited	Same as failure to file (1)	Voter by petition may bring special proceedings
Wyoming	No name on ballot, no certificate of election, $1,000 and/or one year	Up to $1,000 and/or one year	Prosecutor notified for appropriate action (14)

EXPLANATORY NOTES

(1) Findings are certified to presiding officer of appropriate legislative body in case of violation by a member thereof

(2) Five voters may petition the appropriate court for an audit, and its findings are certified to the appropriate prosecuting officer

(3) For treasurers of political committees penalty is a fine of $300-$1,000 and/or imprisonment from 1-12 months

(4) For treasurers of political committees the penalty is a fine of $50-$500 and/or imprisonment from 2-6 months

(5) The person receiving the next highest number of votes may submit an application to the Attorney General for action against the successful candidate upon the posting of a bond If the Attorney General does not act within 10 days the applicant may prosecute at his own expense

(6) Election may be contested by a petition of voter accompanied by a bond

(7) Penalty for treasurers of political committees is fine of $50 to $500

(8) Upon submitting a bond a voter may make application to the Attorney General for appropriate action If Attorney General does not act, then the applicant may prosecute at his own expense

(9) Court may disqualify guilty person from voting or holding an office of trust for as long a time as it deems proper Candidate receiving the next highest number of votes is declared elected

(10) Penalty for treasurers of political committees is fine of $50-$500 and/or imprisonment up to six months

(11) A candidate or five voters may start proceedings to compel the filing of a statement or a corrected statement

(12) Penalty for violation of committee is fine of $50 to $1,000 or imprisonment from three to twelve months

(13) Guilty person cannot hold any public office for a period equal to the term of the office being sought when law was violated

(14) Any voter may petition for special proceedings in case of violation

REQUEST FOR UNANIMOUS CONSENT THAT ABOVE MENTIONED REPORT BE PRINTED AS A SEPARATE DOCUMENT

Mr. Coats asked for, and was granted, unanimous consent that the above mentioned letter of transmittal, and report, be ordered printed as a separate document, and that 2,000 copies be printed.

COMMITTEE FROM SENATE

Senators Watson, Parkman, and Dillinger appeared before the bar of the Assembly, and announced that the Senate had concluded its labors and was ready to adjourn sine die

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jean Davisson, teacher, and the following pupils of the Bret Harte School. Susan Aydelotte, William Bourland, Phil Burks, Linda Canessa, Judith Cummings, David Diewert, Marilyn Ehrig, Mary Lee Egolf, Patsy Haney, Jo Anne Johnson, Charles Hill, Robert Nykodym, Jerry Treaster, Peter Prince, Judy Trattner, Virginia Smithson, Carol Macon, Sue Guches, Jim Samuelson, Diane Baker, Shirley Baker, Chris Kleps, Gary Connolly, Gary Wilson, Michael Jones, Marie Strode, Don Moore, Carol Williams, Billy Pitzner, and Hugh McIntyre

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Sister Carmel Marie, teacher, and the following pupils of the Notre Dame Convent. Jerome Pitrie, James Sheldon, Mary Ellen Voboril, Vernamae Newman, Elizabeth Vantress, Joann Nash, Patricia Walsh, Nancy Vantress, and Lolane Nieto

On request of Messrs McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Alex B Steinert and Mr Anderson, teachers, and the following pupils of the Lodi Seventh Day Adventist School. Patricia Duerkson, Jack Sabo, Lorin Ensminger, Donna Wiedrick, Arleen Wiedrick, Martin Praegitzer, Lorene Meier, Bob Toun, Paul Lerindegin, Clyde Catron, Don Carpenter, Don Pullen, Hazelle Wolfiel, Claudia Morel, Ardella Werner, Nancy Little, Volney Guptill, Verna Schulz, Donna Kiehberg, Richard Gibbon, Benny Anderson, Tommy Loewen, Carl Grose, Betty Jo Abbott, Louane Kelm, Darlene Beglean, Darlene Smith, Carl Anderson, Mildred Burdick, Doris Dukes, Kay Eller, Fay Eller, Alice Nixon, Bob Wilson, Bob Breckenridge, Betty Lou Merts, Betty Ann Voelker, Peggy Ferguson, Bonnie Woodall, Don Tonn, Allen Grose, Helen Perman, Vanda Lee Werner, Dora Lee Guptill, Doreen Gerlack, Jackie Gililand, Jean Roberts, Bill Bechtold, Dwight Neiman, Mack Bippus, Dolores Palmer, Dolores Baker, Beverly Heinrich, Gloria Rund, and Genevieve Carpenter

On request of Mr Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs H Leigh Cross and Mrs Mary Wilson of San Jose.

