

CALIFORNIA LEGISLATURE

1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBLR, SACRAMENTO
Monday, August 4, 1952

The Assembly met at 12 m., pursuant to the provisions of the Proclamation of His Excellency, Hon. Earl Warren, Governor of the State of California, dated July 3, 1952, convening the Legislature of the State of California on this day in extraordinary session.

Arthur A. Ohnnumus, Chief Clerk of the Assembly for the 1952 Regular (Budget) Session presiding.

ANNOUNCEMENT

Arthur A. Ohnnumus, Chief Clerk of the Assembly, 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. Ohnnumus, Chief Clerk, Geraldine B. Hadsell, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by the Rev. Raymond A. Graber of the Del Paso Christian Church:

Almighty God, Our Father, Thou hast established the laws whereby Thy universe is governed. That which Thou hast done is good. For Thy creation and Thy holy we thank Thee.

Unto us as men Thou hast given the task of interpreting Thy Divine Law. We confess, however, our ineptness of such interpretation. We confess our inability to be independent of Thee. For attempts to guide ourselves without Thy help we ask forgiveness.

To the end that our interpretation of Divine Law may be in accordance with Thy will—that we may be compassionate—that we may fulfill our responsibility to our youth—to that end, O God, may Thy blessings rest upon this Assembly.

This we seek in the spirit of Thy Holy Love—AMEN

PROCLAMATION OF THE GOVERNOR

The Chief Clerk directed the Assistant Clerk to read the Proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Assistant Clerk read the following Proclamation

Proclamation**EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA**

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 fourth day of August, 1952, at 12 noon 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 appropriations for civil defense emergencies.

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

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

(SEAL)

EARL WARREN, Governor of California

ATTEST: FRANK M. JORDAN, Secretary of State

By CHAS J HAGERTY, Assistant Secretary of State

Proclamation**EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA**

WHEREAS, The Legislature of the State of California has been called in extraordinary session to convene on August 4, 1952, 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 July 3, 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

4 To consider and act upon legislation to permit recipients of aid to aged persons, aid to the needy blind, or aid to partially self-supporting blind persons to receive additional amounts contributed by the United States, or additional amounts equivalent to those so contributed

5 To consider and act upon legislation to provide relief from damage caused by earthquakes

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

(SEAL)

EARL WARREN, Governor of California

ATTEST: FRANK M. JORDAN, Secretary of State

ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1952 Second 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. Levering :

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 (Second Extraordinary) Session, with the per diem as fixed by statute or resolution

Hon Sam L. Collins-----	<i>Speaker</i>
Hon Thomas A. Maloney-----	<i>Speaker pro Tempore</i>
Arthur A. Ohmhus-----	<i>Chief Clerk</i>
Geraldine B. Hadsell-----	<i>Minute Clerk</i>
Wilkie Ogg-----	<i>Sergeant-at-Arms</i>
Rev Raymond A. Graber-----	<i>Chaplain</i>

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, George D. Collins, Condon, Connolly, Conrad, Cooke, Dicke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumsford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—75

NOES—None

MOTION

Mr. Levering moved that a rising vote of confidence be accorded the elected officers of the Assembly

Messrs Doyle, Stewart, and Lyon seconded the motion.

Motion carried unanimously by a rising vote.

MOTION

Mr Silliman moved that the remarks by Mr. Levering relative to Speaker Sam L. Collins be reduced to writing, and ordered printed in the Journal

Mr. Erwin seconded the motion.

Motion carried unanimously.

REMARKS BY MR. LEVERING

Mr Speaker and Members of This Body This resolution requires no explanation as it merely proposes the re-election of those officers who have so capably served us in the past.

At this time, I think it is proper to make a few brief remarks concerning one of these officers, our Speaker, Sam Collins, who after this short session will probably never again serve us in the capacity of Speaker His administration, however, will be long remembered. Some of us have worked with him for many years, others for just a few, but all of us have admired and respected him He is a man of outstanding ability and has presided with dignity and good judgment. No one can say that he has not treated all fairly.

Let's reminisce for just a moment—when debate has been unusually long and hot and tempers flared, calmly he has broken the tension by interrupting to make an announcement or introduce a guest. During jovial periods he has had fun with us When sickness or misfortune has

struck, he has always been concerned, and held out a helping hand. When the cold hand of death has touched the membership, he has had understanding and sympathy. His long record of legislation has been of great benefit to our people. The State of California is a better place to live because of his service to it.

APPOINTMENT OF SELECT COMMITTEES

Chief Clerk Arthur A. Ohnimus announced the appointment of Messrs. Levering, Doyle, and Mrs. Niehouse as a Select Committee to escort the Honorable Sam L. Collins, Speaker-elect, to the rostrum.

Chief Clerk Arthur A. Ohnimus announced the appointment of Messrs. Sherwin, Berry, and Evans as a Select Committee to escort the Honorable Thomas A. Maloney, Speaker pro Tempore-elect, to the rostrum.

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; and Wilkie Ogg, Sergeant-at-Arms-elect; took and subscribed to the following oath, administered by the Honorable 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 12:16 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.

MEMBER EXCUSED

At 12:18 p.m., Mr. Berry asked for, and was granted, unanimous consent that Mr. Crowley be excused, for the balance of the legislative day, because of illness.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon

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.

Resolution read, and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs. Waters, Caldecott, Maloney, Lyon, and Shaw as such Select Committee to wait upon the Governor.

By Mr Hollibaugh:

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 third day of July, 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. Ohmmus	-----	Chief Clerk
Geraldine B. Hadsell	-----	Minute Clerk
Wilkie Ogg	-----	Sergeant-at-Arms
Rev. Raymond A. Graber	-----	Chaplain

Resolution read, and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 3, the Speaker announced the appointment of Messrs. Hollibaugh, Silliman, and Brady, as such Select Committee to wait upon the Senate.

By Mr. Kirkwood:

House Resolution No. 4

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 Second Extraordinary Session.

Resolution read, and adopted unanimously.

COMMITTEE FROM THE SENATE

Senators Thompson, McBride, and Hoffman appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

RESOLUTIONS

The following resolutions were offered:

Request for Unanimous Consent

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the following resolutions be considered by unanimous consent without reference to committee or file:

By Mr. Stewart:

House Resolution No. 5

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.

Resolution read, and adopted unanimously.

By Mr. Silliman:

House Resolution No. 6

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:

<i>Commencing Monday, August 4, 1952</i>		<i>Per day</i>
Chief Clerk, Arthur A. Ohmmus	-----	\$30 00
Minute Clerk, Geraldine B. Hadsell	-----	18 00
Sergeant-at-Arms, Wilkie Ogg	-----	18 00
Engrossing-Enrolling Clerk, Charles W. Robbins	-----	17 00
Chaplain, Rev. Raymond A. Graber	-----	7 50

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, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lapsecomb, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—69

NOTES—None

By Mr. Doyle:

House Resolution No. 7

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, less	Distance from county seat, more	Village one way	Total mileage	Amount at 3 cents per mile
1	Frank P. Belotti	Eureka, Humboldt County	312	--	312	624	\$31 20
4	Arthur W. Coats, Jr.	Yuba City, Sutter County	58	--	58	116	5 80
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
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	--	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 J. 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	123	12	140	280	11 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	Plantada, Merced County	114	10	124	248	12 40
32	Donald L. Grunsky	Watsonville, Santa Cruz County	193	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

District	Name	Address	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
42	Everett G. Burkhalter	North Hollywood, Los Angeles County	447	-	117	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. Frwin	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. Hollibaugh	Huntington Park, Los Angeles County	447	6	453	906	45 30
53	Montiel 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	Lyewood, Los Angeles County	447	10	457	914	45 70
56	Glenard P. Lipscomb	Los Angeles, Los Angeles County	447	-	447	894	44 70
57	Charles J. Conrad	Studio City, Los Angeles County	447	2	445	890	44 50
58	Laughlin B. 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. McFie	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	Ballboa 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. Cloyd	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. Ohninus	San Francisco, San Francisco County	447	-	-	447	894	\$89 40
Geraldine B. Hadsell	Los Angeles, Los Angeles County	447	-	-	447	894	89 40
Wilkie Ogg	Sacramento, Sacramento County	447	-	-	447	894	89 40

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Buike, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, 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, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None

REPORTS OF SELECT COMMITTEES

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

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

RESOLUTIONS

The following resolutions were offered

Request for Unanimous Consent

Speaker Collins asked for, and was granted, unanimous consent that the following resolutions be considered without reference to committee or file:

By Mr McCarthy

House Resolution No. 8

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 three thousand nine hundred dollars (\$3,900), 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 three thousand nine hundred dollars (\$3,900) in the aggregate, as shall be necessary for the use of the seventy-eight (78) 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 fifty dollars (\$50)

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, 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, Lapscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—69

NOES—None

By Mr Sherwin.

House Resolution No. 9

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

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, 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, Lapscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—69

NOES—None

By Mr Klocksiem .

House Resolution No. 10

Relative to the standing committees of the 1952 (Second Extraordinary) Session
Resolved by the Assembly of the State of California, As follows

1 The standing committees of the 1952 (Second 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 unanimously

By Mr Moss

House Resolution No. 11

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

Resolution read, and adopted unanimously

By Mr Tomlinson

House Resolution No. 12

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 95 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

Resolution read, and adopted unanimously

By Mr Berry .

House Resolution No. 13

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

Resolution read, and adopted unanimously

By Mrs Nichouse

House Resolution No. 14

Resolved by the Assembly of the State of California, That all of those persons who heretofore filed their credentials and were duly recognized as representatives of the publications they represented for the 1952 Regular (Budget) Session are hereby recognized as the representatives of those publications for this Second Extraordinary Session

Resolution read, and adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, August 4, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate has elected the following statutory officers for the 1952 Second Extraordinary Session

Harold J Powers	-----	<i>President pro Tempore</i>
Joseph A. Beek	-----	<i>Secretary of the Senate</i>
John F Teu	-----	<i>Minute Clerk</i>
Father John G Terwilliger	-----	<i>Chaplain</i>
Joseph F Nolan	-----	<i>Sergeant-at-Arms</i>

JOSEPH A BEEK, Secretary of the Senate
 By CLYDE V TAYLOR, Chief Assistant Secretary

**UNANIMOUS CONSENT REQUESTED TO TEMPORARILY
SUSPEND THE RULES**

Mr. Erwin asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of eliminating the necessity of reading the names of the members in alphabetical order for the introduction of bills, at this time.

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

The following resolutions were offered:

Assembly Concurrent Resolution No. 1: By Messrs. Klocksiam and Grant—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of June, 1952.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 2: By Messrs. Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiam, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the death of Honorable Lester T. Davis.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 3: By Messrs. Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiam, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the death of the Honorable C. Don Field.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 4: By Messrs. Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiam, Lanterman, Levering, Lincoln, Lindsay,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the death of the Honorable Robert B. Fry.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 5: By Messrs. Hawkins, Maloney, Clarke, Lyon, Cooke, Elliott, Kilpatrick, Stewart, Thomas, Waters, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Tomlinson—Relative to eulogizing Frederick M. Roberts.

Referred to Committee on Rules

NAMES OF MEMBERS PLACED UPON ASSEMBLY CONCURRENT RESOLUTIONS NOS. 2 TO 5 AS CO-AUTHORS

By unanimous consent, upon request of the Speaker, the names of the following members were ordered placed upon Assembly Concurrent Resolutions Nos. 2 to 5 as co-authors:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, 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, and Waters

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Hagen asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal, in 10 point type:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, CALIFORNIA, July 31, 1952

Honorable Harlan Hagen
Assembly Chamber

EARTHQUAKE DAMAGE—No 2156

DEAR MR. HAGEN: This is in regard to the questions you have asked with respect to the recent earthquakes in Kern and neighboring counties.

We consider the questions in the order in which you have presented them, as follows

Number 1

"Is there any statute making state money available to public agencies (city, county, district) and to individuals to assist in repairing earthquake damage?"

We have found several laws through which state and other public money might be made available to local public agencies for the repair of damage sustained by public buildings as the result of earthquakes. We have not, however, been able to find any legislation, other than the California Hospital Survey and Construction Act, considered below, through which public funds might be made available for the repair of earthquake damage to private property.

a. Public Buildings Reconstruction Law

With the primary object of enabling local governmental units to finance the reconstruction of public buildings which had been destroyed or damaged by the 1933 earthquake in and around Long Beach, the Legislature enacted Chapter 602 of the Statutes of 1933. This law has since been codified as Sections 54090 to 54116, inclusive, of the Government Code.

The legislation authorizes the Governor to accept not more than \$15,000,000 from the Federal Government, through the Reconstruction Finance Corporation, as an advance to the State "to replace or reconstruct any buildings belonging to a local agency, which have been wholly or partially destroyed by earthquake after January, 1933 . . ." (Gov. C. 54091)

Any funds so advanced are to be deposited in the "Public Buildings Reconstruction Fund" and expended for the purposes indicated in Section 54091 by a Board of Public Building Reconstruction (Gov. C. 54092-54094). The board consists of the Director of Education, the Director of Finance, the State Controller, the Director of Public Works and the Chief of the Division of Schoolhouse Planning (Gov. C. 54093).

Upon the application of any "local agency" concerned, the board may replace or wholly or partially reconstruct any buildings of the agency which have been wholly or partially destroyed by earthquake after January, 1933 (Gov. C. 54095, 54103). "Local agency" is defined as any "city, county, and school district, or other special district" (Gov. C. 54090).

Before a building is replaced or reconstructed, an agreement must be entered into between the board and the local agency involved fixing the rights and obligations of the parties (Gov. C. 54105).

All or any part of a building replaced or reconstructed may be rented to a local agency at a rental fixed by the board (Gov. C. 54091, 54100). Such an agency must include in its budget an amount sufficient to pay the rental (Gov. C. 54107).

Rentals received by the board are to be deposited in the "Public Buildings Reconstruction Fund" and used solely for the replacement and reconstruction of buildings and the repayment of the Federal Government's advances (Gov. C. 54109).

On payment of the total agreed rentals, the board is required to convey to the local agency title to the building affected (Gov. C. 54111).

The Public Buildings Reconstruction Law seems to constitute a vehicle through which the counties, cities and districts whose buildings have been lost and damaged as a consequence of the recent earthquake might secure financial assistance. We have, however, been informed by the State Controller that \$2,480,031 was borrowed from the R F C pursuant to the law, and that of that amount only about \$441 remains available for expenditure. It follows that if the law is to be of any benefit to the affected local agencies, it will be necessary for the State to apply to the R F C for additional money to replenish the "Public Buildings Reconstruction Fund."

**b. Construction and Employment Act (Stats. 1st Ex. Sess. 1946,
Ch. 20; D. A. 6447)**

This law appropriates money for allocation to counties and cities for the prevention or alleviation of unemployment through the construction of "projects," a "project" being defined in Section 3 as the construction of publicly owned and operated facilities in which the State has an interest.

"Construction" is defined as including "the supervision, inspection, actual building, and all expenses incidental to the construction, reconstruction, modification, and alteration of public buildings." (Sec. 4).

The law is administered by a State Allocation Board consisting of the Director of Finance, the Director of Public Works and the Superintendent of Public Instruction (Sec. 7). Serving in an advisory capacity with it are two members from each house of the Legislature (Sec. 7).

Ninety million four hundred thousand dollars was originally appropriated to the Postwar Unemployment and Construction Fund for the purposes of the act (Sec. 8). According to the State Controller, as of June 30, 1952, there was approximately \$21,000,000 still in the fund.

Generally speaking, an allocation is to be made by the State up to 50 percent of the cost of a project, the balance of the cost to be borne by the local agency (Sec. 17).

Forty-five million dollars of the original appropriation was made available for allocation to counties and an equal amount for allocation to cities (Sees 10, 14).

Of the county allocation, one-third is to be apportioned for the construction of roads and highways, and the balance for hospitals, sanatoriums, detention homes, schools, sewage facilities, waterworks, sanitation facilities, flood control, fire protection and prevention facilities, harbor facilities, and courthouses (Sees 10, 11, 13, 13.2, 13.5, 13.8).

The city allocation is to be made according to population, and for sewage facilities, major streets, schools, storm drains and waterworks systems, each of these purposes having priority in the order listed (Sees. 14, 15).

A local agency desiring an allocation must file an application therefor with the State Director of Finance (Sec. 18). The application must be accompanied by a certified statement of the estimated cost of the project and by a certified copy showing what provisions the local agency has made or will make for paying its share of the cost. On determining that the proper information has been submitted, the director must then refer the matter to the State Allocation Board.

If the board approves the request it must by resolution allot to the local agency the State's share of the cost of the project.

The board is prohibited from authorizing the construction of any project which it finds will not contribute to the prevention or alleviation of unemployment. However, Section 18 provides:

" . . . The construction of a project shall be deemed to contribute to the prevention or alleviation of unemployment either by reason of the employment directly provided thereby or because the construction of the project will contribute to the expansion or maintenance of a higher level of instruction, commercial, agricultural or other business activity and thereby maintained or expand private employment "

The title to any project constructed with allocated funds vests in the local agency involved (Sec. 25).

In consideration of the provisions noted, we believe that the Construction and Employment Act represents a distinct possibility as a medium for the extension of financial assistance to counties and cities in the earthquake area.

c. Impoverished School District Assistance Law
(Ed. C., Ch. 1.5 (5021-5034.1), Div. 3)

As enacted in 1947 (Stats 1947, Ch 1575), this law made an appropriation of \$30,000,000 (reduced by the Governor to \$20,000,000) for apportionment to school districts by the State Allocation Board for, among other things, "the construction, reconstruction, repair, alteration of and additions to, school buildings . . ." (Ed. C. 5022) An additional \$50,000,000 (reduced by the Governor to \$35,000,000) was appropriated for the same purposes in 1948 (Stats. 1948, Ch. 24) Of the total amount appropriated, there remains on hand, according to the State Controller, approximately \$500,000

The money appropriated may, generally speaking, be allocated to an impoverished school district applying for an apportionment whose tax rate is within a half cent of the maximum allowable tax rate, and whose outstanding bonds exceed 95 percent of the total amount permitted by law (Ed. C 5026).

It is quite possible that some of the affected school districts in the earthquake area could so qualify.

At the General Election held on November 8, 1949, approval was given to the issuance and sale of bonds in the aggregate amount of \$250,000,000, and the use of the proceeds in making loans and grants to school districts (Const. Art. XVI, Sec. 15) In addition, the Legislature in 1949 enacted implementing legislation setting forth the conditions and procedures for allocating the bond money to qualified school districts (Ed. C., Ch. 1.6 (5041-5088), Div. 3) All this money has already been allocated. However, additional bond money may become available for similar allocation as a consequence of the special session commencing on August 4, 1952; and, if so, school districts in the affected districts might well be eligible to receive some.

d. California Hospital Survey and Construction Act (H. & S. C. 430-435.7)

Enacted in 1947 (Stats 1947, Ch 327), this law provides generally for California participation in a federal hospital construction program

pursuant to the Federal Hospital Survey and Construction Act (U. S. C. A., Title 42, Sec. 291 and following).

The program embraces the furnishing of assistance to hospitals owned or operated either by a public agency or by a nonprofit hospital owned by a corporation (H. & S. C. 430 6), and extends to the "construction of new buildings, expansion, remodeling, and alteration of existing buildings . ." (H. & S. C. 430 7).

Under the federal law funds are made available to assist the State in the construction of "public and other nonprofit hospitals."

To obtain an allocation of these funds, a state must submit to the Surgeon General of the United States for his approval a state plan for carrying out the purposes of the federal law, the plan to include in part provisions for minimum standards for hospitals which will benefit by the allocation. The plan may also include standards for determining the federal share of the cost of any project pursuant to the plan, which share is not to exceed two-thirds nor be less than one-third of such cost.

Each construction project must be approved by the Surgeon General on application "by the State or a political subdivision thereof or by a public or other nonprofit agency."

The Federal Government will share the cost of each project in accordance with the standards set forth in the plan approved by the Surgeon General; or if the plan does not contain such standards, in the amount established by the State for all projects in the State, but "not less than 33 1/3 percentum and not more than either 66 2/3 percentum or the State's allotment percentage, whichever is the lower . . ."

Under the California law the State will extend assistance for the construction of a hospital in a sum equal to the assistance received under the federal act, but in no event in an amount in excess of one-third of the cost of such construction (H. & S. C. 435 6).

Commencing in 1947, the State has made annual appropriations for carrying out the California Hospital Survey and Construction Act, the most recent, in the amount of \$1,000,000, being found in Item 425 of the Budget Act of 1952 (Stats. 1952, Ch. 3). The law may therefore be of some benefit to qualifying public agencies and private corporations operating nonprofit hospitals in the earthquake zone.

e. Vehicle License Fees

A portion of the revenue derived from the tax imposed by the Vehicle License Fee Law (R. & T. C. 10701 and following) is appropriated to the counties and cities for expenditure, among other things, for state purposes (R. & T. C. 11005). It could well be that the repair and reconstruction of public buildings in the earthquake area may constitute a state purpose within the scope of the appropriation (see *City of Los Angeles vs. Post War Public Works Review Board* (1945), 26 Cal. 2d 101).

f. Liquor License Fees

Section 37 of the Alcoholic Beverage Control Act (Stats. 1935, Ch. 330, as amended) provides for an allocation to the counties and cities of the liquor license fees collected. This money may be used for any county or city purpose, which probably would include the repair or

reconstruction of public buildings (see 14 Ops Atty. Gen 149, 48-183, Oct 19, 1949).

Number 2

“Is legislation necessary to afford relief from earthquakes?”

To the extent that the laws mentioned under Number 1 are applicable and adequate, legislation affording relief from earthquakes may not be necessary. As for the general necessity of any other type of legislation we are unable to render any kind of opinion, for to do so would apparently require a consideration of innumerable factors and situations as to which we are presently without knowledge

Number 3

“Is legislation necessary to give relief from ad valorem taxes to persons suffering from earthquake damage?”

As to this too, we are handicapped in not having before us all information bearing on the matter. However, it is quite likely that a taxpayer directly concerned would probably be interested in the possibilities of reassessment and tax cancellation, hence we shall consider the question from these standpoints, and on the assumption that the general property tax provisions of the Constitution and of the Revenue and Taxation Code are applicable

a. Reassessment

With regard to reassessment, it appears that both the assessor and the local board of equalization are presently without any jurisdiction to act as to any assessments made by them for the Fiscal Year 1952-1953, unless the State Board of Equalization should, pursuant to Section 155 of the Revenue and Taxation Code, grant them an extension of time to perform their duties. The assessor was required to have performed his role in the assessing process by July 7th (R & T C 616, 617), and the local board of equalization was to have terminated its activities by July 21st (R & T C 1603). Under Section 155, however, the State Board of Equalization, by order entered on its minutes and certified to the county auditor, may extend “the time fixed for the performance of any act by the assessor, auditor, or county board . . . for not more than 20 days, or, in the case of public calamity, 40 days.”

Section 155 represents a 1939 codification of Section 3705 of the former Political Code (Stats 1939, Ch 154). It is perhaps significant that the 40-day extension provision was incorporated in the latter during the 1906 Extra Session following the earthquake and fire in San Francisco (Stats Ex Sess 1906, Ch 57, effective 6-16-06)

An extension granted pursuant to Section 155 would evidently place the assessor and the local board of equalization in exactly the position in which they were as to their respective functions prior to the extension, and permit them to continue with the performance thereof until the expiration of the extension. Should the extension run for the maximum period of 40 days, as well it might if granted in respect to the recent earthquake, the assessor would continue to assess until August 18th, and the local board could continue to equalize until September 1st. But could either then reassess property in consideration of the occurrence of the

earthquakes, in other words, on the basis of the value of the property as of a date immediately after the earthquakes, rather than as of the first Monday in March, the latter constituting the usual valuation date (Const. Art. XIII, Sec. 8, R & T C 405, 2192, *East Bay Municipal Utility District vs. Garrison* (1923), 191 Cal 680, 690, *Dodge v. Nevada National Bank* (1901), 109 Fed 726, 731) ?

Strictly construed, Section 155 would not permit any such reassessment, since it speaks only of the time of performance. It could, however, be argued with some degree of logic that such a reassessment might be sustained if it affected alike all property similarly situated (see *Kittersbacher vs. Board of Supervisors of Los Angeles County, et al* (1934) 220 Cal 535, and *Buch vs. County of Orange* (1927), 88 Cal App 82). And it might also be argued in favor of the reassessment that a tax on property in effect constitutes a quid pro quo for protection which the public affords the property and the owner thereof during the year for which it is levied, that a prime element entering into the amount of the tax is the value of the property, and that while ordinarily the value for any given fiscal year is that as of the first Monday of March immediately preceding, the assessor may nevertheless properly take into consideration everything in existence prior to the commencement of the fiscal year which may have some bearing on the matter of valuation, to the end that no taxpayer will be required to make a payment except as to something existent to which throughout the fiscal year the public's protection will extend.

Notwithstanding the possibilities along these lines, we believe that the safest procedure under the circumstances would be to adopt either legislation or a constitutional amendment specifically authorizing a reassessment. In 1933, after the Long Beach earthquake of March 10, 1933, a proposal to amend the Constitution to do just that was submitted to the people by the Legislature as A. C. A. 101 of the 1933 Session. It provided for the addition of Section 8a to Article XIII, and was adopted at a special election held on June 27, 1933. The section, which was repealed in 1949, directed the assessment of property damaged or destroyed by the earthquake according to its condition and value after such damage or destruction rather than according to its condition and value as of the first Monday in March.

b. Tax Cancellation

To the extent that contract or property rights are not impaired and there is no discrimination where the right to a tax has not vested in the public agency which levied it, the tax may evidently be cancelled without running afoul of Section 31 or Article IV of the State Constitution, which prohibits gifts of public money for private purposes (see *Estate of Stanford* (1899), 126 Cal 112).

In the recent case of *Allen vs. Franchise Tax Board* (1952), 39 A. C. 113 relating to the personal income tax, our Supreme Court held that a tax does not vest until it becomes due and payable.

As a general rule taxes on personal property and one-half of the taxes on real property shown on the secured property tax roll are not due until November 1st, and the second half of such real property taxes, not until January 20th (R & T C 2605, 2606). Insofar, then, as such taxes

represent 1952-1953 Fiscal Year taxes, they probably could be cancelled on the authority of the *Allen* case.

Taxes for the 1952-1953 Fiscal Year on unsecured personal property were due at noon of the first Monday in March, 1952 (R. & T. C 2901), and these and other taxes which are payable for any prior fiscal year probably could not be cancelled except on a showing that a public purpose would be served thereby, as might well be feasible (see *California Employment Stabilization Commission vs. Payne* (1947), 31 Cal. 2d 210) and *County of San Bernardino vs. Way* (1941), 18 Cal. 2d 647)

Should any cancellation legislation be contemplated, it would be necessary to include a provision for making refunds to any taxpayers who may already have paid their taxes, in order that all taxpayers be treated equally.

Number 4

"What was the program after the Long Beach Earthquake in 1933?"

The Legislature enacted the Public Building Reconstruction Law considered under Number 1, and submitted the proposal, mentioned under Number 3, resulting in the addition of Section 8a to Article XIII of the State Constitution.

The sum of \$150,000 was appropriated to the Department of Public Works for the repair and construction of public highways in the stricken area (Stats 1933, Ch 34)

The Legislature adopted a concurrent resolution requesting the Governor to apply to the R F C for a loan to be used in relief and reconstruction work in the earthquake zone (Stats 1933, Res Ch 39).

It should be noted that after the earthquake in May, 1940, in Imperial County, centering around Brawley, the Fifty-third Legislature, at its Fourth Special Session in 1940, appropriated \$150,000 for the repair of damage to schools (Stats 1941, p 363) None of the money, however, was to be allocated to any school district which could not match the amount involved.

A joint resolution was adopted at the Second Extra Session of the Fifty-third Legislature memorializing Congress to furnish immediate financial assistance (Stats 1941, p 327)

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By J GOULD, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT PICTURES OF DAMAGED SCHOOLS BE PLACED UPON BULLETIN BOARDS

Mr. Dunn asked for, and was granted, unanimous consent that pictures of schools damaged in the Kern County earthquake be ordered placed on the bulletin boards in the Capitol Lobby.

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

RECESS

At 12 39 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

At 12 40 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

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, Brown, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Eihart, Gibson, Hatfield, Hoffman, Hulse, Ed C Johnson, Harold T Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, Weibret, and Williams—39

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

ASSEMBLY ROLL CALL

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

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipcomb, 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

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

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon Goodwin J. Knight, President of the Senate, announced the appointment of Senators Ed C. Johnson, James E. Cunningham, and Roy Cunningham 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 Waters, Caldecott, Lyon, Maloney, and Shaw as the Assembly Committee to escort His Excellency, Hon Earl Warren, Governor of the State of California, to the bar of the Assembly.

REPORT OF JOINT COMMITTEE ON ESCORT

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

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

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

PRESENTATION OF THE LIEUTENANT GOVERNOR

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

PRESENTATION OF THE GOVERNOR

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

ADDRESS BY GOVERNOR EARL WARREN

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

**Address of Governor Earl Warren, Special Session of the Legislature,
Sacramento, California, 12 Noon, August 4, 1952**

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

I welcome you back to Sacramento, though I confess to some reluctance in calling you to the Capitol so soon after your regular session adjournment just four months ago. Under ordinary circumstances, I would not have issued a call at this time because I realize that with annual sessions such as we now have, every additional special session is a hardship on you both from a financial and a personal standpoint.

In this instance, two circumstances impelled me to convene the Legislature. First, we are confronted with a real emergency in public school financing. Second, in talking to legislators I have found almost universal agreement that the State should act now to relieve the emergency.

I was fortified in my decision by the fact that both houses of the Legislature at the March session independently passed bills providing for the submission of a bond issue for school construction. Unfortunately those bills were considered in the closing days of the session and, being caught in the last minute flood of legislation, the differences of opinion on details could not be resolved. Since then I have talked to many legislators, and have found them almost universally of the opinion that a bond issue should be submitted to the people to relieve the existing critical situation.

Perhaps one of the reasons the Legislature was unable to agree upon a bill in March was that the California School Facilities Survey was not completed until after adjournment of that session. That survey graphically shows the present state-wide school construction needs. Based on

costs estimated by the Department of Education the total cost of school plant needs as of October 1, 1952 was found to be as follows:

Total Cost of Needed School Plant Facilities of California School Districts Deficit Districts Only			
	<i>Elementary</i>	<i>Secondary</i>	<i>Total</i>
To relieve overcrowding of March, 1951, and house enrollment increases to Octo- ber, 1952 -----	\$184,263,000	\$42,464,000	\$226,727,000
To replace unsatisfactory buildings in use March, 1951 -----	153,689,000	40,187,000	193,876,000
To provide general facilities -----	75,801,000	37,124,000	112,925,000
To purchase sites -----	14,316,000	3,039,000	17,355,000
Total - - - - -	\$428,069,000	\$122,814,000	\$550,883,000
Less			
Cost of Buildings under construction March 1, 1951, or contracted prior to October 1, 1951 -----	43,451,000	13,289,000	56,740,000
Total Cost of Net Plant Needs. - - -	\$384,618,000	\$109,525,000	\$494,143,000

Offsetting the total needs shown in this table are financial resources totaling \$249,797,000, leaving a deficit of \$244,346,000

Bear in mind if you will that this report is for new buildings to relieve present overcrowding and to replace existing unsatisfactory buildings. I point out to you that this is a backlog of accumulated needs. This backlog requires state assistance in the amount of \$244,346,000. To do even this much would only account for past accumulations and would not begin to look forward to the future at all. All it would do is to bring us up to October 1, 1952, and by the time the bonds are sold, even if they were all sold at once, we would again be developing a backlog.

I feel compelled to interject at this point a comment as to the quality of school building structures in the light of current experience. You know that in recent years there has been some skepticism expressed here and there about the desirability of replacing unsatisfactory school buildings during a time when the need for additional classrooms is so great. The experience we have had in the last two weeks in connection with earthquakes brings this necessity for replacing unsatisfactory school buildings into sharp focus. It is quite apparent in the damaged area that the schools constructed since the Field Act became law are practically undamaged, while many of those constructed before that time are total losses or suffered severe damage. We have just been advised by the school authorities of Kern County that something like 259 classrooms in the county have been destroyed or rendered unusable and that there certainly would have been many tragic deaths if the quakes had come while schools were in session. Thus we are again fortunate, as we have been several times in the past, in the fact that these severe earthquake shocks came when schools were not in session.

This emphasizes that there should be no delay in replacing buildings that are unsatisfactory because of construction deficiencies.

I call your further attention to the fact that the school population last year increased by 144,000 over the preceding year. Estimates of the Department of Education are to the effect that in the next four years our

school population will continue to grow rapidly. These estimates translated into school construction requirements up to 1956 are reported by the survey to be as follows:

**Estimated Cost of School Building Needs and Financial Resources of
685 Districts Found Unable to Meet Needs by 1956**

	<i>Total</i>
Total Cost of Construction Needed-----	\$501,410,000
Available Resources -----	89,085,000
Deficit in Financial Resources-----	\$412,325,000

I know it is unnecessary to impress upon your minds the necessity for providing adequate and safe classrooms for our school children, and of the State's responsibility for assisting those districts that have exhausted their financial resources. The Legislature in recent years has manifested a clear understanding of the problem. You have initiated a program which is undoubtedly more comprehensive than that of any other state government in the Country. However the last bond issue has all been allocated. There are no current funds with which to meet the building deficiencies and the growth of our State is such that even slight delays in construction programs build up our needs to great proportions.

In calling the Legislature into session at this time, I am affording an additional opportunity to resolve any differences of opinion you may have on details of the program.

Earthquake Disaster: I have mentioned the recent earthquakes which have called forth the sympathy of the people in every part of our State. The needs of these stricken communities are entitled to our consideration. Already I have received resolutions from the Board of Supervisors of Kern County and the City Councils of Tehachapi and Bakersfield suggesting changes in the assessment date of taxable property and other forms of tax relief for individual taxpayers, as well as assistance in community rehabilitation. I have opened up the call so these needs may be considered.

Revenue Deficiency Reserve: Also, while we are speaking of disasters, I draw your attention to the fact that in the current budget there was an oversight in failing to continue the availability of the Revenue Deficiency Reserve in cases of extreme emergency. Consequently, I have included in the call an item to rectify that error.

Social Welfare: Since adjournment of the budget session, the United States Congress has increased its contributions for old age assistance, aid to the needy blind, and aid to dependent children. I have included in the call a recommendation for the consideration of legislation to pass these increased amounts along to the recipients of old age assistance and aid to the needy blind in keeping with the policy heretofore established by the Legislature. I am advised that additional legislation is not necessary to accomplish the same result for needy children. Inasmuch as the policy of this State has always been to keep the aid to the partially self-supporting blind equal to that of aid to the needy blind, I suggest a comparable increase in the aid to the partially self-supporting blind.

Conclusion: As is invariably the case when a special session of the Legislature is summoned, I have received many requests to include items in the call. Most of them are matters that at one time or another deserve the consideration of the Legislature. However, in an effort to conserve your

time and particularly because the Legislature has so recently adjourned, and will again convene in January; I have declined to include these additional subjects. Nevertheless, if both houses of the Legislature should request me to do so, I will open up the session to any item so requested.

In conducting your business in this short session, I want you to know that the assistance and all the resources of the Executive Department of the State Government are at your command. We are all anxious to be helpful in expediting your business. I trust this interruption in the summer months will neither prevent nor too long delay the vacations to which your arduous duties entitle you.

EARL WARREN

REMARKS BY SPEAKER SAM L. COLLINS

Speaker Sam L. Collins offered appropriate remarks of appreciation to Governor Earl Warren relative to his address on behalf of Members of the Senate and the Assembly.

ADJOURNMENT OF JOINT CONVENTION

At 1 01 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

IN ASSEMBLY

At 1 05 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnibus at the desk.

**ADDRESS BY THE GOVERNOR ORDERED
PRINTED IN THE JOURNAL**

Pursuant to Joint Rule 15, Speaker Sam L. Collins ordered that the message of Governor Warren, delivered in Joint Convention, be printed in the Journal in 10-point type.

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

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

Assembly Bill No. 1: By Mrs. Niehouse, Messrs. Gubser, Conrad, McCollister, Condon, Doyle, Maloney, Evans, McMillan, Brown, Burke, Burkhalter, Chapel, Cooke, Dickey, Dills, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Kloosiem, Lanterman, Lapsecomb, Luckel, Morris, Moss, Munnell, Parker, Rosenthal, Smith, and Thomas—An act to amend Section 2025 of the Welfare and Institutions Code, and to add Sections 2020 001 and 2020 03 thereto, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 2: By Messrs. Maloney, Dolwig, Conrad, Mrs. Niehouse, Messrs. Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott,

Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Lincoln, Lindsay, Lipcomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Welfare

Assembly Bill No. 3: 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 Second Extraordinary Session of the Legislature, to take effect immediately.

Referred to Committee on Rules

Assembly Bill No. 4: By Mr Sam L Collins—An act making an appropriation for the mileage of the members and officers of the Assembly, to take effect immediately

Referred to Committee on Rules

Assembly Bill No. 5: 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 Second Extraordinary Session of the Legislature, to take effect immediately.

Referred to Committee on Rules

Assembly Bill No. 6: By Mr Sam L Collins—An act making an appropriation for the mileage of the members and officers of the Assembly to take effect immediately.

Referred to Committee on Rules

Assembly Bill No. 7: By Messrs Kelly, Hansen, Hagen, and Clarke—An act to add Section 155 6 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately

Referred to Committee on Revenue and Taxation

Assembly Bill No. 8: By Messrs Kelly, Hansen, Hagen, and Clarke—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof

Referred to Committee on Ways and Means

Assembly Bill No. 9: By Messrs Kelly, Hansen, Hagen, and Clarke—An act to provide for the allocation of state funds to hospital districts for the acquisition of sites for, and the construction and equipping of, hospitals, making an appropriation therefor, and declaring the urgency thereof

Referred to Committee on Ways and Means.

Assembly Bill No. 10: By Messrs. Kelly, Hansen, and Clarke—An act to add Section 29120 5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 11: By Mr. Condon—An act to validate acts, proceedings, and elections in connection with bonds of school districts, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Judiciary

Assembly Bill No. 12: By Messrs. Burke and Geddes—An act to validate the organization of the San Marino Unified School District and the South Pasadena Unified School District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary

Assembly Bill No. 13: By Mr. McCollister—An act to amend Section 5046 of, and to add Section 5046 2 to, the Education Code, relating to school district public works

Referred to Committee on Education

Assembly Bill No. 14: By Mr. McCollister—An act to add Section 3 5 to an act entitled "An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately," approved April 15, 1952 (Chapter 8, Statutes of 1952, First Extraordinary Session), relating to civil defense

Referred to Committee on Ways and Means

Assembly Concurrent Resolution No. 6: By Mr. Caldecott—Relative to approving the charter amendments to the charter of the City of Albany, State of California, ratified by the qualified electors of said city at a regular municipal election held therein on the fourteenth day of April, 1952.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 7: By Messrs. Doyle, Belotti, Erwin, Lindsay, and Stanley—Relative to requesting the Board of Supervisors of Mendocino County to enact an ordinance prohibiting the solicitation of donations in places of public resort.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 8: By Messrs. Berry, Maloney, George D. Collins, Meyers, Connolly, McCarthy, Gaffney, and Brady—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated primary and special municipal election held therein on the third day of June, 1952.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 1: By Messrs. Kelly, Hansen, Hagen, and Clarke—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by

adding Section 85 to Article XIII thereof, relating to inheritance taxation

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 2: By Messrs Kelly, Hansen, Hagen, and Clarke—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8a to Article XIII thereof, relating to property taxation.

Referred to Committee on Rules

Assembly Constitutional Amendment No. 3: By Messrs Dunn, Kirkwood, Dills, Geddes, Babbage, Beck, Belotti, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksien, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Mrs Niehouse, Messrs Parker, Porter, Rumford, Sherwin Stanley, Stewart, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 165 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 15: By Mr Maloney—An act to amend Section 3420 of, and to add Section 3472 1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare

Assembly Bill No. 16: By Mr Maloney—An act to amend Sections 3025 and 3084 1 of the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 17: By Messrs Kelly, Hagen, Hansen, Clarke, and Lyon—An act to provide for the emergency use of prison labor in earthquake areas, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Ways and Means

ANNOUNCEMENT

Mr Dunn announced that he is holding a School Bond Issue Bill at his desk which will provide 250 millions for schools, and asked that all members desiring to be co-authors on this bill come to his desk, at this time, and affix their signatures.

PETITIONS

By Speaker Sam L. Collins:

A petition from the Federated Indians of California, signed by Bertha Stewart, Secretary, relative to redress of grievances, was received, ordered noted in the Journal, and referred to the Attorney General.

COMMUNICATIONS

By Speaker Sam L. Collins

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

SOUTHERN SAN JOAQUIN MUNICIPAL UTILITY DISTRICT
DALLANO, CALIFORNIA, July 14, 1952

Chairman of State Assembly
Sacramento, California

DEAR SIR: Enclosed please find copy of a resolution which we believe is self-explanatory. We feel that you should be kept abreast of the actions of this district as regards the acquisition of the Central Valley Project by the State of California.

Thank you for your consideration, and any comments you wish to make. If you would communicate them to us at your earliest convenience, it would be appreciated.

Very truly yours,

BURT GREEN

Above transmitted resolution ordered referred to the Committee on Revenue and Taxation.

By Speaker Sam L. Collins:

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

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 14, CALIFORNIA, June 6, 1952

Honorable Sam L. Collins
Room 3190, State Capitol
Sacramento, California

DEAR MR. COLLINS: Under date of June 2, 1952, I received the attached recommendation of the House of Delegates of the American Bar Association. Mr. Joseph D. Stecher, Secretary of the American Bar Association, transmitted this report to me with a request that it be placed in the hands of the presiding officer of each house for action at the next session of the Legislature.

Yours truly,

RALPH N. KLEPS, Legislative Counsel

Above transmitted report ordered referred to the Committee on Judiciary.

**REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE
PRINTED AS SEPARATE DOCUMENT**

Mr. Stanley asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Municipal and County Government be printed as a separate document, in 10 point type, and that 1,000 copies be ordered printed.

PETITIONS

By the Chief Clerk:

A petition from Abraham Bennewig, Jr., of Oakland enclosing a proposed General Religious Law for Public Schools, was received, and ordered referred to the Committee on Education.

By the Chief Clerk:

A petition from Herbert C. Holdridge of Hollywood, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

COMMUNICATIONS

By the Chief Clerk:

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

Letter of Transmittal

CONTROLLER OF THE STATE OF CALIFORNIA
SACRAMENTO, July 16, 1952

Mr Arthur A. Ohnumus
Chief Clerk of the Assembly
State Capitol Building, Sacramento, California

DEAR MR. OHNUMUS Attached hereto are the Annual Report of the Controller for the fiscal year ended June 30, 1951, as required by law, and the Preliminary Annual Report for the fiscal year ended June 30, 1952

Kindest regards,

Sincerely,

THOMAS H. KUCHEL, Controller

Above transmitted reports ordered referred to the Committee on Ways and Means

By the Chief Clerk:

A communication from James F. Lyttle, Chairman of the Sonoma County Board of Supervisors, and a resolution by the board, recommending salary increases for the Superior Court Judges, District Attorney, and Auditor of Sonoma County, and requesting that the Governor include the matter in an amendment to the Proclamation convening the Legislature in special session, were received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Joseph Maddux, Sonoma County District Attorney, and a resolution by the Sonoma County Grand Jury recommending salary increases for the Superior Court Judges, District Attorney, and Auditor of Sonoma County, and requesting that the Governor include the matter in an amendment to the Proclamation convening the Legislature in special session, were received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Bertha Lebell of Los Angeles, relative to messianic initiates, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from B. D. Diaz of Brawley, relative to religious education in the public schools, was received, and ordered referred to the Committee on Education.

By the Chief Clerk:

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

DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY, WASHINGTON, June 19, 1952

Mr Arthur A. Ohnumus, Chief Clerk
Assembly California Legislature
Sacramento 14, California

DEAR MR. OHNUMUS Referring to your letter of March 15, 1952, and my reply of April 4, 1952, relative to House Resolution No. 26 adopted by the California Assembly on March 13, 1952, which pertained to a proposed naval hospital in the vicinity of Fort McArthur, California, the following is forwarded for your information.