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Bernard Brady of San Francisco, Mrs Gordon Fleury of Sacramento, Mrs L H Lincoln of Oakland, and Mrs. Frank Belotti of Eureka.

On request of Mr Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Brother John McCluskey of San Francisco

On request of Mr Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Frederic B Nerney of San Francisco

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Modesto Union Academy Opal Hughs, Barbara Testerson, Melba Anderson, Peggy Klumber, John Effenberg, Elvin Gaines, Thomas Proctor, Robert Sperling, Jerry Crovey, and Albert Bradley

On request of Mr Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Rev S Diggins and the Rev G W. Killens of Oakland

MOTION TO APPROVE JOURNALS

Upon motion of Mr Hollibaugh the Journals for Monday, March 31, 1952, Tuesday, April 1 1952, and Wednesday, April 2, 1952, were approved as corrected by the Minute Clerk

ADJOURNMENT SINE DIE

At 6 p m , on Wednesday, April 2, 1952, in accordance with the unanimous consent request of Mr Doyle, and the provisions of Assembly Concurrent Resolution No 14, the Honorable Sam L Collins, Speaker of the Assembly, announced that the time for final adjournment of the 1952 First Extraordinary Session of the Legislature of the State of California had arrived, and with a prayer for the immediate recovery from illness of Messrs Clarke, Cooke, and Crowley and out of respect to the memory of the late Daniel Beecher of Los Angeles, the Speaker declared the Assembly adjourned sine die

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

APPENDIX TO

ASSEMBLY JOURNAL

1952 FIRST EXTRAORDINARY SESSION

AND

RECAPITULATION OF ASSEMBLY MEASURES

① 21—1.-2273

ASSEMBLY BILLS ENROLLED AND PRESENTED TO GOVERNOR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 6—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 27—An act to add Section 6 5 to an act entitled "An act to provide for the expansion of publicly supported higher education by the establishment of a state college in the City of Los Angeles, and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the system of publicly supported higher education" approved April 25, 1949 (Chapter 86, Statutes of 1949), relating to the Los Angeles State College of Applied Arts and Sciences,

Assembly Bill No. 40—An act to add Section 35 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 22, 1951, and before the effective date of this act,

Assembly Bill No. 41—An act to add Sections 39 and 40 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor,

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 39—An act to create a district to be called "The Sacramento County Water Agency" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water, and the obtaining of water or a water supply and the sale or other disposition of water, to provide for the powers of such district necessary to carry out its purposes including among other powers, the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, the right to make contributions in aid of construction and acquisition of such works and in aid of obtaining water and a water supply, the right of said district and its member units to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used, to provide for the organization, government and management of said district and establishing the boundaries thereof, to provide for certain powers, rights and liabilities of member units located within or partially within said district; to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district, to provide certain officers and employees of the County of Sacramento shall be ex officio officers and employees of said district; to authorize the incurring of indebtedness, the voting and issuing and selling of bonds, the voting and levying and collection of special assessments; the levying and collection of taxes, to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds, to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act, and to empower municipalities, irrigation districts county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter

into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency,

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 43—An act to amend Section 1 of, and to add Section 2 to, an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and salaries of attaches and the filing fees for the Municipal Court of the City of San Bernardino,

Assembly Bill No. 47—An act to add Sections 7000 1, 7000 2, 7000 3, 7036 5, 7111 1, 7114 1, 7116 1, and 7118 to the Education Code, to amend Sections 5153 3, 7035, 7036, 7037 1, 7037 2, 7091, 7109 2, 7109 3, 7111, 7114, 7117, and 7252 of said code, and to declare Item 414 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System,

Assembly Bill No. 48—An act to amend Section 14744 of the Education Code, relating to continuation of membership in school district retirement plans after discontinuance of service, 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 seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 50—An act to amend Section 4932 of the Education Code, relating to the unification of school districts, declaring the urgency thereof, to take effect immediately,

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 5—Relative to the observance of Public School Week in this the centennial year of the founding of public schools in this State;