At the time this hospital construction was requested the requirement was justified and funds were appropriated by Congress, however, due to ensuing changes in the military establishment, the Secretary of Defense has, after review in conjunction with the requirements for and availability of existing and proposed beds in the Southern California area, deferred approval of this project until planned strengths and hospitalization experience indicates a positive need for these beds.

In view of this action by the Secretary of Defense, it is evident that construction of this hospital cannot be instituted in the immediate future. Should any change be made in the above, and if a decision is arrived at to proceed with construction, you will be advised.

Sincerely yours,

DAN A. KIMBALL

By the Chief Clerk.

A communication from Mary B. King of Los Angeles, relative to assistance, was received, and ordered referred to the Committee on Social Welfare.

By the Chief Clerk.

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

June 16, 1952

DEAR MR. OHNMUS: I want to thank you for the beautiful tribute to my father's memory which I received last month. I shall treasure it always, of course, and my children after me.

Thank you again
Sincerely,

ALBERTA VIELTMAN

By the Chief Clerk.

A communication from Edwin Wald of West Covina, relative to school district aid for the West Covina School District, was received, and ordered referred to the Committee on Education.

By the Chief Clerk.

A communication from Genevieve T. Beecher of Los Angeles, expressing appreciation for resolution of sympathy on the passing of her husband, Daniel Beecher, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

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

COUNTY OF LOS ANGELES
OFFICE OF THE DISTRICT ATTORNEY
HALL OF JUSTICE, LOS ANGELES 12, May 8, 1952

Mr. Arthur A. Ohnmus, Chief Clerk
Assembly, California Legislature
Room 3196, State Capitol Annex
Sacramento, California

DEAR MR. OHNMUS: Thanks very much for forwarding to me a copy of the Assembly Concurrent Resolution No. 13, relative to the adjournment of the Legislature in respect to the memory of the late Chief Deputy District Attorney Daniel Beecher.

May I express my sincere appreciation to the Members of the California Legislature for honoring Dan Beecher's memory in this manner. I am having the resolution appropriately framed and it will hang in my office.

With kindest regards, I am
Sincerely yours,

S. ERNEST ROLL, District Attorney

By the Chief Clerk:

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

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
CITY HALL, LOS ANGELES 12, May 16, 1952

*Arthur A. Ohnimus, Chief Clerk
State Assembly, Sacramento 14, California*

DEAR SIR: At the regular meeting of the Council of the City of Los Angeles held May 14, 1952, resolution that the Legislature of the State of California be memorialized to give consideration to the separation of the powers and duties of the State Park Commission and to the transfer of the administration and development of ocean beaches and shore line property of the State to a separate state agency which may be known as the State Beach Commission, was adopted, and in accordance with council instruction, I am transmitting herewith copy of said resolution.

Respectfully yours,

WALTER C. PETERSON, City Clerk
By A. M. MORRIS, Assistant City Clerk

Above transmitted resolution ordered referred to the Committee on Conservation, Planning, and Public Works

By the Chief Clerk:

A communication from Mrs. Charles H. Ridder, Secretary of the Girl Scouts of the United States of America, expressing appreciation for House Resolution No. 24 commemorating the founding of the Girl Scouts, was received, and ordered filed with the Secretary of State

By the Chief Clerk:

A communication from Pitney-Bowes, Inc., of Sacramento, relative to a postage meter machine, was received, and ordered referred to the Committee on Rules

By the Chief Clerk

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

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
CITY HALL, LOS ANGELES 12, May 7, 1952

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

GREETINGS: At the meeting of the Council of the City of Los Angeles held this day, May 7, 1952, discussion was had upon the public housing situation in Los Angeles, and thereafter a resolution was presented and adopted, and I was instructed to forward a copy to you for your information

Respectfully yours,

WALTER C. PETERSON, City Clerk
By A. M. MORRIS, Assistant City Clerk

Above transmitted resolution ordered referred to the Committee on Public Health.

By the Chief Clerk:

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

DEPARTMENT OF STATE
WASHINGTON, April 21, 1952

In reply refer to 188 912 (Mexico)/94

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

MY DEAR MR. OHNIMUS: Your letter of March 18, 1952, to the Secretary of State, enclosing a copy of the Assembly Joint Resolution No. 3, adopted by the California Legislature on March 17, 1952, has been received.

In letters to the Honorable William F. Knowland (July 6, 1951), the Honorable Clinton D. McKinnon (August 31, 1951), and Mr. Ernest J. Boud, Foreman, San Diego County Grand Jury (March 6, 1952), this department explained that, while the Secretary of State has authority under existing law to control the travel of American citizens and nationals in the interests of the security of the United States when the United States is at war or during the national emergency proclaimed by the President on May 27, 1951, it would not be appropriate or feasible to undertake to control the travel of teen-age Americans into Mexico under this statute. The department also explained that, while the Secretary of State has discretionary authority in the issue of American passports, passports are not required for travel between the United States and Mexico, and it would not be desirable to require all American citizens desiring to enter Mexico to apply for passports. Furthermore, if Americans traveling into Mexico were required to obtain passports, the department could not well refuse to issue passports to citizens under 21 years of age if their parents or guardians desire them to have passports.

Sincerely yours,

R. B. SHIPLEY,
Chief, Passport Division

By the Chief Clerk:

A communication from L. M. Lawson, Commissioner, United States Section, International Boundary and Water Commission, El Paso, Texas, relative to sanitary facilities in the border cities of Calexico-Mexicali and San Ysidro-Tijuana, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

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

April 28, 1952

The Trustees, President, and Faculty of Mills College express their great gratitude to the Members of the California Legislature Assembly for their kind greetings and congratulations on the occasion of the Centennial of Mills College.

(SEAL)

LYNN WHITE, JR.
President of the College

By the Chief Clerk:

A communication from Mrs. Nora Sawallisch of Richmond, expressing appreciation for resolution of sympathy on the passing of her husband, Harold F. Sawallisch, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Mrs. Marin Ritter of Lynwood, relative to additional narcotic agents in California, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from James M. McInerney, Assistant United States Attorney General, of Washington, D. C., acknowledging receipt of

House resolution relative to outbreaks of violence in the States of California and Florida, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk.

A communication from Drexel D. Watson, Director, United States Department of Agriculture, Washington, D. C., acknowledging receipt of House resolution relative to ladino clover seed imports, was received, and ordered referred to the Committee on Agriculture

By the Chief Clerk

A communication from Arthur J. Will, Chief Administrative Officer, Los Angeles County Board of Supervisors, enclosing statement of attitude of Board of Supervisors relative to revision of pricing methods and budget tables for aid to needy children were received, and ordered referred to the Committee on Social Welfare

By the Chief Clerk:

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

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME
FERRY BUILDING, SAN FRANCISCO, April 2, 1952

Mr Arthur A. Ohnimus
California Assembly
State Capitol, Sacramento 14, California

DEAR MR OHNUMUS I received Assembly Resolution No 40 but I do not agree with it

Cordially,

LEE F PAYNE

By the Chief Clerk:

A communication from Lawrence J. Cashion, Secretary, Eagle Rock Kiwanis Club, enclosing a resolution by the Board of Directors of the Eagle Rock Kiwanis Club, opposing further expansion of public services and public spending, and advocating a one-third reduction in present program, were received, and ordered referred to the Committee on Revenue and Taxation

By the Chief Clerk:

A communication from Brigadier General C. H. Chorpening, U. S. Army, Assistant Chief of Engineers for Civil Works, Washington, D. C., acknowledging receipt of Assembly Joint Resolution No 10, 1952 First Extraordinary Session, requesting that the Federal Government use Pine Flat Dam for flood control during the spring run-off, was received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Walter C. Peterson, City Clerk, City of Los Angeles, relative to Assembly Concurrent Resolution No 88 of the 1951 Session, was received, and ordered referred to the Committee on Transportation and Commerce

By the Chief Clerk.

A communication from Maud Heady of San Francisco, relative to reduction of sales tax, was received, and ordered referred to the Committee on Revenue and Taxation

By the Chief Clerk:

A communication from Ruth Mason Hughes, Acting Officer in Charge of Mexican Affairs, United States Department of State, Washington, D C, acknowledging receipt of Assembly joint resolution relative to abatement of sewage disposal nuisances at Calexico-Mexicali and Tia Juana-San Ysidro border cities, was received, and ordered referred to the Committee on Public Health

By the Chief Clerk:

A communication from Mrs Loraine Binder, Secretary of the Brotherhood In-Action Association, relative to the Tenney-sponsored "America Plus Plan," was received, and ordered referred to the Committee on Judiciary

By the Chief Clerk:

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

Letter of Transmittal

Inter-Departmental Communication

STATE OF CALIFORNIA, SACRAMENTO 14, April 10, 1952

To *Honorable Arthur A. Ohnumus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

From *State Board of Equalization*
Dixwell L. Pierce, Secretary

Subject: Report on Property Tax Assessment—Trinity County

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 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 Trinity County. When included among the others sent previously they account for 47 of the 58 counties.

As explained in our earlier communication, reports as to the remaining 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 report ordered referred to the Committee on Revenue and Taxation

By the Chief Clerk.

Letter of Transmittal

Inter-Departmental Communication

STATE OF CALIFORNIA, SACRAMENTO 14, May 1, 1952

To *Honorable Arthur A. Ohnumus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

From *State Board of Equalization*
Dixwell L. Pierce, Secretary

Subject: Report on Property Tax Assessment—Orange County

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

By the Chief Clerk:

Letter of Transmittal

Inter-Departmental Communication

STATE OF CALIFORNIA, SACRAMENTO 14, June 20, 1952

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

From *State Board of Equalization*
Dixwell L. Pierce, Secretary

Subject: *Reports on Property Tax Assessments in Colusa, Napa, and Yolo Counties*

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 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 Colusa, Napa, and Yolo Counties. When included among the others sent previously they account for 55 of the 58 counties.

As explained in our earlier communication, reports as to the remaining 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 reports ordered referred to the Committee on Revenue and Taxation.

By the Chief Clerk.

Letter of Transmittal

Inter-Departmental Communication

STATE OF CALIFORNIA, SACRAMENTO 14, April 30, 1952

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

From *State Board of Equalization*
Dixwell L. Pierce, Secretary

Subject: *Report on Property Tax Assessment—Butte County*

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 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 Butte County. When included among the others sent previously they account for 48 of the 58 counties.

As explained in our earlier communication, reports as to the remaining 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 report 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:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA

STATE CAPITOL, SACRAMENTO, August 4, 1952

Hon. Arthur A. Ohnimus
The Assembly, Assembly Chamber

DEAR MR. OHNUMUS: This is to advise you that Vernon O'Reilly is the accredited correspondent of the *San Francisco News* in place of Mary Ellen Leary.

Sincerely,

EARL C. BEHRENS, President

RESOLUTIONS

The following resolutions were offered

By Mr Luckel, Mrs Niehouse, and Mr Cloyed.

House Resolution No. 15

Relative to commending Florence Chadwick

WHEREAS, Florence Chadwick, famed woman athlete from San Diego, recently attempted to become the first woman to successfully swim the tortuous Catalina Channel, and

WHEREAS, Under the most onerous conditions of weather, she battled the severe ground swells and torrential currents for over 15 hours in a most courageous attempt to conquer the Channel, and

WHEREAS, Consuming cold and wind continued in increasing quantities, thereby frustrating Florence in her superlative effort to continue on to gain the mainland, and

WHEREAS, Knowing that the battle was lost, Florence swam on with the inborn spirit of a champion, refusing to quit, until cold and physical exhaustion made it impossible to continue, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their highest commendations to Florence Chadwick for her laudable and resolute will to triumph over unsurmountable opposition, and hereby express the sincere belief that such heroic determination and strength will not be long in winning the goal

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

By Mr Luckel, Mrs Niehouse, and Mr Cloyed.

House Resolution No. 16

Relative to commending Maureen Connolly

WHEREAS, San Diego's world renowned athlete, Maureen Connolly, has recently added new decoration to her already glorious list of triumphs by winning the All-England Tennis championship in the women's singles division, and

WHEREAS, Her victory in this Wimbledon match is all the more commendable since she played with an injured shoulder and against the advice of her instructor-coach, Eleanor Tennant, and

WHEREAS, In coming from behind twice to defeat Louise Brough to take the All-England title, "Little Mo," as she is popularly known, became the first teen-ager to win at Wimbledon since 1905; and

WHEREAS, The many titles "Little Mo" has won for her collection include the United States National Tennis Women's Singles, La Jolla Beach and Tennis Club Invitational, Surrey Grass Courts, and twice holder of the National Girl's Championship before winning the Women's Singles, as well as being named the Outstanding Woman Amateur Player of 1951 by the U S Lawn Tennis Association, the Outstanding Female Athlete of 1951 by the Associated Press Sports Poll, and the Outstanding American Woman in the Field of Sports by the American Newspaper-women, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their heartiest congratulations to the new queen of the courts, Maureen Connolly, and hereby confidently express the sincere hope that she will go on to bring greater glory to her home State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Maureen Connolly

Resolution read, and ordered referred to the Committee on Rules

**REQUEST FOR UNANIMOUS CONSENT THAT RUSH ORDER BE
PLACED UPON PRINTING OF ALL ASSEMBLY BILLS**

Mrs Niehouse and Mr. Maloney asked for, and were granted, unanimous consent that a rush order be placed upon the printing of all Assembly bills

ANNOUNCEMENT

Mr Stanley announced a Republican breakfast, and Caucus, to be held tomorrow morning, Tuesday, August 5th, in the downstairs dining room of Hart's Restaurant

MEMBER EXCUSED FOR BALANCE OF DAY

At 1 20 p m , Mr. Beck asked for, and was granted, unanimous consent that Mr. Lowrey who was in attendance, be excused, for the balance of the legislative day, because of legislative business elsewhere.

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

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

Assembly Bill No. 18: By Messrs Dunn, Dickey, Moss, McCollister, Babbage, Beck, Belotti, Chapel, Clarke, Coats, Condon, Connolly, Cooke, Dolwig, Elliott, Fleury, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Lincoln, Lindsay, Lyon, McFall, Meyers, Morris, Parker, Porter, Sherwin, Stewart, and Thomas—An act to call a special election to be consolidated with the general election of 1952 and to provide for the submission to the electors of the State at such consolidated election ---- --- Constitutional Amendment No ----- of the 1952 Second Extraordinary Session, to take effect immediately

Referred to Committee on Education.

COMMUNICATIONS

By Speaker Sam L Collins:

A resolution from the Republican State Central Committee was received, and ordered filed with the Secretary of State

APPOINTMENT OF MEMBER TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr Belotti as a member of the Wildlife Conservation Board, vice Mr. Davis, deceased

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting .

Today Upon Adjournment—

Rules, in Lounge Room

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Dorothy M Donahoe, Faith L Hawkins, Mrs George Menderhausen, Mrs Macon J Perkins of Bakersfield, and Lynn Nowels of Ridgecrest

On request of Mr Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lenore Yeamans, Mrs. Ernestine Long, and Mr. and Mrs John A Kerr of North Hollywood.

On request of Messrs Erwin and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Erma Kerrigan of Whittier

On request of Mr Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs H Allen Smith, Mr and Mrs Henry Melby, Mr and Mrs. James Buchanan, Carroll Parcher, and Roy Jellison of Glendale

On request of Mr. Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to James Crum of Los Angeles.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Leone E. Savage of Azusa, and F. Baker Wallace and Harry C. Howard of Pomona.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Louise Kutsche of Atherton, Mrs. Roberta Werlhof of San Mateo, and Miss Jean McLaughlin of Menlo Park.

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to William C. Blake of San Francisco.

On request of Messrs. Morris and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edith Lehman of Los Angeles.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marjorie Albee of Glendale.

ADJOURNMENT

At 1:24 p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, August 5, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE
1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, August 5, 1952

The Assembly met at 10 a m

Hon Sam L Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohninus 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, Cloyd, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapseomb, Lowrey, Luckel, 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—73

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Raymond A Graber of the Del Paso Christian Church:

Infinite God, Father of all mankind.

We serve Thee when we humbly fulfill our civic duties

In the opening moments of a new day we are filled with the everlasting hope of new achievements. Let there be evident, also, this day, a new trust in the creative capacities of men as their potential powers are yielded unto Thy holy will.

The day in which we live brings to each one the inward challenge which often threatens the individual security. As we face these challenges wholeheartedly there is an acknowledgement of our faith in the Supreme Good.

Grant Thy wisdom as the important issues of our State are here considered.

May Thy blessings be upon the leaders of our State and Nation that we may preserve and apply those great principles whereby peace shall become an enduring quality among the nations and the peoples of Thy creation.

Humbly we thus pray as men who know that Thou art God—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Clarke, 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 Geddes

Mrs Niehouse, on motion of Mr Geddes

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

Mr Brady, on motion of Mr Brown

Mr. Hagen, on motion of Mr. Brown

Mr. McMillan, on motion of Mr Brown

RESOLUTIONS

The following resolution was offered.

By Mr Doyle

House Resolution No. 17

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant on the proper fund in favor of the following Member of the Assembly for the amount set opposite his respective name, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat, miles	Distance from county seat, more.	Mileage one way	Total mileage	Amount at 5 cents per mile
3	Lloyd W. Lowrey	Rumsey, Yolo County	23	36	59	118	\$5 90

Request for Unanimous Consent

Mr Doyle asked for, and was granted, unanimous consent to take up House Resolution No 17, 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, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—65

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time

Assembly Bill No. 19: By Mr McCollister—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means

Assembly Bill No. 20: By Mr Sherwin—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means

Assembly Concurrent Resolution No. 9: By Mr. Burke—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the third day of June, 1952.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 4, 1952

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

Assembly Constitutional Amendment No. 1

Assembly Constitutional Amendment No. 2

Assembly Constitutional Amendment No. 3

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, August 4, 1952

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

House Resolution No. 15

House 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 resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, August 4, 1952

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

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 3

Assembly Concurrent Resolution No. 4

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

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

ASSEMBLY CHAMBER, SACRAMENTO, August 4, 1952

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

Assembly Bill No. 3

Assembly Bill No. 4

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

SAM L. COLLINS, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 Second Extraordinary Session of the Legislature, to take effect immediately

Bill read second time, and ordered engrossed

Assembly Bill No. 4—An act making an appropriation for the mileage of the members and officers of the Assembly, to take effect immediately

Bill read second time, and ordered engrossed

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEES BE PERMITTED TO HOLD MEETINGS TODAY

Mr McCollister asked for, and was granted, unanimous consent that all committees having bills to consider be permitted to hold meetings today, and that a rush order be placed upon the printing of all bills introduced today

RESOLUTIONS

The following resolutions were offered:

By Messrs Elliott and Munnell:

House Resolution No. 18

Relative to memorializing the Congress to enact a Direct Primary Law for the election of the President and Vice President of the United States

WHEREAS, The recent National Conventions of the Democratic and Republican parties were for the first time shown in their main features to millions of members of the American public by the marvelous information medium of television; and

WHEREAS, As a result of the televising of these conventions there is apparent a growing conviction that the convention method of selecting nominees for the offices of President and Vice President of the United States might be outmoded and obsolete; and

WHEREAS, A more direct method of selecting nominees for these great offices would be more consistent with our democratic political system; now, therefore, be it

Resolved by the Assembly of the State of California, That it memorializes and requests the Congress of the United States to enact legislation providing for the nomination of candidates for President and Vice President of the United States through a uniform state closed direct primary; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Vice President of the United States, the Speaker of the House of Representatives, and all United States Senators and Members of the House of Representatives from the State of California

Resolution read, and ordered referred to the Committee on Rules

By Messrs Burkhalter and Cooke:

House Resolution No. 19

Relating to directing the Assembly Interim Committee on Military Affairs to make a study of licensing and registration of disabled veterans' motor vehicles

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Military Affairs (created by H R 161, 1951 General Session) is hereby authorized and directed to ascertain, study and analyze all facts relating to

(1) The feasibility of issuing special motor vehicle license plates to disabled veterans (with attention given to Illinois Revised Statutes (1951), Chapter 95½, Sec 82), and

(2) The feasibility of exempting disabled veterans from payment of motor vehicle license and registration fees,

and to report thereon to the Assembly at the 1953 General Session of the Legislature, including in its report recommendations as to the advisability for legislation on the subjects of its study

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 Joint Resolution No. 1: By Messrs Burkhalter, Henderson, Hagen, Grant, and Hahn—Relative to requesting the Congress of the United States to outlaw the Communist Party

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No 2

Assembly Concurrent Resolution No 3

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, August 5, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Constitutional Amendment No. 1

Assembly Constitutional Amendment No 2

Assembly Constitutional Amendment No 3

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No 3

Assembly Bill No 4

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 —

Ways and Means, in Room 4202

At 3 p m —

Social Welfare, in Room 2160.

At 4 p m.—

Revenue and Taxation, in Room 3184.

Today Upon Adjournment—

Judiciary, at desk of Mr. Brown.

RECESS

At 10 17 a m , on motion of Mr Dickey, the Assembly recessed until 5 p.m.

REASSEMBLED

At 5 p.m., the Assembly reconvened
 Hon. Sam L. Collins, Speaker of the Assembly, presiding
 Chief Clerk Arthur A. Ohnismus at the desk

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 6

Assembly Concurrent Resolution No. 8

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California has been called in extraordinary session to convene on August 4, 1952, 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, and at the request of the President pro Tempore of the Senate and the Speaker of the Assembly, hereby amend and supplement my Proclamation dated July 3, 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:

6 To consider and act upon legislation to validate the organization of the San Marino Unified School District and the South Pasadena Unified School District

7 To consider and act upon legislation relating to the attaches of the municipal courts in judicial districts in Fresno, Orange, Riverside, and Santa Cruz Counties.

8 To consider and act upon legislation to permit manufacture and possession of blends or mixtures of any edible oil with olive oil, containing not less than 25 percent of olive oil and to permit sale, offer for sale or gift of such blends or mixtures only in containers labeled with the percentage content of each oil contained therein.