Assembly Concurrent Resolution No. 8—Relative to the Central Valley Project and the Feather River Project,

Assembly Concurrent Resolution No. 9—Relative to merit awards to state employees,

Assembly Concurrent Resolution No. 10—Relative to encouragement of academic training for engineers,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 11—Relative to congratulating the City of Oakland on the 100th anniversary of its incorporation,

Assembly Concurrent Resolution No 13—Relative to adjournment in respect to the memory of Chief Deputy District Attorney Daniel Beecher,

Assembly Concurrent Resolution No. 14—Relative to adjournment sine die of the 1952 First Extraordinary Session of the Legislature of the State of California,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 2—Relative to the imposition of duties on the importation of tuna fish,

Assembly Joint Resolution No. 5—Relative to the use of money collected by federal gasoline, diesel fuel, and lubricating oil taxes,

Assembly Joint Resolution No. 6—Relative to the reopening of Birmingham General Hospital,

Assembly Joint Resolution No. 7—Relative to retirement pay for postal employees,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 10—Relative to memorializing the Federal Government to take the necessary action to acquire the use of Pine Flat Dam for flood control during spring runoff,

Assembly Joint Resolution No. 15—Relative to memorializing the Congress of the United States to suspend the importation of ladino clover seed,

Assembly Joint Resolution No 16—Relative to sanitary facilities in border cities,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of April, 1952, at 9 a m

BURKE, Chairman

ASSEMBLY BILLS APPROVED BY GOVERNOR, CHAPTERED AND FILED WITH THE SECRETARY OF STATE

The following Assembly bills were approved by the Governor, chaptered and filed with the Secretary of State Unless otherwise specified in the bills, all bills become effective 90 days after adjournment sine die of the Legislature, or on July 2, 1952

A. B. Number	Chapter	Author	Subject of Title	Date filed with Secretary of State
6	8	Sherwin	Relating to civil defense and making an appropriation	Apr 15
8	1	Parker and McFall	Declaring a certain portion of Stockton Slough (Channel) situated in the City of Stockton County of San Joaquin is no longer necessary for navigation of fisheries	Mar 24
9	2	Parker and McFall	Amending Section 105 of the Harbors and Navigation Code, relating to navigation of Stockton Slough	Mar 24
10	31	Levering and Lyon	Repealing Chapter 1717 of the Statutes of 1951 relating to the validation of the West Side County Water District	Apr 21
15	23	Smith et al	Amending Sections 264 286, 288a 311, and 647a of the Penal Code, relating to sex crimes	Apr 17
16	24	Smith et al	Amending Sections 5501 5503 5505 5511 5512, and 5517 of and to add Sections 5500 5 5501 5 5503 5, 5512 3, 5519 5520 and 5521 to the Welfare and Institutions Code, to amend and renumber Section 5502 of the Welfare and Institutions Code to be Section 5511 7 and to amend Section 27706 of the Government Code, to provide for the prevention of sex offenses by revising the procedure for the commitment of sexual psychopaths	Apr 17
24	3	Brown et al	Amending Section 1170 of the Probate Code relating to termination of joint tenancies upon the death of one joint tenant	Mar 24
27	32	Lipscomb et al	Adding Section 6 5 (Chapter 86 Statutes of 1949), relating to the Los Angeles College of Applied Arts and Sciences	Apr 21
28	14	Brown	Prescribing the jurisdiction of justices' courts of Class B	Apr 15
31	25	Smith et al	Adding Sections 12011 5, 12011 7 12107 12756, 12785 13001 3, and 14002 3 to the Education Code relating to persons convicted of sex offenses in respect to employment in the Public School System and to certification documents in connection therewith	Apr 17
32	5	Porter and Beck	Adding Section 5083 3 to the Education Code relating to state school building aid	Apr 14
39	10	Moss and Fleury	Creating a district to be called 'The Sacramento County Water Agency"	Apr 16
40	26	Gubser	Adding Section 35 to an act entitled 'An act making an appropriation for allocation to cities counties and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of ways and sites for major streets roads bridges sewerage and other public facilities, and providing the procedure for making such allocations' approved June 20, 1941 relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 22 1951 and before the effective date of this act	Apr 17
41	27	Gubser	Adding Sections 39 and 40 to the Construction and Employment Act, relating to the allocation of funds to cities and making an appropriation therefor	Apr 17
47	12	Kirkwood et al	Adding Sections 7000 1 7000 2 7000 3 7036 5, 7111 1 7114 1 7116 1 and 7118 to the Education Code to amend Sections 5153 3 7035 7036 7037 1 7037 2, 7091 7109 2, 7109 3 7111 7114 7117, and 7252 of said code, and to declare Item 114 of the Budget Act of 1952 ineffective for all purposes, all relating to the Public School System	Apr 16
48	15	Dunn et al	Amending Section 14741 of the Education Code, relating to continuation of membership in school district retirement plans after discontinuance of service	Apr 15
49	11	Sam L. Collins	An appropriation for payment of the expenses of Members of the Assembly while attending the 1952 First Extraordinary Session of the Legislature	Apr 15
50	6	Collier	Amending Section 1932 of the Education Code relating to the unification of school districts	Apr 11