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

(SEAL)

EARL WARREN, Governor of California

ATTEST FRANK M. JORDAN, Secretary of State

By CHAS. J. HAGERTY, Assistant Secretary of State

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 5, 1952

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

Senate Concurrent Resolution No. 5

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

The following resolutions were read:

Senate Concurrent Resolution No. 5—Relative to the expenses of the State Controller as accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 6—Relative to commending Robert Mathias.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR SPEAKER Your Committee on Rules, to which were referred

Senate Concurrent Resolution No 5

Senate Concurrent 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 resolutions ordered on file for adoption.

MESSAGES FROM THE GOVERNOR

STATL OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, August 4, 1952

To the Honorable Members of the Assembly

State of California

Sacramento, California

GENTLEMEN. Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature, the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made

Respectfully,

• EARL WARREN, Governor

GLENN V. WALIS, a resident of Sacramento, Deputy Attorney General and legal advisor of the Department of Employment until May 5, 1948, member of the California Unemployment Insurance Appeals Board and member of the California Employment Stabilization Commission since May 5, 1948, was reappointed May 5, 1952

H. EUGENE BRITFENBACH, a resident of Los Angeles, attorney at law, Past Chairman of the Board of Managers of Downtown Y. M. C. A., Los Angeles, Past Vice President of the Los Angeles Area Council of Boy Scouts, President of the Mental Hygiene Society for Southern California, was appointed June 11, 1952 as Member of the Youth Authority, vice Gerald C. Kepple, resigned

WILLIAM G. WILIT, a resident of San Francisco, retired railroad conductor, member of the Board of State Harbor Commissioners for San Francisco Harbor since May 4, 1943, was reappointed May 19, 1952

THOMAS J. MILLON, a resident of San Francisco, manufacturer of electrical appliances, a graduate of the University of San Francisco, a member of the State Committee on Fulbright Scholarships under the federal program for exchange of students with foreign countries, was appointed June 19, 1952, as Member of the State Board of Education, vice Raymond J. Arata, resigned

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR SPEAKER Your Committee on Judiciary, to which were referred.

Assembly Bill No 11

Assembly Bill No. 12

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. 11—An act to validate acts, proceedings, and elections in connection with bonds of school districts, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered engrossed.

Assembly Bill No. 12—An act to validate the organization of the San Marino Unified School District and the South Pasadena Unified School District, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr. Berry asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated primary and special municipal election held therein on the third day of June, 1952.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elhott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Klockslem, Lanterman, Levering, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of June, 1952

Resolution read

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elhott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Klockslem, Lanterman, Levering, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to approving the charter amendments to the charter of the City of Albany, State of California, ratified by the qualified electors of said city at a regular municipal election held therein on the fourteenth day of April, 1952

Resolution read

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—60

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr. Kelly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to commending Robert Mathias.

Resolution read

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—60

NOES—None.

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE**CONSIDERATION OF HOUSE RESOLUTION NO. 16**

By Mr. Luckel, Mrs. Niehouse, and Mr. Cloyd:

House Resolution No. 16

Relative to commending Maureen Connolly

WHEREAS, San Diego's world renowned athlete Maureen Connolly, has recently added new decorations to her already glorious list of triumphs by winning the All-England Tennis Championship in the women's singles division; and

WHEREAS, Her victory in this Wimbledon match is all the more commendable since she played with an injured shoulder and against the advice of her instructor-coach, Eleanor Tennant, and

WHEREAS, In coming from behind twice to defeat Louise Brough to take the All-England title, "Little Mo," as she is popularly known, became the first teen-ager to win at Wimbledon since 1905; and

WHEREAS, The many titles "Little Mo" has won for her collection include the United States National Tennis Women's Singles, La Jolla Beach and Tennis Club Invitational, Surrey Grass Courts, and twice holder of the National Girl's Championship before winning the Women's Singles, as well as being named the Outstanding Woman Amateur Player of 1951 by the U. S. Lawn Tennis Association, the Outstanding Female Athlete of 1951 by the Associated Press Sports Poll, and the Outstanding American Woman in the Field of Sports by the American Newspaperwomen, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their heartiest congratulations to the new queen of the courts, Maureen Connolly, and hereby confidently express the sincere hope that she will go on to bring greater glory to her home State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Maureen Connolly.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 15

By Mr. Luckel, Mrs. Niehouse, and Mr. Cloyd.

House Resolution No. 15

Relative to commending Florence Chadwick

WHEREAS, Florence Chadwick, famed woman athlete from San Diego, recently attempted to become the first woman to successfully swim the tortuous Catalina Channel, and

WHEREAS, Under the most onerous conditions of weather, she battled the severe ground swells and torrential currents for over fifteen hours in a most courageous attempt to conquer the Channel, and

WHEREAS, Consuming cold and wind continued in increasing quantities, thereby frustrating Florence in her supperlative effort to continue on to gain the mainland; and

WHEREAS, Knowing that the battle was lost, Florence swam on with the inborn spirit of a champion, refusing to quit, until cold and physical exhaustion made it impossible to continue; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their highest commendations to Florence Chadwick for her laudable and resolute will to triumph over unsurmountable opposition, and hereby express the sincere belief that such heroic determination and strength will not be long in winning the goal

Resolution read, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT

Mr. Dolwig asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to the expenses of the State Controller as accounting officer for the Legislature for tax and other purposes

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekey, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksem, Lanterman, Levering, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Social Welfare**

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER Your Committee on Social Welfare, to which was referred
Assembly Bill No. 1

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

KILPATRICK, Vice Chairman

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

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 19

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

SHERWIN, Chairman

Request for Unanimous Consent to Take Up Assembly Bill No. 19

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 19, at this time, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 19

Assembly Bill No. 19—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read first time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "shelter, tele-", and strike out all of line 6, and insert "shelters and"

Amendment No. 2

On page 1, line 14, of said bill, strike out "and the State Disaster Council"

Amendment No. 3

On page 1, line 24, of said bill, strike out "Disaster Council", and insert "Director of Civil Defense".

Amendment No. 4

On page 1, line 25, of said bill, strike out "it", and insert "him"

Amendment No. 5

On page 1, line 26, of said bill, strike out "it", and insert "he"

Amendment No. 6

On page 2, line 1, of said bill, strike out "or the telephone serv-"

Amendment No. 7

On page 2, line 2, of said bill, strike out "ice and equipment"

Amendment No. 8

On page 2, line 16, of said bill, strike out "primarily", and insert "temporarily being assumed as"

Amendments read, and adopted

Bill ordered reprinted, to be read second time, engrossed, and re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 20

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 Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER. Your Committee on Social Welfare, to which were referred

Assembly Bill No. 2

Assembly Bill No. 15

Assembly Bill No. 16

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

KILPATRICK, Vice Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)**Assembly Bill No. 2**—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, and 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 Social Welfare.

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "eighty dollars (\$80)", and insert "eighty-five dollars (\$85)".

Amendment No. 2

On page 2, line 1, of the printed bill, strike out "sixty-five dollars (\$65)", and insert "seventy-five dollars (\$75)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 15—An act to amend Section 3420 of, and to add Section 3472 1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, making an appropriation therefor, and 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 Social Welfare

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "ninety dollars (\$90)", and insert "ninety-five dollars (\$95)".

Amendment No. 2

On page 2, line 29, of the printed bill, after "partially", insert "self-supporting"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 16—An act to amend Sections 3025 and 3084 1 of the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, and declaring the urgency thereof to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "ninety dollars (\$90)", and insert "ninety-five dollars (\$95)"

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER SACRAMENTO, August 5, 1952

MR. SPEAKER Your Committee on Ways and Means, to which were referred

Assembly Bill No. 14

Assembly Bill No. 17

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 bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 14—An act to add Section 35 to an act entitled "An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately," approved April 15, 1952 (Chapter 8, Statutes of 1952, First Extraordinary Session) relating to civil defense.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "or county", and insert "county, or city and county"

Amendment No. 2

On page 1, line 9, of said bill, strike out "or county", and insert "county, or city and county"

Amendment No. 3

On page 1, line 11, of said bill, strike out "State Disaster Council", and insert "Director of Civilian Defense"

Amendment No. 4

On page 1 of said bill, after line 15, insert

"SEC. 2 Out of the remainder of the unexpended balance referred to in subdivision (1) of Section 2 of Chapter 8 of the Statutes of 1952, First Extraordinary Session, the sum of two hundred and fifty thousand, one hundred and seventy-six dollars (\$250,176) is hereby appropriated and made available for carrying out the provisions of this act. The appropriation made by this act shall not be subject to any of the conditions or restrictions contained in said Chapter 8 of the Statutes of 1952, First Extraordinary Session."

SEC 3 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

Because of the gravity of the international situation which has led federal authorities to request that ground observation posts be manned on a 24 hour basis, it is vital that local governments and the citizens thereof participate wholeheartedly in the defense program. This necessary cooperation would be jeopardized if local governments which have expended money for defense purposes before state money was made available therefor were penalized by the refusal of the State to reimburse them for expenditures to which other local governments acting at a later date are entitled. The efficient operation of civilian defense and the manning of a state-wide attack warning system which is a vital part thereof require the immediate cooperation of local government and it is therefore necessary for this act to take immediate effect "

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 17—An act to provide for the emergency use of prison labor in earthquake areas, making an appropriation therefor, and 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 Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and insert

"SECTION 1 Any department, division, bureau, commission or any other agency of the State of California, or of a local unit of government of the State of California, may request of the Director of Corrections the use of prisoners confined in the state prisons for the purpose of demolishing public and private buildings and structures damaged by earthquake and for the clearing of debris in such areas. The Director of Corrections may enter into contracts or agreements with such governmental agencies for the purposes of this act and may send to camps or other appropriate housing facilities, to be established by him, such prisoners as may have been determined by the Adult Authority to be eligible for assignment thereto. The work to be done by such prisoners shall be designated and supervised by representatives of the governmental agency requesting such services.

SEC 2 The Adult Authority shall determine which prisoners shall be eligible for assignment to a project under this act and shall establish and modify lists of prisoners eligible for such assignment. No prisoner shall be released for such assignment until his eligibility therefor has been determined by the Adult Authority. The director shall return to prison any prisoner when so directed by the Adult Authority and may return to prison any prisoner whose employment is not necessary or who violates any rule or regulation of the prison or camp.

SEC 3 The Director of Corrections shall provide for the housing, feeding, clothing, custody and disciplining of prisoners whose temporary removal from prison has been authorized pursuant to this act and may grant to such prisoner all benefits and privileges provided to prisoners assigned to prison work camps in Article 5, Chapter 5, Title 1, Part 3 of the Penal Code "

Amendment No. 2

On page 1, line 18, of said bill, strike out "SEC 3", and insert
"SEC 4"

Amendment No. 3

On page 1, line 20, of said bill, strike out "----- dollars (\$-----)", and insert
"sixty thousand dollars (\$60,000)"

Amendment No. 4

On page 1 of said bill, between lines 21 and 22, insert
"SEC 5 This act shall terminate on January 31, 1953 "

Amendment No. 5

On page 1, line 22, of said bill, strike out "SEC 4.", and insert
"SEC 6"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

RESOLUTIONS

The following resolutions were offered

By Mr Maloney .

House Resolution No. 20

Relative to the preparation and printing of a Summary Digest and Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel prepare in one volume a Summary Digest of statutes enacted and constitutional amendments proposed, and a Subject List of all bills, constitutional amendments, joint and concurrent resolutions introduced, at the 1952 Second Extraordinary Session of the Legislature, and that copies be distributed to all Members of the Legislature as soon as possible after printing, and be it further

Resolved, That the Chief Clerk of the Assembly cause not exceeding 1,000 copies of this document to be printed, the cost thereof to be paid from the legislative printing appropriation

Resolution read, and ordered referred to the Committee on Rules

By Messrs Burkhalter, Morris, McGee, Doyle, and Holibaugh

House Resolution No. 21

Relating to directing the Assembly Interim Committee on Military Affairs to make a study of licensing and registration of disabled veterans' motor vehicles

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Military Affairs (created by H R 161, 1951 General Session) is hereby authorized and directed to ascertain, study and analyze all facts relating to

(1) The feasibility of issuing special motor vehicle license plates to disabled veterans (with attention given to Illinois Revised Statutes (1951), Chapter 95½, Sec 82) ; and

(2) The feasibility of exempting disabled veterans from payment of motor vehicle license and registration fees,

and to report thereon to the Assembly at the 1953 General Session of the Legislature, including in its report recommendations as to the advisability for legislation on the subjects of its study

Resolution read, and ordered referred to the Committee on Rules

By Messrs Burkhalter, Smith, Conrad, Lipscomb, and McGee :

House Resolution No. 22

Relative to requesting an agreement as to the proposed route of the Riverside Freeway in Los Angeles County

WHEREAS, A route has been proposed for the Riverside Freeway in Los Angeles County from the intersection of Riverside Drive and Victory Boulevard in Burbank to the junction of Riverside Freeway and Hollywood Freeway ; and

WHEREAS, Certain representative citizens' groups wish to voice their disagreement with this proposed route and discuss the feasibility of an alternative route, now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission, or its representatives, be requested to meet with representative citizens' groups to discuss the said proposed route of the Riverside Freeway in Los Angeles County and the feasibility of an alternative route before any definite action is taken on the establishment of said route, and be it further

Resolved, That the California Highway Commission or the Director of Public Works be requested to transmit a written statement of agreement with the request made by this resolution, stating that a meeting or meetings will be held with the representative citizens' groups, to the Chief Clerk of the Assembly, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the California Highway Commission, the Director of Public Works, and the State Highway Engineer

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

MEMBER EXCUSED

At 5 28 p m , Mr. Stewart asked for, and was granted, unanimous consent that Mr Waters be excused, for the balance of the legislative day, because of legislative business elsewhere

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

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

Assembly Bill No. 21: By Mr Sam L Collins—An act to amend Section 1 of an act entitled “An act providing for the constitution of the municipal court in a district embracing the Cities of Fullerton, Anaheim, La Habra, Brea, and Placentia, and prescribing the number and compensation of the judges, officers and attaches thereof” approved July 24, 1951, relating to municipal court salaries in Orange County

Referred to Committee on Judiciary.

Assembly Bill No. 22: By Mr Sam L Collins—An act to amend Section 1 and repeal Section 2 of an act entitled “An act providing for the constitution of the municipal court in a district embracing the Cities of Orange, Tustin and Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof” approved July 24, 1951, relating to municipal court salaries in Orange County

Referred to Committee on Judiciary.

Assembly Bill No. 23: By Messrs Henderson and Hansen—An act to amend Section 1 of, to repeal Sections 2, 3, and 4 of, and to add Sections 2, 3, 4, 5, 6, and 7 to an act entitled “An act providing for the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof” relating to the number and compensation of officers and attaches of the municipal court embracing the City of Fresno

Referred to Committee on Judiciary.

Assembly Bill No. 24: By Mr Lincoln—An act to amend Section 2160 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Referred to Committee on Social Welfare

Assembly Bill No. 25: By Mr Sherwin—An act making an appropriation in augmentation of Item 38 of the Budget Act of 1952, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 26: By Messrs Hagen and Henderson—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof.

Referred to Committee on Ways and Means

Assembly Bill No. 27: By Messrs Henderson and Hagen—An act to add Section 29120 5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 28: By Messrs Henderson and Hagen—An act to add Section 1556 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately

Referred to Committee on Revenue and Taxation

Assembly Bill No. 29: By Messrs Hagen and Henderson—An act to provide for the allocation of state funds to hospital districts for the acquisition of sites for, and the construction and equipping of, hospitals making an appropriation therefor, and declaring the urgency thereof

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 30: By Mr Condon—An act to add Sections 20045 and 3009 to the Welfare and Institutions Code, providing for state administration of aid to the aged and aid to the needy blind, and making an appropriation

Referred to Committee on Social Welfare

Assembly Bill No. 31: By Messrs Kelly, Hansen, Hagen, Clarke, Gaffney, and Henderson—An act to add Section 43005 to the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately

Referred to Committee on Revenue and Taxation

Assembly Bill No. 32: By Messrs Kelly, Hansen, Hagen, Clarke, Gaffney, and Henderson—An act to provide financial assistance to public bodies which have suffered damages to public buildings and other public facilities as a result of earthquake, declaring the urgency thereof, to take effect immediately

Referred to Committee on Ways and Means

Assembly Bill No. 33: By Messrs Kelly, Hansen, Hagen, Clarke, Gaffney, and Henderson—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted

Referred to Committee on Revenue and Taxation

Assembly Bill No. 34: By Messrs Kelly, Hansen, Hagen, Clarke, Gaffney, and Henderson—An act to add Section 13412 to the Revenue and Taxation Code, relating to inheritance taxation.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 35: By Messrs Kelly, Hansen, Hagen, Clarke, Gaffney, and Henderson—An act making an appropriation to be apportioned to school districts pursuant to Chapter 16 of Division 3 of the Education Code for the replacement and repair of school buildings damaged by earthquakes, to take effect immediately

Referred to Committee on Ways and Means

Assembly Bill No. 36: By Mr Burkhalter—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181 01, 2224, 3088, 3088 1, 3474, and 3474 1 of the Welfare and Institutions Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, in respect to the liability of responsible relatives of recipients thereof

Referred to Committee on Social Welfare.

Assembly Bill No. 37: By Mr Burkhalter—An act to amend Section 2025 of the Welfare and Institutions Code, and to add Sections 2020 001 and 2020 03 thereto, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Welfare

Assembly Bill No. 38: By Messrs Dunn, Maloney, McCollister, Beck, Condon, Geddes, and Kelly—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

Referred to Committee on Education

Assembly Constitutional Amendment No. 4: By Messrs. Henderson and Hagen—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 5 to Article XIII thereof, relating to inheritance taxation.

Referred to Committee on Rules

Assembly Constitutional Amendment No. 5: By Messrs Henderson and Hagen—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8a to Article XIII thereof, relating to taxation

Referred to Committee on Rules

Assembly Concurrent Resolution No. 10: By Mr Kelly—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the third day of June, 1952

Referred to Committee on Rules

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs Lanterman and Collier, the usual courtesies of the Assembly for this day were unanimously extended to Miss Elma Weber of Altadena

On request of Mr Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Anita Harvey of Sacramento

On request of Mr Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Ambrose Palico of the Sacramento Solons.

On request of Mr Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Marvie C Isacksen of San Francisco

On request of Mr Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Charles Greenberg of San Mateo and Mrs Howard Bouslog of Newcastle, Indiana

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Wm Dreusike of Los Angeles

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to LeRoy E Lyon, Jr , Assemblyman-elect of Fullerton, and John A Murdy, Jr , Senator-elect, of Orange County

ADJOURNMENT

At 5 33 p.m , on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a m , Wednesday, August 6, 1952.

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, August 6, 1952

The Assembly met at 10 a m

Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohninus at the desk

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Bunkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, 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, Parker, Porter, Runtford, Sherwin, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—74

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Raymond A Graber, Pastor of the Del Paso Christian Church:

God of the Temples and Inspurer of Life

Captivate our imaginations this day

Let that which is earthly in us keep silent before Thee in order that Thou mayest abide in us as temples of Thine

May the spirit of cooperation and brotherhood prevail in the conduct of the affairs of the State that Thy will may be done

Our State has been visited with tragedy and devastation, but we are grateful for hearts of compassion and for the willingness to share one another's burdens

May we also be led to develop the great resources to be found in the youth of this day. Grant the vision to fully appreciate the challenge which lies before us

Now, then, as Thou art supreme above all things, and as Thou art the God of all generations, so may Thy spirit abide in and on us this day —AMEN

Speaker Presiding

At 10 03 a m, Hon Sam L. Collins, Speaker of the Assembly, presiding.

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:

Mrs. Niehouse, on motion of Mr. Stewart.

Mr. Crowley, on motion of Mr. Stewart.

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

Mr. Shaw, on motion of Mr. Stewart.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Rosenthal, on motion of Mr. Stewart.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2

Assembly Bill No. 15

Assembly Bill No. 16

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11

Assembly Bill No. 12

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 8

J. A. BECK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled

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

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

Assembly Bill No. 39: By Mr. Babbage—An act to amend Section 1 of an act entitled "An act providing for the constitution of municipal

courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof," approved July 16, 1951, relating to municipal courts in districts in Riverside County.

Referred to Committee on Judiciary.

**Request for Unanimous Consent That Rush Order Be Placed Upon
Printing of Assembly Bill No. 39**

Mr Babbage 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 ASSEMBLY BILLS**

Assembly Bill No. 20—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 19—An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, as amended on first reading, and ordered re-printed, engrossed, and to be re-referred to Committee on Ways and Means

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 5, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No 2

J A BLEEK, 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. 2—Relative to augmenting funds of the Joint Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 5, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No 1

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. 1—An act to add Sections 2020.001 and 2025.1 to the Welfare and Institutions Code, relating to aid to the aged, providing for payment to recipients thereof of additional sums contributed by the

United States under the Social Security Act amendments of 1952, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 Second 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, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Himekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 4—An act making an appropriation for the mileage of the members and officers of the Assembly, to take effect immediately.

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, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Himekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bills Nos. 2, 15, and 16 re-referred to the Committee on Ways and Means

RESOLUTIONS

The following resolution was offered.

By Mr. McMillan:

House Resolution No. 23

Relative to commending the officers of the California Safety Council

WHEREAS, The California Safety Council, a state-wide, nonprofit citizens volunteer organization for traffic accident prevention, has been in existence since 1935; and

WHEREAS, The council has, during its entire existence, given freely of its time and experience for the benefit of the citizens of this State for the purpose of eliminating traffic accidents; and

WHEREAS, It has fostered a program of safety on the highways and has initiated and supported legislation for driver education in the high schools of the State and has fought to arouse public opinion in the support of traffic safety programs; and

WHEREAS, It has worked closely with educational authorities, parent-teacher associations, women's clubs, chambers of commerce, and service clubs, and has released valuable printed material in support of the precepts which it advocates, and has been the instigator of awards for the best records of life saving and accident prevention, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate and commend the many civic-minded and public-spirited individuals who have served devotedly and unselfishly in the cause of traffic safety by association with the California Safety Council, including the following incumbent officials of the council: Edwin L. Carty of Oxnard, President, Vice Presidents Robert Gordon Sproul, O. L. Gray, George A. Scott, Judge Daniel R. Shoemaker, Harry R. Baker, James D. Grant, George Hoberg, Henry W. Robinson, George Worster and Charles C. Reed, and Aaron Riche, Secretary-Treasurer, and be it further

Resolved, That copies of this resolution be forwarded to the above-named officials of the California Safety Council

Resolution read, and ordered referred to the Committee on Rules

Hon. Richard H. McCollister, Presiding

At 10 34 a m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined Assembly Bill No. 20

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney.