Total 18

CHAPTER NUMBERS OF ASSEMBLY BILLS APPROVED BY THE GOVERNOR

Chapter number	Assembly bill number	Chapter number	Assembly bill number	Chapter number	Assembly bill number
1	8	10	39	24	16
2	9	11	49	25	31
3	21	12	47	26	40
5	32	14	28	27	41
6	50	15	48	31	10
8	6	23	15	32	27

Total ---------- 18

ASSEMBLY BILLS POCKET VETOED BY THE GOVERNOR

7, 43

Total ---------- 2

ASSEMBLY BILLS DIED ON FILE IN ASSEMBLY

33

Total ---------- 1

ASSEMBLY BILLS DIED ON FILE IN SENATE

44, 45

Total ---------- 2

ASSEMBLY BILLS, SUBJECT MATTER OF WHICH TO BE RE-REFERRED TO INTERIM COMMITTEES

29, 38

Total ---------- 2

ASSEMBLY CONSTITUTIONAL AMENDMENTS DIED IN CONFERENCE COMMITTEE

2

Total 1

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	1	Condon and Maloney	Relative to the passing of Harold F Sawallisch	Mar 6
2	4	Cloyed	Appropriation of water for federal reclamation projects	Mar 28
3	2	Sam L Collins	Relative to passing of Frank I Agnew	Mar 19
4	5	Lincoln et al	Relative to Mills College	Mar 28
5	20	Dunn et al	Observance of Public School Week in this the centennial year of the founding of public schools in this State	Apr 7
8	21	Kirkwood	Relative to the Central Valley Project and the Feather River Project	Apr 7
9	22	Sherwin et al	Relative to merit awards to state employees	Apr 7
10	23	Geddes and Levering	Encouragement of academic training for engineers	Apr 7
11	24	Dunn et al	Congratulating the City of Oakland on the 100th anniversary of its incorporation	Apr 7
13	25	Grant et al	Adjournment in respect to the memory of Chief Deputy District Attorney Daniel Beecher	Apr 7
14	26	Sam L Collins	Adjournment sine die of 1952 First Extraordinary Session of the Legislature of the State of California	Apr 7

Total 11

ASSEMBLY CONCURRENT RESOLUTION FROM SENATE WITHOUT FURTHER ACTION

7

Total 1

ASSEMBLY CONCURRENT RESOLUTION, SUBJECT MATTER OF WHICH REFERRED TO INTERIM COMMITTEE IN SENATE

7

Total 1

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
2	27	Luckel et al	Relative to the imposition of duties on the importation of tuna fish	Apr 7
3	3	Luckel et al	Relative to closing the United States-Mexico border to unescorted minors	Mar 18
5	28	Luckel	Relative to the use of money collected by federal gasoline diesel fuel and lubricating oil taxes	Apr 7
6	29	Burkhalter et al	Relative to the reopening of Birmingham General Hospital	Apr 7
7	30	Morris and Evans	Relative to retirement pay for postal employees	Apr 7
8	8	Dickey et al	Petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on vehicles and vehicle fuels	Apr 2
10	31	Hagen	Memorializing the Federal Government to take the necessary action to acquire the use of Pine Flat Dam for flood control during spring runoff	Apr 7
15	32	Lowrey et al	Memorializing the Congress of the United States to suspend the importation of ladino clover seed	Apr 7
16	33	Dickey et al	Relative to sanitary facilities in border cities	Apr 7

Total 9

SENATE BILLS DIED ON FILE IN ASSEMBLY

9, 10, 28, 40

Total 4