House Resolution No. 24—Re birthday of Speaker Sam L. Collins

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 24, at this time, without reference to committee or file

Resolution read

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 24 As Co-authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 24, as co-authors

Consideration of House Resolution No. 24

By Messrs. Maloney, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Diekey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Himekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters

House Resolution No. 24

Re Birthday of Speaker Sam L. Collins

WHEREAS, Today, August 6, 1952, is the natal day of our beloved colleague, the Honorable Sam L. Collins, and

WHEREAS, Since becoming a Member of the Assembly of the State of California the Honorable Sam L. Collins has endeared himself into the hearts of its members, because of his exceptional ability, his fairness as the presiding officer, and his great knowledge of legislative procedure, now, therefore, be it

Resolved, That the members of the Assembly do hereby extend to the Honorable Sam L. Collins our hearty congratulations on his birthday, and wish him not only many happy returns of the day, but also wish him a million tons of luck in all of his future endeavors; and be it further

Resolved, That a suitable engrossed copy of this resolution be forwarded to the Honorable Sam L. Collins

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly 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 8 5 to Article XIII thereof, relating to inheritance taxation

Resolution read, and ordered passed on file.

Assembly Constitutional Amendment No. 3—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.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klecksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson and Waters—69

NOES—None

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call on Assembly Constitutional Amendment No. 3

Messrs. Sherwin and Shaw asked for, and were granted, unanimous consent that their names be placed upon the roll call on Assembly Constitutional Amendment No. 3, and that they be recorded as voting "Aye."

Assembly Bill No. 12—An act to validate the organization of the San Marino Unified School District and the South Pasadena Unified School District, 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, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lapsecomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, 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—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lapsecomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73
NOES—None

Bill ordered transmitted to the Senate

**REQUEST FOR UNANIMOUS CONSENT TO TAKE UP
ASSEMBLY BILL NO. 11, OUT OF ORDER**

Mr. Condon asked for, and was granted, unanimous consent to take up Assembly Bill No. 11, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 11

Assembly Bill No. 11—An act to validate acts, proceedings, and elections in connection with bonds of school districts, 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, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lapsecomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72
NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lapsecomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72
NOES—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 14

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 (RESUMED)**

Assembly Bill No. 14—An act to add Section 35 to an act entitled "An act relating to civil defense and making an appropriation, declaring the urgency thereof, to take effect immediately," approved April 15, 1952 (Chapter 8, Statutes of 1952, First Extraordinary Session), relating to civil defense.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchey, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Landsay, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchey, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Landsay, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 17—An act to provide for the emergency use of prison labor in earthquake areas, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read

Demand for Previous Question

Messrs. Babbage, Geddes, Lyon, Grant, and Burke demanded the previous question

Demand for previous question sustained

The question being on the adoption of the urgency clause to Assembly Bill No. 17

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Collier, Connolly, Conrad, Dills, Dolwig, Doyle, Dunn, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly,

Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55
 NOES—George D. Collins, Condon, Cooke, Elliott, Gaffney, Kilpatrick, Lincoln, Munnell, and Parker—9

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kelly moved a call of the Assembly

Motion carried Time, 11 33 a m

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

Beck, Caldecott, Erwin, Evans, Hinckley, Lincoln, McCarthy, McFall, Rumford, Sherwin, Smith, and Tomlinson—12

Further Proceedings Under Call of the Assembly Dispensed With on Passage of Assembly Bill No. 17

At 11 51 a m, on motion of Mr. Kelly, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 17 passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Buike, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57

NOES—George D. Collins, Condon, Dickey, Dunn, Elliott, Gaffney, Kilpatrick, Lincoln, McFall, Munnell, and Parker—11.

Bill ordered transmitted to the Senate

Explanations of Vote on Assembly Bill No. 17

Proponents of the measure failed to show any reason for deviating from the established policy of direct subsidy to local authority to aid in urgency measures

We are on record many times as favoring employment of prisoners on useful projects for the purpose of maintaining the physical well-being of the prisoner and relief to taxpayers in maintaining custodial institutions, but cannot agree that the State has a moral right to force men into jobs known to be of the highest hazard rate without offering any legal obligation in case of serious accident

VERNON KILPATRICK
 GEORGE D. COLLINS, JR.
 EDWARD E. ELLIOTT

I voted "No" on Assembly Bill No. 17 despite my voting record over the years favoring the use of certain prison labor in agricultural and forest emergency work due to labor shortage.

However, I feel the State has a grave moral responsibility to require some form of compensable indemnity for partial or total disability or death of prisoners assigned to the extra hazardous demolition labor involved in the unfortunate earthquake area of Kern County

Such compensation for partial or total disability not to be payable until release from prison

EDWARD M. GAFFNEY

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

The following resolution was offered:

Assembly Concurrent Resolution No. 11: By Messrs. Maloney, George D. Collins, Connolly, Brady, McCarthy, Berry, Gaffney, Lyon,

Meyers, and Sam L. Collins—Relative to the passing of the Honorable Matthew Brady.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 5, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 9

Senate Concurrent Resolution No. 10

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 Concurrent Resolution No. 9—Relative to commendation of persons of Kern County, California, for their actions during the earthquakes of July 21, 1952, and the following days

Referred to Committee on Rules

Senate Concurrent Resolution No. 10—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the third day of June, 1952

Referred to Committee on Rules

Senate Concurrent Resolution No. 11—Relative to the equalization of assessments for property tax purposes by the State Board of Equalization

Referred to Committee on Rules

STATEMENT BY MR. CHAPEL

I have just observed that Assembly Joint Resolution No. 1 has been introduced requesting the Congress of the United States to outlaw the Communist Party.

I was having a similar resolution prepared and intended to introduce this resolution, however seeing that the subject is covered by Assembly Joint Resolution No. 1, I shall not put the State to the expense of printing the resolution I was having prepared, since I merely desire to see that the Communist Party is outlawed.

CHARLES EDWARD CHAPEL

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW COMMUNICATIONS FROM COMMITTEE, AND THAT THEY BE RE-REFERRED

Mr. Connolly asked for, and was granted, unanimous consent that a communication from L. M. Lawson and a communication from Ruth Mason Hughes be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Conservation, Planning, and Public Works

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEES BE PERMITTED TO HOLD MEETINGS TODAY

Mr. Brown asked for, and was granted, unanimous consent that all committees having bills to consider be permitted to hold meetings today.

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.

At 3 p m —

Social Welfare, in Room 2160

Revenue and Taxation, in Room 3184

At 8 p m —

Education, in Room 4202.

Today Upon Adjournment—

Judiciary, at desk of Mr. Brown.

RECESS

At 11 55 a m, on motion of Mr McCollister, the Assembly recessed until 4 p m

REASSEMBLED

At 4 p m, the Assembly reconvened.

Hon Sam L Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohnumus at the desk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 6, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No 6

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above resolution ordered enrolled

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR SPEAKER Your Committee on Rules, to which were referred

Assembly Concurrent Resolution No 9

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 resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Senate Joint Resolution No 1

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

SAM L COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

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

Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 9

Senate 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 resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

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

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 resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

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

House Resolution No. 20

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, August 6, 1952

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 9

Assembly Concurrent Resolution No. 10

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

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

Assembly Bill No. 39

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

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER. Your Committee on Social Welfare, to which was referred.

Assembly Bill No. 24

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

KILPATRICK, Vice Chairman

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 6, 1952

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

Senate Concurrent 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 Concurrent Resolution No. 4—Relative to approving an amendment to the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the third day of June, 1952

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 6, 1952

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

Senate Bill No. 2

Senate Bill No. 3

Senate Bill 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 bills were read the first time

Senate Bill No. 2—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Welfare.

Senate Bill No. 3—An act to add Section 3025.1 to the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Welfare.

Senate Bill No. 4—An act to add Sections 3420.1 and 3472.1 to the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Social Welfare

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 6, 1952

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

Senate Concurrent Resolution No. 1

Senate Joint Resolution No. 1

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. 1—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

Senate Joint Resolution No. 1—Relative to the proposal of the Federal Communications Commission to destroy the radio telegraph communications system of the California Department of Agriculture around which has been built the Federal State Market News System

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Judiciary, to which were referred

Assembly Bill No. 21

Assembly Bill No. 22

Assembly Bill No. 23

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. 21—An act to amend Section 1 of an act entitled "An act providing for the constitution of the municipal court in a district embracing the Cities of Fullerton, Anaheim, La Habra, Brea, and Placentia, and prescribing the number and compensation of the judges, officers and attaches thereof" approved July 24, 1951, relating to municipal court salaries in Orange County

Bill read second time, and ordered engrossed

Assembly Bill No. 22—An act to amend Section 1 and repeal Section 2 of an act entitled "An act providing for the constitution of the municipal court in a district embracing the Cities of Orange, Tustin and Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof" approved July 24, 1951, relating to municipal court salaries in Orange County

Bill read second time, and ordered engrossed

Assembly Bill No. 23—An act to amend Section 1 of, to repeal Sections 2, 3, and 4 of, and to add Sections 2, 3, 4, 5, 6, and 7 to an act entitled "An act providing for the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof," relating to the number and compensation of officers and attaches of the municipal court embracing the City of Fresno

Bill read second time, and ordered engrossed

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

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

Assembly Bill No. 40: 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. 41: By Mr. Gruusky—An act to amend Section 1 of an act entitled “An act providing for the constitution of municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof,” approved June 22, 1951, relating to municipal courts in districts in Santa Cruz County

Referred to Committee on Judiciary

Assembly Bill No. 42: By Messrs. Porter, Dunn, and Mrs. Niehouse—An act to add Chapter 195 to Division 3 of the Education Code, relating to school district public works

Referred to Committee on Education

Assembly Concurrent Resolution No. 12: By Mr. Burke—Relative to the Honorable E. Val Latham

Referred to Committee on Rules

Assembly Concurrent Resolution No. 13: By Mr. Gubser—Relative to approving amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the fifth day of May, 1952

Referred to Committee on Rules

Assembly Concurrent Resolution No. 14: By Messrs. Brown and Sam L. Collins—Relative to congratulating Cy Young upon his record-breaking Olympic Games victory.

Referred to Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 2—Relative to the death of Honorable Lester T. Davis.

Resolution read, and adopted unanimously by a rising vote

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel relative to closure of forest fire areas, be ordered printed in the Journal, in 10-point type, as follows

Letter of Transmittal

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, July 16 1952

*Honorable Lloyd W. Lowrey
Rumsey, California*

Closure of Forest Fire Areas—No. 2116

DEAR MR. LOWREY: We are enclosing our opinion relating to the closure of forest fire areas.

Pursuant to your instructions, we have transmitted copies of the opinion to Mr. DeWitt Nelson, State Forester of the State of California, and to Mr. Leon Thomas, Supervisor of Mendocino National Forest

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By VOULA G. DAVANIS, Deputy

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, CALIFORNIA, July 16, 1952

Honorable Lloyd W. Lowrey
Rumsey, California

Closure of Forest Fire Areas—No 2116

DEAR MR. LOWREY:

Question

You have asked us if Section 4128 of the Public Resources Code prohibits all persons from hunting and fishing within a proclaimed fire hazard closure area, or does the exemption of owners and lessees of land in the area from the prohibited entry contemplate also exemption to the prohibited activity of hunting and fishing in the area

You have also asked us if the provisions of Section 4128 apply to federal lands

Opinion

It is our opinion that Section 4128 of the Public Resources Code prohibits all persons from hunting and fishing in the proclaimed closure area

It is also our opinion that Section 4128 would be applicable to permit proclaimed closures in hazardous areas owned by the United States and held without exclusive jurisdiction. We are aware of no federal regulations or statute pertaining to such lands with which the section would be inconsistent, and therefore, inapplicable

Analysis

Section 4128 of the Public Resources Code provides in part that upon the showing of the State Forester that the unrestricted use of any grass, grain, brush or forest-covered land, is a menace to life or property due to conditions tending to cause or allow the rapid spread of fires which may occur on such lands, the Governor through the Director of Natural Resources, may, by proclamation, declare such condition therein, designating the area to which, and the period during which such proclamation shall apply, and requiring that

“such area shall be closed to hunting and fishing and to entry by any person other than one of the following classes:

“(a) Owners and lessees of land in the area.

“(b) Bona fide residents in the area.

“(c) Persons engaged in some bona fide business, trade, occupation, or calling in the area and persons employed by them in connection with such business, trade, occupation or calling.

“(d) Authorized agents or employees of a public utility entering such areas for the purpose of operating or maintaining public utility works or equipment within the area.

- “(e) Members of any organized fire fighting force.
- “(f) Any federal, state, or local officer in the performance of his duties.
- “(g) Persons traveling on public roads or highways through the area.”

The question which you have raised has been prompted by the wording of the section which reads “that such area shall be closed to hunting and fishing and to entry by any person other than one of the following classes,” followed by an enumeration of the classes.

In the construction of statutes endeavor must be directed first to attaining an understanding of the purpose and object of the Legislature, and next to giving to that purpose and object the fullest effect compatible with the meaning of the language through which that purpose and object find expression. Words, phrases, and sentences, therefore, must be construed in contemplation of the legislative intent and when any doubt of their precise meaning is found to exist, aid in arriving at that meaning may be drawn from the general rules and principles governing the construction of statutes.

Statutes are not to be construed with any such nicety of discrimination as to the use of words in obvious disregard of the legislative intent as gathered from the whole act (*Abbey vs. Board of Directors of Honcut Yuba Irrigation District*, 58 Cal. App 757).

The intent of the Legislature in enacting Section 4128 of the Public Resources Code was to provide for effective control of critical fire hazard areas by proclaiming a closure of such areas to hunting and fishing, or entry. However, the Legislature recognized at the same time the rights of property owners and residents in the area as well as persons engaged in some bona fide business to enter the closure area with respect to the use and enjoyment of their property and the execution of their business. The Legislature therefore was faced with the duty of balancing, if possible, the necessity of public safety with these rights of the individual private citizens. The balance was accomplished by providing that such persons as are listed in the statute, who of necessity must be allowed to enter the closure areas, would be allowed such entry while all others would be excluded.

This intent of the Legislature is evident in the bill form of the statute as it traveled through the legislative process. The original bill, Senate Bill No. 439 of the 1951 General Session, prohibited only the entry of all persons except those enumerated therein. The bill was later amended to also close the area to hunting and fishing and no exemptions were made as to that particular activity.

The interpretation of statutes must be reasonable. In this case if the interpretation be made which would not close the area to hunting and fishing to the persons enumerated in the classes listed in the statute, such interpretation in effect would completely destroy the object sought to be accomplished by the statute. Any person could hunt and fish in the area simply by traveling through the area on the public roads or highways. Owners of land in the area could lease their property to groups of persons for the purpose of hunting and fishing. There is not in either

of these two cases the existence of necessity which prompted the exemptions provided by the statute. While entry in some cases may be necessary, the activity of hunting and fishing within the area certainly could not be regarded as necessary.

Finally, we believe that Section 4128 of the Public Resources Code would apply to lands owned by the United States. The Federal Constitution expressly confers upon Congress power to exercise exclusive legislation over all places purchased by the consent of the legislature of the state for the location of forts, magazines, arsenals, dockyards, and other needful buildings. (U S Const Art. I, Sec 8, Cl 17).

However, the mere acquisition of property by the United States does not place such property exclusively under the jurisdiction and laws of the United States. The exclusive jurisdiction given by the Constitution attaches only when property is acquired *by purchase with consent of the state where it is located* and for some purpose indicated by the Constitution (*James vs Dravo Contracting Co*, 302 U S 134).

When property within a state is acquired by the United States without consent of the state, exclusive jurisdiction can attach only upon grant from or cession by the state. If such grant or cession is not made, the state may prescribe police regulations applicable to the public land areas, so long as the regulations are not arbitrary or inconsistent with applicable congressional enactments (*McKelvey vs United States*, 260 U. S. 353).

Section 4128 is a statute enacted by virtue of the police power of the State to promote the public safety. In our opinion, it would properly apply to permit proclaimed closures in hazardous areas owned by the United States, but in which areas the State still reserves a residuum of jurisdiction, i.e. those areas owned by the United States and held without consent of the State to exclusive jurisdiction. We are aware of no federal regulations or statutes relating to such public lands with which the provisions of Section 4128 are inconsistent to make the section inapplicable.

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By VOULA G. DAVANIS, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 5—Relative to eulogizing Frederick M. Roberts

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

Assembly Concurrent Resolution No. 3—Relative to the death of the Honorable C. Don Field

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

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Ways and Means, to which were referred

Assembly Bill No. 2

Assembly Bill No. 15

Assembly Bill No. 16

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

SHERWIN, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred

Assembly Bill No. 1

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

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)**Assembly Bill No. 1**—An act to amend Section 2025 of the Welfare and Institutions Code, and to add Sections 2020.001 and 2020.03 thereto, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "Division 4", and insert "Division 5"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

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

Senate Concurrent Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation 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. 2**—Relative to augmenting funds of the Joint Committee on Agriculture and Livestock Problems.

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

On page 1, line 11, of the printed measure, after "Funds", insert "equally".

Amendment read, and adopted

Resolution ordered reprinted, and on file for adoption

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred ·

Assembly Bill No. 7

Assembly Bill No. 31

Assembly Bill No. 10

Assembly Bill No. 33

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

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 7—An act to add Section 155 6 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 10—An act to add Section 29120.5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 31—An act to add Section 43005 to the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered engrossed

Assembly Bill No. 33—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted

Bill read second time, and ordered engrossed

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred

The attached resolution from Burt Green, Secretary of the Southern San Joaquin Municipal Utility District,

Has had the same under consideration, and reports the same back with the recommendation · Be re-referred to Committee on Conservation, Planning, and Public Works

HOLLIBAUGH, Chairman

Above reported resolution ordered re-referred to the Committee on Conservation, Planning, and Public Works

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER · Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 25

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 ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 25—An act making an appropriation in augmentation of Item 38 of the Budget Act of 1952, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Social Welfare**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Social Welfare, to which were referred

Senate Bill No. 1

Senate Bill No. 3

Senate Bill No. 2

Senate Bill No. 4

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

KILPATRICK, Vice Chairman

FIRST READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1—An act to add Sections 2020.001 and 2025.1 to the Welfare and Institutions Code, relating to aid to the aged, providing for payment to recipients thereof of additional sums contributed by the United States under the Social Security Act amendments of 1952, and declaring the urgency thereof, to take effect immediately.

Bill read first time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2 of the printed bill, strike out lines 27 to 38, inclusive

Amendment No. 2

On page 2, line 39, of said bill, strike out "Sec. 4.", and insert "Sec. 3"

Amendment No. 3

On page 2, line 40, of said bill, strike out "Sec. 5.", and insert "Sec. 4"

Amendments read, and adopted.

Bill ordered reprinted, to be read second time, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 2—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately.

Bill read first time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 26, inclusive

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 4, inclusive

Amendment No. 3

On page 2, line 5, of said bill, strike out "SEC 3", and insert "Sec 2"

Amendments read, and adopted

Bill ordered reprinted, to be read second time, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 3—An act to add Section 3025 1 to the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read first time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare.

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

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 19, inclusive and insert

SECTION 1 Section 3025 of the Welfare and Institutions Code is amended to read 3025 State Appropriations to Counties There is hereby appropriated out of any money in the State Treasury not otherwise appropriated to every county in the State for maintaining, supporting, or caring for, as provided in this chapter, needy blind persons who come within the provisions of this chapter and who have county residence as provided in this chapter, and not in excess of a sum equal to three-fourths of the grant made pursuant to this chapter to every such needy blind person, after deducting therefrom the amount of any sum received from the United States Government for aid to the blind in respect to such blind person, each month for each such needy blind person maintained, supported and cared for by such county There is hereby further appropriated to every county within this State for the purpose of maintaining, supporting, or caring for needy blind persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, and not in excess of a sum equal to the full amount of the grant made pursuant to this chapter to each such needy blind person who has no such county residence, after deducting therefrom the amount of any sum received from the United States Government for aid to the blind in respect to such needy blind person, each month for each such needy blind person

Payments of aid shall be made in the manner provided in Sections 3087 1 to 3087 3, inclusive, of this code

SEC 2 Section 3084 1 of said code is amended to read

3084 1 If, when, and during such times as the United States Government increases its contributions in assistance of the needy blind in this State, the amount of the grant of aid provided in this chapter shall be increased by an amount equal to such increase by the United States Government, but in no event shall the total aid granted to any needy blind person under this chapter be more than ninety dollars (\$90) ninety-five dollars (\$95) per month

Amendment No. 2

On page 1 line 20, of said bill, strike out "SEC 2", and insert "SEC 3"

Amendments read, and adopted

Bill ordered reprinted, to be read second time, and to be re-referred to the Committee on Ways and Means

Senate Bill No. 4—An act to add Sections 3420 1 and 3472 1 to the Welfare and Institutions Code, relating to aid to partially self supporting blind residents, making an appropriation therefor, and declaring the urgency thereof to take effect immediately

Bill read first time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

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

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert

SECTION 1 Section 3420 of the Welfare and Institutions Code is amended to read
 3420 There is hereby appropriated out of any money in the State Treasury not otherwise appropriated to every county in the State for maintaining, supporting, or caring for, as provided in this chapter, blind persons who come within the provisions of this chapter and who have county residence as provided in this chapter, and not in excess of a sum equal to five-sixths of the grant made pursuant to this chapter to every such blind person, each month for each such blind person so maintained, supported and cared for, by such county. There is hereby further appropriated to every county within this State for the purpose of maintaining, supporting, or caring for blind persons who come within the provisions of this chapter and who have no county residence as provided in this chapter, and not in excess of a sum equal to the full amount of the grant made pursuant to this chapter to each such blind person who has no such county residence, each month for each such blind person.

SEC. 2 Section 3472.1 is added to said code, to read

3472.1 If, when, and during such times as the amount of the grant of aid to the needy blind provided by Chapter 1 of this part is increased pursuant to Section 3084.1, the amount of the grant of aid to partially self-supporting blind residents provided by this chapter shall be increased by an amount equal to such increase in the grant of aid to needy blind persons, but in no event shall the total aid granted under this chapter to any recipient exceed [ninety dollars (\$90)] *ninety-five dollars (\$95)* per month."

Amendment No. 2

On page 2 of said bill, strike out lines 1 through 18, inclusive

Amendments read, and adopted

Bill ordered reprinted, to be read the second time, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSIMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 19

And reports the same correctly engrossed

BURKE, Chairman

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

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California has been called in extraordinary session to convene on August 4, 1952, 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, and at the request of the President pro Tempore of the Senate and the Speaker of the Assembly, hereby amend and supplement my Proclamation dated July 3, 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:

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

10 To consider and act upon legislation relating to the attaches of the municipal courts in judicial districts in Contra Costa County

11 To consider and act upon legislation to create a revolving fund in the State Treasury for the acquisition of properties for state highway purposes, and to transfer money thereto from the Motor Vehicle Fuel Fund

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of August, 1952

(SEAL)

EARL WARREN, Governor of California

ATTEST FRANK M. JORDAN, Secretary of State

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

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

Assembly Bill No. 43: 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.

Assembly Bill No. 44: By Mr. Lanterman—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 Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Collins and Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Audrey Cage of San Francisco and Mrs. Esther Cooney of Los Angeles.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to John Dolwig, Helen Ferguson, and Penny Ferguson of Burlingame.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Rhodes E. Rule of Los Angeles and Louis Smith of Calexico.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Randal F. Dickey of Alameda and Mrs. Francis Dunn, Jr., of Oakland.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lang Charlesworth of Agnews State Hospital, and Mr. and Mrs. Barney Brown, and Mrs. Kenneth Holback and family of Gilroy.

ADJOURNMENT

At 4.32 p.m., on motion of Mr. Hinckley, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, August 7, 1952, out of respect to the memory of the late Assemblyman Lester T. Davis of Portola, and former Assemblymen C. Don Field and Frederick M. Roberts of Los Angeles.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, August 7, 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, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—73

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Raymond A Graber:

God of Our Lives

In this quiet moment we pause for the purpose of seeking the Divine counterpart Thou art the supreme Good Thou hast breathed into us that part of Thy image which evermore draws us to become like Thee This day create in us a deeper hunger to be better and more efficient men

We are grateful for the achievements of the past The upward trek of humanity is perhaps slow but nevertheless we mount step by step the mountain peaks of human endeavor Our only request being that in our toil we find Thee

For this new day we thank Thee Help us to use this day with the knowledge that what we do this day and each day matters forever

In the good spirit of fellowship with one another we thank Thee for this fellowship with Thee —AMEN

READING OF THE 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:

Mrs Niehouse, on motion of Mr Cloyed

Mr Crowley, on motion of Mr. Cloyed

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

Mr Rumford, on motion of Mr. Cloyed

Mr Tomlinson, on motion of Mr Cloyed

The following member was granted leave of absence for the day, and desired to waive his per diem

Mr Rosenthal, on motion of Mr Cloyed.

ANNOUNCEMENT

Mr. Geddes announced the opening of the Los Angeles County Fair, and requested that members of the Los Angeles County Delegation place special windshield stickers on their automobiles to assist with advertising the event

RESOLUTIONS

The following resolutions were offered

By Mr Berry

House Resolution No. 25

Relative to directing the Assembly Interim Committee on Transportation and Commerce to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Transportation and Commerce is authorized and directed to ascertain, study and analyze all facts relating to the system of issuing license plates for motor vehicles on a staggered basis used by the State of Oregon and to report to the Legislature at its 1953 Regular Session

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

By Mr Sam L Collins

House Resolution No. 26

Relative to the purchase of "The Summary of California Law" by Witkin

Resolved by the Assembly, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase volumes (1) and (2) of "The Summary of California Law" by Witkin; and he it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver two (2) said volumes of "The Summary of California Law" to the Honorable Allan Hagen, and he it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the publisher of "The Summary of California Law" by Witkin in an amount not to exceed seventy-five dollars (\$75) in payment for the aforesaid publication, and the State Treasurer is hereby directed to pay the same

Resolution read, and ordered referred to the Committee on Rules

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

The following bills were introduced, and read the first time

Assembly Bill No. 45: By Mr Sam L Collins—An act to amend Sections 28475, 28476, 28478, 28480, 28483, 28487, 28488, to repeal Section 28479 of and to add Sections 28478 5, 28479, 28488 5, 28489, and 28490 to, the Health and Safety Code, relating to olive oil

Referred to Committee on Public Health

Assembly Concurrent Resolution No. 15: By Messrs. Hagen and Kelly—Relative to commending Sim Innis
Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined
Assembly Bill No. 1

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 7

Assembly Bill No. 23

Assembly Bill No. 10

Assembly Bill No. 25

Assembly Bill No. 21

Assembly Bill No. 31

Assembly Bill No. 22

Assembly Bill No. 33

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

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

Assembly Concurrent Resolution No. 11

Assembly Concurrent Resolution No. 12

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.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 6, 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. 3

Assembly Concurrent Resolution No. 5

J. A. BEEK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 39—An act to amend Section 1 of an act entitled "An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof," approved July 16, 1951, relating to municipal courts in districts in Riverside County

Bill read second time, and ordered engrossed

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 20—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkle, Hollibaugh, Kelly, Kirkwood, Kloockslem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—68

NOES—Lowrey—1

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkle, Hollibaugh, Kelly, Kirkwood, Kloockslem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—68.

NOES—Lowrey—1

Bill ordered transmitted to the Senate

Assembly Concurrent Resolution No. 9—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the third day of June, 1952

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, Clark, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkle, Hollibaugh, Kelly, Kirkwood, Kloockslem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—70

NOES—None

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 10—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the third day of June, 1952

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, Clark, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkle, Hollibaugh, Kelly, Kirkwood, Kloockslem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee,

McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70.

NOLs—None

Resolution ordered transmitted to the Senate

CONSIDERATION OF HOUSE RESOLUTION NO. 20

By Mr. Maloney:

House Resolution No. 20

Relative to the preparation and printing of a Summary Digest and Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel prepare in one volume a Summary Digest of statutes enacted and constitutional amendments proposed, and a Subject List of all bills, constitutional amendments, joint and concurrent resolutions introduced, at the 1952 Second Extraordinary Session of the Legislature, and that copies be distributed to all Members of the Legislature as soon as possible after printing, and be it further

Resolved, That the Chief Clerk of the Assembly cause not exceeding 1,000 copies of this document to be printed, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and adopted.

Speaker pro Tempore Presiding

At 10 25 a m. Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 21—An act to amend Section 1 of an act entitled “An act providing for the constitution of the municipal court in a district embracing the Cities of Fullerton, Anaheim, La Habra, Brea, and Placentia, and prescribing the number and compensation of the judges, officers and attaches thereof” approved July 24, 1951, relating to municipal court salaries in Orange County.

Bill read third time

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

AYs—Babbage, Beck, Belotti, Berrv, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lapscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—68.

NOLs—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 22—An act to amend Section 1 and repeal Section 2 of an act entitled “An act providing for the constitution of the municipal court in a district embracing the Cities of Orange, Tustin and Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof” approved July 24, 1951, relating to municipal court salaries in Orange County

Bill read third time

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

AYs—Babbage, Beck, Belotti, Berrv, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—66

Nor's—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10 28 a m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

Assembly Bill No. 23—An act to amend Section 1 of, to repeal Sections 2, 3, and 4 of, and to add Sections 2, 3, 4, 5, 6, and 7 to an act entitled "An act providing for the municipal court in a district embracing the City of Fresno and prescribing the number and compensation of the judges, officers and attaches thereof," relating to the number and compensation of officers and attaches of the municipal court embracing the City of Fresno

Bill read third time

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—69

Nor's—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70

Nor's—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70

Nor's—None

Bill ordered transmitted to the Senate

**Request for Unanimous Consent That Name Be Placed Upon
Roll Call on Assembly Bill No. 2**

Mr Kilpatrick asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2, and that he be recorded as voting, "Aye."

Assembly Bill No. 15—An act to amend Section 3420 of, and to add Section 3472 1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, making an appropriation therefor, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekey, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloekslem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekey, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloekslem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate

**Request for Unanimous Consent That Name Be Placed Upon
Roll Call on Assembly Bill No. 15**

Mr Kilpatrick asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 15, and that he be recorded as voting, "Aye."

Assembly Bill No. 16—An act to amend Sections 3025 and 3084 1 of the Welfare and Institutions Code, relating to aid to the needy blind making an appropriation therefor, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekey, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloekslem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 25—An act making an appropriation in augmentation of Item 38 of the Budget Act of 1952, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1—An act to amend Section 2025 of the Welfare and Institutions Code, and to add Sections 2020.001 and 2020.03 thereto, relating to aid to the aged, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 10 45 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Assembly Bill No. 7—An act to add Section 155.6 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read

Assembly Bill No. 7 ordered passed on file.

THIRD READING OF SENATE BILLS

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

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkle, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69

NOES—None.

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 9—Relative to commendation of persons of Kern County, California, for their actions during the earthquakes of July 21, 1952, and the following days

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkle, Hollibaugh, Kelly, Kilpatrick, Kloksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None.

Resolution ordered transmitted to the Senate.

**MOTION THAT REMARKS BY MR. KELLY BE
PRINTED IN THE JOURNAL**

Mr Doyle moved that the remarks by Mr. Kelly, in which he expressed appreciation to Members of the Assembly, be reduced to writing, and be ordered printed in the Journal.

Mr McCarthy seconded the motion.

Motion carried

REMARKS BY MR. KELLY

In response to Speaker Collins' presentation of Senate Concurrent Resolution No 9 by Senator Judah, I wish to express the appreciation of all of the people of Kern County which the Senator has expressed in his commendation of the people of my county and the county of Senator Dorsey during the earthquake of July 21, 1952. Thanks to the Members of the Senate and Assembly for your sincere expression covering our problem.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 10—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the third day of June, 1952.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanierman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 4—Relative to approving an amendment to the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the third day of June, 1952.

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanierman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 2—Relative to augmenting funds of the Joint Committee on Agriculture and Livestock Problems

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62

NOES—None

Resolution ordered transmitted to the Senate

Speaker Presiding

At 11 02 a m. Hon. Sam L. Collins, Speaker of the Assembly, presiding

Senate Joint Resolution No. 1—Relative to the proposal of the Federal Communications Commission to destroy the radio telegraph communications system of the California Department of Agriculture around which has been built the Federal State Market News System

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, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64

NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 11

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 14

And reports the same correctly engrossed

BURKE Chairman

Above reported resolutions ordered on file for adoption

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to the passing of the Honorable Matthew Brady

Resolution read, and adopted unanimously

Resolution ordered transmitted to the Senate

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

The following resolutions were offered:

Assembly Concurrent Resolution No. 16: By Messrs. Dickey and Dunn—Relative to approving certain amendments to the charter of the City of San Leandro, County of Alameda, State of California, voted for and ratified by the electors of said City of San Leandro at a general municipal election held therein on the eighth day of April, 1952.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 17: By Mr. McMillan—Relative to approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said city of Culver City at a general municipal election held therein on the eighth day of April, 1952

Referred to Committee on Rules

Assembly Joint Resolution No. 2: By Messrs. Burkhalter, Moss, Hagen, Morris, Chapel, Hawkins, and Henderson—Relative to employment of disabled veterans

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Education, to which was referred

Assembly Bill No. 38

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. 38—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education

Amendment No. 1

On page 4, line 35 of the printed bill, before the colon, insert " , all of which purposes are hereby declared to be, and are, public works".

Amendment No. 2

On page 4 of said bill, strike out lines 46 to 49, inclusive, and insert "cation as essential, except (1) a room used solely for an auditorium for a school of any type or class and (2) a room used solely for a gymnasium or a room used solely for a cafeteria for elementary schools. This section does not prohibit the Department of Education from approving multipurpose rooms which are rooms designed to be used for two or more of the following purposes:

- (a) Classroom
- (b) Auditorium
- (c) Gymnasium
- (d) Cafeteria.

(e) Such other purposes as the district requires which are approved by the Department of Education."

Amendment No. 3

On page 13, line 14, of said bill, strike out "hereinafter"

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Education**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR SPEAKER Your Committee on Education, to which was referred

Assembly Bill No 18

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. 18—An act to call a special election to be consolidated with the general election of 1952 and to provide for the submission to the electors of the State at such consolidated election ----- Constitutional Amendment No ----- of the 1952 Second Extraordinary Session, to take effect immediately

Bill read second time, and ordered engrossed

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon Recess—

Judiciary, in Room 4202.

Ways and Means, in Room 4202

RECESS

At 11 10 a m , on motion of Mr. Beck, the Assembly recessed until 4 p.m

REASSEMBLED

At 4 p m , the Assembly reconvened

Hon Sam L Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnismus at the desk.

Hon. John W. Evans Presiding

At 4 01 p m , Hon John W Evans Member of the Assembly from the Sixty-fifth District, presiding

RESOLUTIONS

The following resolutions were offered:

By Mr Belotti

House Resolution No. 27

Relating to the passing of Arthur W Hill, Sr

WHEREAS, The life of Arthur W Hill, Sr , the Dean of Humboldt County attorneys, Legislator, and District Attorney, was tragically concluded on April 10, 1952, in an automobile accident not far from the humble log cabin in which he was born nearly eighty-eight years before, and

WHEREAS, This brought an end to a life full of aid and example to fellow men, the end to a man who truthfully can be called distinguished, whose character was best

exemplified by his courtly, scholarly personality dignifying and inspiring confidence and high respect in the courts of law and justice in which he practiced for so many years, and

WHEREAS, Arthur W. Hill, Sr., was the second child of true California pioneers who migrated to Eureka from New Brunswick, Canada, in 1859, and who built a home out of the wilderness along Humboldt Bay, and who despite their humble beginning were able to raise four sons to become men of strong character, successful in their chosen professions, two doctors and one attorney; and

WHEREAS, Arthur W. Hill, Sr., through no fault of his parents was unable to attend any public school until he was nine years old but because of his great ambition and diligent character went on to attend the University of California and Hastings College of Law, graduating therefrom in 1893, and

WHEREAS, Arthur W. Hill, Sr., upon graduation returned to Eureka where, after marrying Nancy Patten in 1898 he became a deputy district attorney and in 1914 was elected district attorney serving the people of this northern county in this office until 1926 thus climaxing a career of public service that began in 1897 with one term as State Assemblyman, and

WHEREAS, Arthur W. Hill, Sr., then began a long and distinguished career as a defender of the people, and one in which he was joined by his son Arthur W. Hill, Jr., in 1934 forming the law firm of Hill and Hill; and

WHEREAS, Arthur W. Hill, Sr., was not only a great leader of the bar but also was very active in civic affairs and service clubs such as the Eureka Board of Trade, the Humboldt Club, Masons, Elks and Knights of Pythias, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express its deep feeling of sympathy to the family and countless friends of Arthur W. Hill, Sr.; and be it further

Resolved, That the Chief Clerk of the Assembly cause to be prepared and transmit a suitably engrossed copy of this resolution to both the son and daughter of Arthur W. Hill, Sr., Dorothea H. Martell and Arthur W. Hill, Jr.

Resolution read, and ordered referred to the Committee on Rules

By Messrs. Burkhalter and Thomas

House Resolution No. 28

Relating to the investigation by the Public Utilities Commission of the safety of passenger-carrying vehicles on the streets and highways of the State

WHEREAS, On August 4, 1952, the newspapers throughout the County carried shocking accounts of the worst two-bus collision in the Nation's history, in which 29 persons were killed and many others were injured; and

WHEREAS, The accounts of the crash reveal that the safety doors of the buses were not in proper working order, and that the windows were too small to provide an exit for the terror-stricken passengers, and

WHEREAS, The lack of an adequate ventilation system added to the panic and confusion of those trapped within the buses, and

WHEREAS, It is urgently desired to prevent such tragedies from occurring on the streets and highways of the State, now, therefore, be it

Resolved by the Assembly of the State of California, That the Public Utilities Commission be urged to investigate the condition of all passenger-carrying vehicles operating within this State with a view to insuring the safety of all who ride thereon

Resolution read and ordered referred to the Committee on Rules

Speaker Presiding

At 4 04 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER, SACRAMENTO, August 7, 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

J A BIECK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

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

House Resolution No 26

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, August 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No 13

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No 18

Assembly Bill No 39

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR SPEAKER Your Committee on Rules to which were referred

Senate Concurrent Resolution No 7

Senate Concurrent Resolution No 8

Senate Concurrent Resolution No 12

Senate Concurrent Resolution No 13

Senate 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 on file for adoption

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 1—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of June, 1952;

Assembly Concurrent Resolution No. 6—Approving the charter amendments to the charter of the City of Albany, State of California, ratified by the qualified electors of said city at a regular municipal election held therein on the fourteenth day of April, 1952,

Assembly Concurrent Resolution No. 8—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated primary and special municipal election held therein on the third day of June, 1952,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of August, 1952, at 11 a m

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 7, 1952

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

Senate Bill No. 5
Senate Bill No. 7

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. 5—An act to add Section 155 6 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof to take effect immediately.

Referred to Committee on Revenue and Taxation

Senate Bill No. 7—An act to add Section 29120 5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation

Senate Bill No. 12—An act to add Section 43005 to the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 18—An act to amend Section 1 of, to repeal Sections 2, 3, and 4 of, and to add Sections 2, 3, 4, 5, 6, and 7 to an act entitled "An act providing for the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof," relating to the number and compensation of officers and attaches of the municipal court embracing the City of Fresno.

Referred to Committee on Judiciary

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 7, 1952

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

Senate Concurrent Resolution No. 8
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. 8—Relative to the Joint Fact-Finding Committee on the State Highway System and on Major Highways in Metropolitan Areas.

Referred to Committee on Rules

Senate Concurrent Resolution No. 14—Relative to augmenting the funds of the Joint Committee on Water Problems

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 6, 1952

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

Senate Concurrent Resolution No. 7

Senate Concurrent Resolution No. 12

Senate Concurrent Resolution No. 13

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. 7—Relative to the availability of California wines in the provinces of Quebec and Ontario of the Dominion of Canada.

Referred to Committee on Rules

Senate Concurrent Resolution No. 12—Relative to publicizing the fact that servicemen must request an absentee ballot to vote in the general election

Referred to Committee on Rules

Senate Concurrent Resolution No. 13—Relative to Judge Matthew F. Brady

Referred to Committee on Rules

SPEAKER SAM L. COLLINS INTRODUCES MR. LEROY E. LYON

Speaker Sam L. Collins introduced to the Assembly Mr. LeRoy E. Lyon of Fullerton, Orange County, who was successfully elected in the primary campaign by both major parties to the Assembly seat being vacated by the Speaker, who did not seek re-election to the Assembly.

COMMUNICATIONS

By the Chief Clerk:

A communication from O. E. Hupp of Long Beach, urging conservation of the taxpayers' money, was received, and ordered referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Senate Bill No. 3

Senate Bill No. 4

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 3—An act to add Section 3025 1 to the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on August 6, 1952, strike out "add Section 3025 1 to", and insert "amend Sections 3025 and 3084 1 of".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 4—An act add Sections 3420.1 and 3472 1 to the Welfare and Institutions Code, relating to aid to partially self supporting blind residents, making an appropriation therefor, and 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 Ways and Means

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on August 6, 1952, strike out "add Sections 3420 1 and 3472 1 to", and insert "amend Section 3420 of and add Section 3472 1 to".

Amendment No. 2

On page 3, line 18, of said bill, before "blind", insert "self-supporting"

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 6, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 35

Has had the same under consideration and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 35—An act making an appropriation to be apportioned to school districts pursuant to Chapter 16 of Division 3 of the Education Code for the replacement and repair of school buildings damaged by earthquakes, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means

Amendment No. 1

On page 1, line 2 of the printed bill, strike out "-----dollars (\$-----)", and insert "ten million dollars (\$10,000,000)"

Amendment No. 2

On page 1, line 4, of said bill, strike out "damaged by earthquakes", and insert "and necessary facilities appurtenant thereto damaged by any earthquake occurring subsequent to July 1, 1952"

Amendment No. 3

On page 1 of said bill, strike out lines 17 and 18, and insert "acceptance, expenditure, and repayment of an apportionment"

Prior to making any apportionment under this act, the State Allocation Board shall secure from the Division of Architecture of the Department of Public Works, a report showing the urgency of the work of replacement or repair for which an application has been filed. The report shall not be conclusive upon the State Allocation Board, but shall be advisory only."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred

Assembly Bill No. 43

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

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 43—An act relating to the acquisition of properties for state highway purposes, and making an appropriation therefor.

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 4, of the printed bill, after "properties", insert "to constitute rights of way".

Amendment read, and adopted

Bill ordered reprinted, and engrossed

REPORTS OF STANDING COMMITTEES**Committee on Judiciary**

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER Your Committee on Judiciary, to which were referred

Assembly Bill No. 41

Assembly Bill No. 44

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. 41—An act to amend Section 1 of an act entitled “An act providing for the constitution of municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof,” approved June 22, 1951, relating to municipal courts in districts in Santa Cruz County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 44—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, and ordered engrossed

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 24

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

SHERWIN, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 24—An act to amend Section 2160 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert “, and declaring the urgency thereof, to take effect immediately.”

Amendment No. 2

On page 2 of said bill, after line 49, insert

“Sec. 2 This act shall become operative on October 1, 1952.

SEC. 3 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

During recent months rapidly rising prices and monetary inflation have made the maximum amounts of public assistance payable to recipients thereof increasingly inadequate for their reasonable needs, resulting in widespread hardship and suffering among such recipients. By the Social Security Act Amendments of 1952 the Congress of the United States has made additional federal assistance available to this State for aid to the needy aged for a two-year period commencing October 1, 1952, but state legislation is necessary to make the additional federal money available to the individual recipients. In order to make the additional federal money available to recipients of aid to the aged in this State who are in private institutions as soon as it becomes available to this State, and so to relieve their hardship and suffering, it is necessary that this act take effect immediately.”

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER. Your Committee on Ways and Means, to which were referred

Senate Bill No. 1

Senate Bill No. 2

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 SENATE BILLS (BY UNANIMOUS CONSENT)**Senate Bill No. 1**—An act to add Sections 2020 001 and 2025 1 to the Welfare and Institutions Code, relating to aid to the aged, providing for payment to recipients thereof of additional sums contributed by the United States under the Social Security Act amendments of 1952, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

Senate Bill No. 2—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 7, 1952

MR. SPEAKER. Your Committee on Legislative Procedure has examined**Assembly Concurrent Resolution No. 2**—Relative to the death of the Honorable Lester T. Davis;**Assembly Concurrent Resolution No. 3**—Relative to the death of the Honorable C. Don Field.**Assembly Concurrent Resolution No. 5**—Relative to eulogizing Frederick M. Roberts,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of August, 1952, at 4 p. m.

BURKE, Chairman

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

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

Assembly Bill No. 46: By Mr. Elliott—An act to add Section 145 to the Welfare and Institutions Code, relating to public assistance, to provide for increase of assistance payments upon increase in costs of living

Referred to Committee on Social Welfare.

Assembly Bill No. 47: By Messrs. Shaw and Cloyd—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Referred to Committee on Ways and Means

Assembly Bill No. 48: By Messrs Shaw and Cloyed—An act to add Section 36 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a post-war 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 June 15, 1952, and before the effective date of this act.

Referred to Committee on Ways and Means

Assembly Concurrent Resolution No. 18: By Messrs Shaw and Cloyed—Relative to requesting the Governor to broaden the Proclamation calling this extraordinary session

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gubser asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

Assembly Concurrent Resolution No. 13—Relative to approving amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the fifth day of May, 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, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lapscomb, Luckel, Lyon, McCarthy, McColister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60

NOES—None

Resolution ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 1 FROM COMMITTEE

Mr. Burkhalter gave notice that on the second legislative day he would move to withdraw Assembly Joint Resolution No. 1 from the Committee on Rules, and have it placed upon the file

ANNOUNCEMENT OF COMMITTEE MEETING

It was announced that the following committee would hold a meeting

Tomorrow, Friday, August 8th, At 9 30 a m

Interstate Cooperation Commission, in Office of Lieutenant Governor.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Jane Taylor and Frank Chambers of San Francisco

On request of Speaker Collins and Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Lee Easterly, LuAnn Easterly, and Alberta Easterly of Orange

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Chet James, Jess Stockton, Kit Nelson, and John Compton of Bakersfield

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R. C. Bown (Virginia Hartong) of St. Louis, Missouri

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Anthony Feninger of Yonkers, New York

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Theodore Dolan, Louis Lang, and Dan Quinlan of San Francisco

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to Heinrich Meid of Dusseldorf, Director of Youth Activities for the largest West German state, North Rhine Westphalia; and Alexander Roesell of Washington, D. C., of the United States State Department

On request of Mr. Hollibaugh and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Leonard Roach of Los Angeles

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pat Thomas of Sacramento.

ADJOURNMENT

At 4 20 p m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a m., Friday, August 8, 1952

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, August 8, 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, Biady, Brown, Buike, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMullan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—73.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev. Raymond A. Graber:

Gracious God:

In Thee is the fullness of light and love and power

Our efforts are often bent in taking upon ourselves the fullness of all these things. So at the beginning of each new day we would turn our thoughts to Thee in order that we may not usurp the Divine authority.

In these quiet moments Thou art revealed as being kindly and gracious toward us. We see Thy quiet majesty in the starry sky, Thy glory in the radiant dawn and Thy creative power in the hearts and minds of courageous men.

Thou hast destined every one of Thy children to become according to Thy image in whatsoever capacity they serve. Therefore, take the many talents represented here and use them to Thy name's honor and glory—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Hinckley, 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. Levering

Mrs. Nichouse, on motion of Mr. Levering

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

Mr. Rumford, on motion of Mr. Dills

Mr. Tomlinson, on motion of Mr. Dills

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Rosenthal, on motion of Mr. Dills

COMMUNICATIONS

By Speaker Sam L. Collins

A telegram from the Mariposa County Farm Bureau, relative to the school building program, was received, and ordered referred to the Committee on Education

By the Chief Clerk.

A communication from B. D. Diaz of Brawley, relative to the teaching of religion in the American schools, was received, and ordered referred to the Committee on Education

ANNOUNCEMENTS

Speaker Sam L. Collins announced that the United Airlines will take reservations for the members who desire to fly to Los Angeles tonight on the Legislative Special plane, that it will be determined by noon if the work can be concluded by working through this weekend or whether it will be necessary to recess and reconvene on Monday; and that said plane is scheduled to leave Sacramento at 5 25 p. m., today, and to arrive in Los Angeles at 7.45 p. m.

Speaker Collins further announced that in the event the Legislative Special does fly to Los Angeles today, it will leave for the return flight from the International Airport in Los Angeles on Sunday, August 10, at 5 25 p. m., and will arrive in Sacramento at 7.45 p. m.

Speaker Sam L. Collins announced that the meeting of the Disaster Council, scheduled for today, at 2 30 p. m., has been postponed until Monday, August 11, at 2 30 p. m.

RESOLUTIONS

The following resolution was offered:

By Messrs. Smith, Lyon, Maloney, Hollibaugh, Waters, Gaffney, McCarthy, Berry, Babbage, Brady, Beck, Chapel, Belotti, Cloyed, Fleury, Grant, Moss, Conrad, Lanterman, Kloeksiem, Levering, Hahn,

Burke, Morris, Connolly, Stewart, Geddes, McGee, Evans, Lipscomb, Shaw, and Dolwig:

House Resolution No. 29

Relating to a study of metropolitan transportation by the Institute of Transportation and Traffic Engineering of the University of California

WHEREAS, The economic health of our metropolitan areas is increasingly dependent upon the provision of efficient transportation which is not now available in any of the metropolitan areas of the State; and

WHEREAS, In addition to the engineering studies and analyses of deficiencies in the existing highway, road and street systems which have been and are being made for interim committees of this Legislature, which studies are of vital importance in themselves, it is imperative that such street and highway systems be studied in relation to a planned system of transportation on an area basis in the metropolitan areas; and

WHEREAS, The enormous cost of providing adequate modern street and highway transportation in metropolitan areas requires consideration of complementary and alternative systems of transportation with particular reference to mass transit to provide assurance that maximum efficiency be achieved in the transportation system at minimum cost; and

WHEREAS, The urban transportation problem is highly complex and not generally understood, involving as it does not only travel by private automobile and transportation by truck, but also bus routes, streetcar and rapid transit systems and terminal facilities (parking), whether at the curb, parking lot or truck, bus and rail terminals; and

WHEREAS, Any real attack on the metropolitan transportation problem will require and must be based upon comprehensive, factual studies of broad scope; and

WHEREAS, There is now no accepted pattern for a study of the urban metropolitan problem on a broad basis and some of the techniques of study have not yet even been devised; and

WHEREAS, Prior to undertaking such a comprehensive study in or for metropolitan areas it is important and necessary that attention should first be given to a determination of the form, nature and scope of studies that would yield the information required for a sound solution of the transportation problem; now, therefore, be it

Resolved by the Assembly of the State of California That the Institute of Transportation and Traffic Engineering of the University of California be, and it is hereby requested to prepare and submit to the Assembly on or before March 15, 1953, a prospectus for a study of the metropolitan transportation problem outlining in detail the factors to be considered in any solution of the transportation problem in metropolitan areas, indicating the kinds of information necessary to provide a factual consideration of the problem and suggesting the nature and scope of a comprehensive study of transportation for metropolitan areas on a state-wide basis, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Director of the Institute of Transportation and Traffic Engineering of the University of California

Resolution read, and ordered referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER Your Committee on Rules, to which were referred—

Assembly Concurrent Resolution No 15

Assembly Concurrent Resolution No 16

Assembly Concurrent Resolution No 17

Assembly Concurrent Resolution No 18

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.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined—

Assembly Bill No 24

Assembly Bill No. 43

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER. Your Committee on Legislative Procedure has examined
Assembly Bill No. 38
Assembly Bill No. 41
Assembly Bill No. 44

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No 16

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No 35

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading, and to be re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No 17
Assembly Concurrent Resolution No 18

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 11—Relative to the passing of the Honorable Matthew Brady;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighth day of August, 1952, at 10 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No 15

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER Your Committee on Rules, to which was referred

House Resolution No 27

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, August 8, 1952

MR SPEAKER Your Committee on Rules, to which was referred
House Resolution No 29

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, August 8, 1952

MR SPEAKER Your Committee on Rules, to which were referred

Senate Concurrent Resolution No 15

Senate Concurrent 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 resolutions ordered on file for adoption

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 7, 1952

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No 9

Assembly Concurrent Resolution No 13

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 7, 1952

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No 15

Senate Concurrent Resolution No 16

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read.

Senate Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the City of Santa Rosa, a municipal corporation of the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election consolidated with the state-wide election held therein on the eighth day of April, 1952

Referred to Committee on Rules

Senate Concurrent Resolution No. 16—Relative to congratulating the First A M E Zion Church in San Francisco upon its 100th Anniversary

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF
LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Hagen asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to earthquake damage, 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, August 7, 1952

Honorable Harlan Hagen
Assembly Chamber

Earthquake Damage—No 2404

DEAR MR. HAGEN: You have asked whether legislation providing for a grant of money by the State to a city for construction or reconstruction of public buildings and facilities damaged or destroyed by earthquake would be constitutional.

In our opinion such legislation would be constitutional.

The only provisions of the Constitution which might be violated by a bill of the type mentioned are Section 25 of Article IV, which prohibits special legislation, and Section 31 of Article IV, which prohibits gifts of public funds.

As to Section 25 of Article IV, it is well established that this provision does not deprive the Legislature of the power to pass all special acts, but merely forbids special laws in cases where a general law can be made applicable. The Legislature may adapt legislation to an existing situation. *People vs. Western Fruit Growers*, 22 Cal. 2d 494. Any legislative enactment which is designed to operate upon a particular class which, in its specifications, presents a genuine or constitutional differentiation from other classes, either individual or considered as a whole, is not unconstitutional under this provision. *In re Lake*, 89 Cal. App. 390.

It appears to us that the only classification made by a bill such as mentioned in your question is the classification of cities whose public buildings and facilities have been damaged by earthquake. We believe this is a valid classification, particularly in view of the fact that the State obviously has an interest in preventing a serious breakdown of the functioning of local governments in earthquake areas.

Furthermore, because of the State's interest, just mentioned, we do not believe legislation of the type involved in your question would violate the constitutional provision prohibiting gifts of public funds. In determining whether or not a particular statute is to be deemed a gift within the meaning of Section 31 of Article IV, the primary subject of inquiry is whether the money is to be used for a public or a private purpose. If it is for a public purpose, it is not, generally speaking, to be regarded as a gift. *City of Oakland vs. Garrison*, 194 Cal. 298. Since, as mentioned above, the State has a vital interest in preventing a complete breakdown of local government threatened because of earthquake damage, it appears clear that such an appropriation would be one for a public

purpose and would not violate Section 31 of Article IV of the Constitution

Very truly yours,

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time

Assembly Bill No. 49: By Mr Kelly—An act to provide for the allocation of state funds to cities for the restoration, repair, and reconstruction of sewage facilities damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Ways and Means

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 49

Mr Kelly asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No 49

RESOLUTIONS

The following resolution was offered

By Messrs Burkhalter and Thomas

House Resolution No. 30

Relating to the investigation by the Public Utilities Commission of the safety of passenger-carrying vehicles on the streets and highways of the State

WHEREAS, On August 4, 1952, the newspapers throughout the Country carried shocking accounts of the worst two-bus collision in the Nation's history, in which 29 persons were killed and many others were injured; and

WHEREAS The accounts of the crash reveal that the safety doors of the buses were not in proper working order, and that the windows were too small to provide an exit for the terror-stricken passengers, and

WHEREAS, The lack of an adequate ventilation system added to the panic and confusion of those trapped within the buses; and

WHEREAS, It is urgently desired to prevent such tragedies from occurring on the streets and highways of the State, now, therefore, be it

Resolved by the Assembly of the State of California, That the Public Utilities Commission be urged to investigate the condition of all passenger-carrying vehicles operating within this State with a view to insuring the safety of all who ride thereon

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 8, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No 3

Assembly Bill No 4

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, August 8 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 22

Senate Bill No. 23

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. 22—An act making an appropriation for the mileage of Members and Officers of the Senate, to take effect immediately

Referred to Committee on Rules

Senate Bill No. 23—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1952 Second Extraordinary Session of the Legislature, to take effect immediately.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

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 resolution was read.

Senate Concurrent Resolution No. 3—Relative to cooperation by state with federal and local agencies in the construction of a scale model of San Francisco Bay

Referred to Committee on Rules

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT
RESOLUTION NO. 1 FROM COMMITTEE WITHDRAWN**

Mr. Burkhalter withdrew his notice of motion to withdraw Assembly Joint Resolution No. 1 from the Committee on Rules

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 4—Relative to the death of the Honorable Robert B. Fry.

Resolution read, and adopted unanimously by a rising vote

Resolution ordered transmitted to the Senate

Assembly Bill No. 39—An act to amend Section 1 of an act entitled "An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof," approved July 16, 1951, relating to municipal courts in districts in Riverside County.

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, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Landsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 10 20 a m , Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 18—An act to call a special election to be consolidated with the General Election of 1952 and to provide for the submission to the electors of the State at such consolidated election ----- Constitutional Amendment No. ----- of the 1952 Second Extraordinary Session, to take effect immediately.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Landsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Assembly Bill No. 18

Mr Morris asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No 18, and that he be recorded as voting, "Aye "

Speaker Presiding

At 10 30 a m , Hon. Sam L. Collins, Speaker of the Assembly, presiding

Assembly Bill No. 38—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

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, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Landsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Shaw asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 18, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

Assembly Concurrent Resolution No. 18—Relative to requesting the Governor to broaden the Proclamation calling this extraordinary session.

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, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—72

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 16, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16

Assembly Concurrent Resolution No. 16—Relative to approving certain amendments to the charter of the City of San Leandro, County of Alameda, State of California, voted for and ratified by the electors of said City of San Leandro at a general municipal election held therein on the eighth day of April, 1952.

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, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McMillan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 17

Assembly Concurrent Resolution No. 17—Relative to approving certain amendments to the charter of the city of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said city of Culver City at a general municipal election held therein on the eighth day of April, 1952

Resolution read.

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

AYLS—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Landsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 14—Relative to congratulating Cy Young upon his record-breaking Olympic Games victory.

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, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Landsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67

NORS—None

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 12—Relative to the Honorable E. Val Latham

Resolution read, and adopted unanimously by a rising vote

Resolution ordered transmitted to the Senate

RE-REFERENCE OF RESOLUTION

By order of the Speaker, the following House resolution was withdrawn from the file, and re-referred as follows

House Resolution No. 26 re-referred to Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 24—An act to amend Section 2160 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Lincoln, Landsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 43—An act relating to the acquisition of properties for state highway purposes, and making an appropriation therefor.

Bill read third time

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Porter, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59

NOES—Beck, Brady, Coats, George D. Collins, Henderson, Lowrey, Munnell, and Parker—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 41—An act to amend Section 1 of an act entitled “An act providing for the constitution of municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof,” approved June 22, 1951, relating to municipal courts in districts in Santa Cruz County

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, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 44—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—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered

By Mr. Dolwig

Resolved, That Senate Bill No. 22 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 22

Senate Bill No. 22—An act making an appropriation for the mileage of Members and Officers of the Senate, to take effect immediately.

Bill read second time.

Senate Bill No. 22—An act making an appropriation for the mileage of Members and Officers of the Senate, to take effect immediately

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, Clarke, Cloved, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 23 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 23

Senate Bill No. 23—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1952 Second Extraordinary Session of the Legislature, to take effect immediately.

Bill read second time.

Senate Bill No. 23—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1952 Second 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, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 1—An act to add Sections 2020 001 and 2025.1 to the Welfare and Institutions Code, relating to aid to the aged, providing for payment to recipients thereof of additional sums contributed by the United States under the Social Security Act amendments of 1952, 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, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Waters, and Mr Speaker—67

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Waters, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 3—An act to add Section 3025 1 to the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, 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, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, and Waters—69

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, 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, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, and Waters—69

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 4—An act to add Sections 3420 1 and 3472 1 to the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents making an appropriation therefor, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, 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, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—69

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, 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, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—69

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 2—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, 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, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—69.

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, 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, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—69.

NOES—None

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 7—Relative to the availability of California wines in the Provinces of Quebec and Ontario of the Dominion of Canada

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—65.
NOES—None

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 8—Relative to the Joint Fact-Finding Committee on the State Highway System and on Major Highways in Metropolitan Areas.

Resolution read.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—63.

NOES—McCarthy—1

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 12—Relative to publicizing the fact that servicemen must request an absentee ballot to vote in the general election

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—65
NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 13—Relative to Judge Matthew F. Brady.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—65
NOES—None

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 14—Relative to augmenting the funds of the Joint Committee on Water Problems

Resolution read

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McColister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—64
 NOLDS—None.

Resolution ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By Messrs. Hagen, Moss, Henderson, and Lowrey

House Resolution No. 31

Relative to the Ivanhoe case

WHEREAS, The Tulare County Superior Court, on July 31, 1952, filed a Memorandum of Decision and Order for Findings in *The Ivanhoe Irrigation District vs. All Parties, etc.*, brought to determine the validity of a contract for the delivery of water by the United States from the Central Valley Project to the Ivanhoe Irrigation District; and

WHEREAS, The action involved many issues, including certain provisions of the contract between the district and the Federal Government and the impact of state and federal laws upon such contract and a possible issue of the constitutionality of federal law with respect to the State and Federal Constitutions; and

WHEREAS, This Memorandum Decision and the decisions of other inferior courts of the State of California have raised the issue of whether or not 9-E contracts required by the Bureau of Reclamation, purportedly under the requirement of federal law, can be validly entered into; and

WHEREAS, The delivery of water to a large portion of the service area of the Central Valley Project and possible future federal developments depend upon the execution of valid contracts between the government and the public agencies representing the water users; and

WHEREAS, No conclusive opinion upon the validity of such contracts can be had without the decision of the appellate court of last resort; and

WHEREAS, Such situation seriously jeopardizes the water development of California until such issues are determined and appropriate changes made either in state or federal law, if necessary, now, therefore, be it

Resolved by the Assembly of the State of California, That the Attorney General of the State of California, the Water Project Authority of the State of California and the State Engineer of the State of California, and all other persons interested and qualified are urged to diligently prosecute an appeal of the decision in the *Ivanhoe Irrigation District vs. All Parties, etc.*, to the end that the impasse presently existing with respect to the so-called 9-E contract and the relations of the Federal Government and the affected water users of the State of California be determined by the appropriate court of final appeal at the earliest possible date, and, be it further

Resolved, That all parties to such case expedite the securing of a final judgment by the Superior Court of Tulare County, in order that said appellate determination may be had without delay; and, be it further

Resolved, That, in the event such appeal will not be determinative of all issues with respect to the validity of such 9-E contracts, appropriate action be instituted to determine such validity, and, be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Ivanhoe Irrigation District and to the Attorney General, the Water Project Authority, the State Engineer, Messrs. Harry W. Horton, Reginald L. Knox, Jr., and William R. Bailey

Resolution read, and ordered referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

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

Senate Bill No. 22

Senate Bill No. 23

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

SAM L. COLLINS, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

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

House Resolution No. 23

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.

**REQUEST FOR UNANIMOUS CONSENT TO HOLD
COMMITTEE MEETING**

Mr. Connolly asked for unanimous consent that he be permitted to hold a meeting of the Committee on Public Health at his desk, upon recess, for the purpose of considering Assembly Bill No. 41.

Mr. Coats withheld unanimous consent.

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

At 2 30 p. m.—

Revenue and Taxation in Room 3184

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

The following resolution was offered

Assembly Joint Resolution No. 3: By Messrs. Henderson, Hagen, Dills, and Burkhalter—Relative to requesting the Federal Communications Commission to expedite the licensing of television stations in California

Referred to Committee on Rules.

RECESS

At 11 56 a. m., on motion of Mr. McCollister the Assembly recessed until 3 30 p. m.

REASSEMBLED

At 3 30 p. m., the Assembly reconvened

Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnibus at the desk.

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

The following resolutions were offered.

Assembly Concurrent Resolution No. 19: By Mr. Grant—Relative to the passing of Aubrey A. Douglass

Referred to Committee on Rules

Assembly Concurrent Resolution No. 20: By Mr. Belotti—Relative to the passing of Arthur W. Hill, Sr

Request for Unanimous Consent

Mr Belotti asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20. at this time, without reference to committee, print, or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 20

Assembly Concurrent Resolution No. 20—Relative to the passing of Arthur H. Hill, Sr

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 bill was introduced, and read the first time:

Assembly Bill No. 50: By Mr. Dunn—An act to add Chapter 20 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 administration 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

Referred to Committee on Finance and Insurance

RESOLUTIONS

The following resolution was offered:

By Mr. Thomas

House Resolution No. 32

Relative to studies and surveys with respect to the construction of a tube or tunnel between San Pedro and Terminal Island

WHEREAS, At the present time the only means of transportation between San Pedro and Terminal Island is a public ferry, which situation has resulted in serious traffic congestion in this area for many years; and

WHEREAS, The tremendous growth of shipbuilding activities on Terminal Island, the importance of this entire area as a harbor for the City of Los Angeles, and the presence in San Pedro of a military reservation necessitate a solution to this problem; and

WHEREAS, For a number of years various groups and local agencies in this area have made studies and surveys with respect to the possible construction of a tube or tunnel between San Pedro and Terminal Island, and the City Engineer of the City of Los Angeles, on July 2, 1952, published a report with respect to the construction of such a tunnel or tube, and

WHEREAS, It is imperative that an appropriate state agency gather and assimilate all of the studies and reports which have been made on this subject, make any other necessary studies on its own behalf, and report to the Legislature upon the feasibility of the construction of such a tube or tunnel and upon the advisability and means of state participation in the construction of such a tube or tunnel; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Toll Bridge Authority, acting through the Department of Public Works, be requested to analyze and review the existing studies and surveys made with respect to the construction of a tube or tunnel between San Pedro and Terminal Island and make any other necessary studies and surveys which it deems necessary or advisable, and to report to the Legislature, upon the convening of the 1953 Session of the Legislature, the results of its review and studies and its recommendations as to the construction of such a tube or tunnel and as to the State's participation in said construction, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Chairman of the California Toll Bridge Authority and to the Director of Public Works

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

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred

Senate Bill No. 7

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

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 7—An act to add Section 29120.5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER Your Committee on Revenue and Taxation, to which were referred

Senate Bill No. 5

Senate Bill No. 12

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

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 5—An act to add Section 155.6 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, 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 Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on August 6, 1952, strike out "taxpayer", and insert "person"

Amendment No. 2

On page 1, line 6, of said bill, strike out "property", and insert "taxable property which property was"

Amendment No. 3

On page 1, line 8, of said bill, after "make", insert "application for reassessment of such property"

Amendment No. 4

On page 1, line 9, of said bill, strike out "statement under oath", and insert "written statement under oath, accompanied by a certificate of a disinterested competent person or authority".

Amendment No. 5

On page 1, line 10, of said bill, after "destruction", insert ", which damage must be shown therein to be in excess of five hundred dollars (\$500)".

Amendment No. 6

On page 1, line 14, of said bill, strike out the first "and", and insert "or"

Amendment No. 7

On page 1, line 14, of said bill, after "the", insert "assessor, if he reassesses the property shall transmit to the board a description of the property so reassessed, the name of the person making the application in connection with the property, and the value of the property as so reassessed. Upon such notice as it may find to be proper, the"

Amendment No. 8

On page 1 of said bill, strike out lines 16 and 17; and in line 18, strike out "purpose", and insert "The tax rate fixed for property on the roll on which the property so assessed appears or the property so reassessed appeared at the time of its original assessment"

Amendments read, and adopted

Bill ordered reprinted, and to third reading

Senate Bill No. 12—An act to add Section 43005 to the Government Code, relating to taxes levied by cities, 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 Revenue and Taxation:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "taxpayer" and insert "person"

Amendment No. 2

On page 1, line 7, of said bill, strike out "property", and insert "taxable property, which property was"

Amendment No. 3

On page 1, line 9, of said bill, after "make", insert "application for the reassessment of such property"

Amendment No. 4

On page 1, line 10, of said bill, strike out "statement under oath", and insert "written statement under oath accompanied by a certificate of a disinterested competent person or authority"

Amendment No. 5

On page 1, line 12 of said bill, after "destruction", insert ", which damage must be shown thereon to be in excess of five hundred dollars (\$500)."

Amendment No. 6

On page 1, line 14, of said bill, strike out "such condition and value", and insert "the condition and value immediately after the damage or destruction"

Amendment No. 7

On page 1, line 14, of said bill, after the second "and", insert "upon such notice as it may find to be proper"

Amendment No. 8

On page 1, line 17, of said bill, strike out "if the tax for the current fiscal", strike out line 18, and in line 19, strike out "period, the tax rate fixed for that purpose", and insert "the tax rate fixed for property on the roll on which the property so assessed appears or the property so reassessed appeared at the time of its original assessment"

Amendments read, and adopted

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT

Mr Smith asked for, and was granted, unanimous consent to take up House Resolution No 29, at this time, without reference to committee or file

CONSIDERATION OF HOUSE RESOLUTION NO. 29

By Messrs Smith, Lyon, Maloney, Hollibaugh, Waters, Gaffney, McCarthy, Berry, Babbage, Brady, Beck, Chapel, Belotti, Cloyd, Fleury, Grant, Moss, Conrad, Lanterman, Klockslem, Levering, Hahn, Burke, Morris, Connolly, Stewart, Geddes, McGee, Evans, Lipscomb, Shaw, and Dolwig

House Resolution No. 29

Relating to a study of metropolitan transportation by the Institute of Transportation and Traffic Engineering of the University of California

WHEREAS, The economic health of our metropolitan areas is increasingly dependent upon the provision of efficient transportation which is not now available in any of the metropolitan areas of the State; and

WHEREAS, In addition to the engineering studies and analyses of deficiencies in the existing highway, road and street systems which have been and are being made for interim committees of this Legislature, which studies are of vital importance in themselves, it is imperative that such street and highway systems be studied in relation to a planned system of transportation on an area basis in the metropolitan areas, and

WHEREAS, The enormous cost of providing adequate modern street and highway transportation in metropolitan areas requires consideration of complementary and alternative systems of transportation with particular reference to mass transit to provide assurance that maximum efficiency be achieved in the transportation system at minimum cost; and

WHEREAS, The urban transportation problem is highly complex and not generally understood, involving as it does not only travel by private automobile and transportation by truck, but also bus routes, streetcar and rapid transit systems and terminal facilities (parking), whether at the curb, parking lot or truck, bus and rail terminals, and

WHEREAS, Any real attack on the metropolitan transportation problem will require and must be based upon comprehensive, factual studies of broad scope, and

WHEREAS, There is now no accepted pattern for a study of the urban metropolitan problem on a broad basis and some of the techniques of study have not yet even been devised, and

WHEREAS, Prior to undertaking such a comprehensive study in or for metropolitan areas it is important and necessary that attention should first be given to a determination of the form, nature and scope of studies that would yield the information required for a sound solution of the transportation problem, now, therefore, be it

Resolved by the Assembly of the State of California, That the Institute of Transportation and Traffic Engineering of the University of California be, and it is hereby requested to prepare and submit to the Assembly on or before March 15, 1953 a prospectus for a study of the metropolitan transportation problem, outlining in detail the factors to be considered in any solution of the transportation problem in metropolitan areas, indicating the kinds of information necessary to provide a factual consideration of the problem and suggesting the nature and scope of a comprehensive study of transportation for metropolitan areas on a state-wide basis, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Director of the Institute of Transportation and Traffic Engineering of the University of California

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT

Mr McMillan asked for, and was granted, unanimous consent to take up House Resolution No 23, at this time, without reference to committee or file

CONSIDERATION OF HOUSE RESOLUTION NO. 23

By Mr McMillan.

House Resolution No. 23

Relative to commending the officers of the California Safety Council

WHEREAS, The California Safety Council, a state-wide, nonprofit citizens volunteer organization for traffic accident prevention, has been in existence since 1935; and

WHEREAS, The council has, during its entire existence, given freely of its time and experience for the benefit of the citizens of this State for the purpose of eliminating traffic accidents, and

WHEREAS, It has fostered a program of safety on the highways and has initiated and supported legislation for driver education in the high schools of the State and has fought to arouse public opinion in the support of traffic safety programs, and

WHEREAS, It has worked closely with educational authorities, parent-teacher associations, women's clubs, chambers of commerce, and service clubs, and has released valuable printed material in support of the precepts which it advocates, and has been the instigator of awards for the best records of life saving and accident prevention, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate and commend the many civic-minded and public-spirited individuals who have served devotedly and unselfishly in the cause of traffic safety by association with the California Safety Council, including the following incumbent officials of the council: Edwin L. Carv of Oxnard, President, Vice Presidents Robert Gordon Sproul, O. L. Gray, George A. Scott, Judge Daniel R. Shoemaker, Harry R. Baker, James D. Grant, George Hoberg, Henry W. Robinson, George Worster and Charles C. Reed, and Aaron Riche, Secretary-Treasurer, and be it further

Resolved, That copies of this resolution be forwarded to the above named officials of the California Safety Council

Resolution read, and adopted

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Assembly Bill No. 47

Assembly Bill No. 48

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 bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 47—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means

Amendment No. 1

In the title of the printed bill, strike out line 3, and insert "making an appropriation therefor, and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, after line 25, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The newly incorporated cities which will be benefited by this act are in urgent need of public health and sanitation facilities. In order that such facilities may be provided at the earliest possible time and thus lessen any possible threat to the public health and safety of the people of the State and in furtherance of the purpose of the act amended hereby it is necessary that this act take effect immediately."

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 48—An act to add Section 36 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 compris-

ing 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 June 15, 1952, and before the effective date of this act.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 9 of the title of the printed bill, strike out "and", and insert a comma

Amendment No. 2

In line 11 of the title of said bill, strike out the period, and insert " , and declaring the urgency thereof, to take effect immediately "

Amendment No. 3

On page 2, of said bill, after line 7, insert

"Sec 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The newly incorporated cities which will be benefited by this act are in urgent need of public health and sanitation facilities. In order that such facilities may be provided at the earliest possible time and thus lessen any possible threat to the public health and safety of the people of the State and in furtherance of the purpose of the act amended hereby it is necessary that this act take effect immediately "

Amendments read, and adopted

Bill ordered reprinted, and engrossed

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 26

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 26—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means

Amendment No. 1

In the title of the printed bill, strike out lines 1, 2, 3, and 4, and insert

"An act making an appropriation for allocation to public agencies for the construction, reconstruction, or repair of hospitals and hospital facilities damaged or destroyed by earthquake, and declaring the urgency thereof "

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive, and on page 2, strike out lines 1 to 51, inclusive, and on page 3, strike out lines 1 to 13, inclusive, and insert

"SECTION 1 The sum of \$1,885,912 is appropriated from the General Fund for expenditure for construction, reconstruction, and repair of public hospitals and public hospital facilities damaged or destroyed by earthquake since July 1, 1952

The money hereby appropriated or so much thereof as may be necessary to repair or replace public hospitals or public hospital facilities damaged or destroyed by earthquake since July 1, 1952, or portions thereof, as determined by the Department of Finance and the Advisory Hospital Council, shall be expended in accordance with the "California Hospital Survey and Construction Act" as set forth in Chapter 3, Division 1, Part 1 of the Health and Safety Code except

(a) Sections 435.4 and 435.6 of said Chapter 3, Division 1, Part 1 of the Health and Safety Code shall not be applicable

(b) No review or approval of the Federal Government of plans, specifications, other construction or financial elements of the project are required

(c) The State shall contribute two-thirds of the cost of the project, and the public agency shall contribute one-third and there shall be no contribution by the Federal Government

SEC 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

The recent earthquakes in the southern part of the State have destroyed and damaged hospitals to such an extent that hospital facilities are no longer available to the residents of such areas It is necessary that hospital facilities be made immediately available to such persons in order that the public health may be protected

Amendments read, and adopted

Bill ordered reprinted, and engrossed

**REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT
BE PRINTED IN JOURNAL**

Mr Lyon asked for, and was granted, unanimous consent that a statement be ordered printed in the Journal, in 10 point type, as follows:

STATEMENT

There is proposed before this special session of the Legislature a constitutional amendment and supporting legislation which will provide for the construction of schoolhouses This proposal will affect districts such as Los Angeles, Pasadena, Glendale, Beverly Hills, Santa Monica, and other similar districts, only in that the voters of those districts will be called upon to pay the taxes from which the principal and interest of such bonds will be paid

The undersigned Members of the Assembly, nevertheless, gladly support the resolution proposing this constitutional amendment and the legislation implementing it, because in that way the voters of the State will be able to make their decision on the problem We give this support gladly because of our firm conviction that the children residing in those districts which will benefit, if the voters approve the issuance of bonds, are entitled to the same educational advantages possessed by those living in districts more fortunately situated or in which more equitable assessment practices are followed

In supporting these measures to place this issue before the people, however, we feel called upon to express our hope that the proceeds of any such bonds will be used to provide the greatest possible number of classrooms for the children in the areas affected We do not believe that this was done with the money provided by the former state school bond issue, and we do not think that the voters in the areas which share only

in the costs can be expected to continue to authorize bonds for the benefit of other areas unless they are convinced that the money is wisely spent

HERBERT R. KLOCKSIEM

HAROLD K. LEVERING

PAT MCGEE

FRANK LANTERMAN

CHARLES J. CONRAD

GLENARD P. LIPSCOMB

CHARLES W. LYON

JONATHAN J. HOLLIBAUGH

T. M. ERWIN

LAUGHLIN E. WATERS

A. I. STEWART

THOMAS J. DOYLE

H. ALLEN SMITH

MONTIVEL A. BURKE

JOHN L. E. COLLIER

JOHN W. EVANS

WM. S. GRANT

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

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

Assembly Bill No. 45

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 45—An act to amend Sections 28475, 28476, 28478, 28480, 28483, 28487, 28488, to repeal Section 28479 of and to add Sections 28478 5, 28479, 28488 5, 28489, and 28490 to the Health and Safety Code, relating to olive oil.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, strike out lines 41 to 51, inclusive, and on page 3, strike out lines 1 to 46 inclusive, and insert:

"Nothing in this section shall prohibit the blending of twenty-five percent (25%) pure olive oil with not more than seventy-five percent (75%) edible vegetable oils for re-sale and distribution in commerce, providing the following requirements are complied with:

(1) A license should be procured as provided under Section 28479

(2) "Blended salad oil" under the provisions of this section shall be defined as a mixture of not less than twenty-five percent (25%) pure olive oil with not more than seventy-five percent (75%) of one (1) or more edible vegetable oils.

(3) The use of edible tea seed oil is prohibited.

"Blended salad oil" under the provisions of this section shall bear a label stating thereon in substance:

BLENDING SALAD OIL

A MIXTURE OF NOT MORE THAN SEVENTY-FIVE PERCENT (75%) EDIBLE VEGETABLE OIL OR OILS AS THE CASE MAY BE, SUCH AS CORN OIL, SOYA BEAN OIL, COTTONSEED OIL, PEANUT OIL, SESAME SEED OIL, AND NOT LESS THAN TWENTY-FIVE PERCENT (25%) PURE OLIVE OIL.

PACKED BY JOHN DOE AND COMPANY

840 RIVER STREET

SAN FRANCISCO, CALIFORNIA

NET CONTENTS

CALIFORNIA LICENSE NO. -----

(4) The percentage of edible vegetable oils and the percentage of pure olive oil in the mixture shall be declared on the label.

(5) The edible vegetable oils used in the mixture shall be declared on the label by the common or usual name in order of their predominance.

(6) For containers of one (1) gallon or larger, the label shall state the above in one (1) inch letters of the same style and type on a uniform background and the name and street address of the producer, manufacturer, blender, or distributor and comply with the labeling sections of 26491, 26492, and 26495 of Chapter 3, Division 21, of the Health and Safety Code known as the California Pure Foods Act.

(7) For containers of one-half (½) gallon or smaller, the label shall state the above in the same size letters, style and type as the term "Blended Salad Oil" on a uniform background and the name and street address of the producer, manufacturer, blender, or distributor and comply with the labeling sections of 26491, 26492, 26495 of Chapter 3, Division 21, of the Health and Safety Code, known as the California Pure Foods Act.

(8) No labels of "Blended Salad Oil" shall bear any vignette (olives, or olive branches, or any design implying that it is an olive product), pictorial design or medals implying that it is an imported product. The label for "Blended Salad Oil" shall have imprinted thereon the license number issued under Section 28479 in one-half (½) inch letters to wit:

CALIFORNIA LICENSE NO. ----- ISSUED
UNDER SECTION 28479

(9) All labels which will be used by manufacturers, producers, blenders, or distributors shall be registered and approved by the State Department of Public Health prior to use and prior to the distribution of "Blended Salad Oil" in the State of California.

(10) "Blended Salad Oil" conforming to this section and manufactured without the State of California and imported into the State of California shall comply with the provisions of this section and Section 28479.

(11) It is unlawful to sell, give away, or possess unlabeled containers of "Blended Salad Oil" as provided in this section.

(12) The use of artificial color or flavor in the manufacture of "Blended Salad Oil" is prohibited as provided in this section.

(13) An invoice shall be given for each sale of "Blended Salad Oil" as defined in this section and said invoice shall have imprinted thereon the name of the seller, street address, city or town where located, and the name and street address of the purchaser, city or town, and the quantity of "Blended Salad Oil" sold and the size of the container, and the California license number as provided under Section 28479."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 35

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.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 35—An act making an appropriation to be apportioned to school districts pursuant to Chapter 16 of Division 3 of the Education Code for the replacement and repair of school buildings damaged by earthquakes, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in the Assembly on August 7, 1952, and insert:

"An act to add Section 7705.4 to the Education Code, relating to aid to school districts for the repair and replacement of school buildings"

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Section 7705 4 is added to the Education Code to read.

7705 4 In allocating funds under this chapter, the board shall give first priority to school districts for the replacement and repair of school buildings and necessary facilities appurtenant thereto damaged by any earthquake occurring subsequent to July 1, 1952. All of the provisions of this chapter apply to such districts except the provisions for the establishment of priorities."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 21, inclusive

Amendments read, and adopted

Bill ordered reprinted, and engrossed

**REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF
TRANSMITTAL AND REPORT BE PRINTED IN THE JOURNAL**

Mr Smith asked for, and was granted, unanimous consent that a letter of transmittal and Report of the Subcommittee on Sex Crimes of the Assembly Interim Committee on Judicial Systems and Judicial Processes be ordered printed in the Journal, in 10-point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, August 8, 1952

The Honorable Samuel L. Collins
Speaker of the Assembly
Sacramento, California

RE: SEX CRIMES

DEAR SPEAKER COLLINS: The Subcommittee on Sex Crimes of the Assembly Interim Committee on Judicial Systems and Judicial Processes is submitting herewith its report covering the activities of said committee since its inception, together with a review of the changes in the laws passed by the California Legislature during the First Extraordinary Session in 1952.

A summary of the material changes in the Sexual Psychopathy Act is included herein which, it is believed, will be of importance to public officials in the State of California, including judges, district attorneys, public defenders, and probation officers.

It is requested that this report be printed in the Journal and that 2,000 additional copies be printed as a separate document for distribution to the public officials in the State of California.

Respectfully submitted,

H. ALLEN SMITH, Chairman
Judiciary Subcommittee on Sex Crimes

**REPORT OF THE SUBCOMMITTEE ON SEX CRIMES
OF THE
ASSEMBLY INTERIM COMMITTEE ON
JUDICIAL SYSTEM AND JUDICIAL PROCESS**

MEMBERS OF THE COMMITTEE

H ALLEN SMITH, Chairman

RALPH M BROWN

JULIAN BECK

WILLIAM H. ROSENTHAL

STANLEY T TOMLINSON

Introduction

Prior hereto, the 1949 Regular Session of the Assembly, as well as the First Extraordinary Session of the State Legislature, created a Subcommittee on Sex Crimes of the Assembly Interim Committee on Judicial System and Judicial Processes. That committee submitted its preliminary report on March 8, 1950, which was followed by a final report in January, 1951.

The instant committee was subsequently created by the 1951 Assembly session, however, for all practical purposes, it has been a continuation of the previous committee for, with one exception, the same Assemblymen have been on each committee.

In March of 1952, this committee published its report entitled *Sexual Deviation Research*. The instant report contains a summary of the committee's activities since the 1951 Session, together with the changes in the laws, brought about as a result of this committee's study at the First Extraordinary Session of the California Legislature in 1952.

Many prominent individuals throughout the State of California have wholeheartedly cooperated with this committee. We wish to express our appreciation to the following individuals in particular: DR. KARL M. BOWMAN, Medical Superintendent, The Langley Porter Clinic, San Francisco; DR. E. H. CRAWFORD, Medical Deputy Director, Department of Mental Hygiene, Sacramento; HON. THOMAS J. CUNNINGHAM, Superior Court Judge, Los Angeles; OWEN K. KUNS, Legislative Counsel, Los Angeles; DR. A. R. MANGUS, Research Sociologist, The Langley Porter Clinic, San Francisco; A. EDWARD NICHOLS, Administrative Adviser, Department of Mental Hygiene, Sacramento; AUGUSTUS S. ROSE, Professor of Neurology, University of California at Los Angeles; ARTHUR H. SHERRY, Chief Assistant Attorney General, San Francisco; DR. GEORGE N. THOMPSON, Los Angeles; HON. L. N. TURRENTINE, Superior Court Judge, San Diego; DR. ROBERT E. WYERS, Superintendent and Medical Director of Norwalk State Hospital, Norwalk; DR. STAFFORD WARREN, Dean of the University of California at Los Angeles School of Medicine; HON. CHARLES W. FRICKE, Superior Court Judge, Los Angeles; HON. PHILIP H. RICHARDS, Superior Court Judge, Los Angeles.

Sexual Psychopathy Act

At the committee hearings in Los Angeles on December 3 and 4, 1951, some ten changes were suggested to the committee in connection with the Sexual Psychopathy Act.

These changes included:

First *That the court should not be compelled to set bail.* A recent appellate court decision held that the superior court must set bail for

the suspected sex psychopath even though he had been convicted of a misdemeanor before being sent to the superior court. This suggested change was made with the thought that if the individual is a serious sex offender he should not be extended the opportunity to bail until it is first determined if he is a sexual psychopath and should be confined for treatment. It was felt that by releasing him he might again prey upon society without the benefits of the act having had an opportunity to take effect. Certain objections were interposed due to constitutional rights of an individual to bail in all but a few specific instances.

Second *That judges should be permitted to send the defendant in aggravated cases to an appropriate institution without requiring the 90-day observation period followed by another hearing.* Under the law at the time of this hearing a superior court judge, finding the accused to be a sexual psychopath, must send him to an institution for a 90-day observation period. At the end of said period, a second hearing is held to determine whether the individual should be sentenced to an indeterminate period or released. It was suggested that it would release the burden on the mental institution and do away with the expense and time required for a second hearing if, in certain aggravated cases, the court were permitted to dispose of the same at the end of the first hearing. The medical profession objected to this procedure as placing too great a burden on the examining psychiatrist.

Third: *That the superintendent of the state hospital, after the observation period, be required to make a certification similar to the one required under Welfare and Institutions Code 5517.* The certification should state whether or not the observed is a menace to society so that the judge will then be better able to properly dispose of the case.

Fourth. *That in cases certified to the superior court from a municipal court, the judge of the municipal court should include his facts and findings.* The reason for this is that the superior court judge does not have the benefit of hearing the trial and is thus unfamiliar with the facts. He finds the defendant before him for the purpose of determining whether or not he is a sexual psychopath and under these circumstances, he should have all facts and conclusions to assist him. It was the consensus of opinion that this could best be done by the probation officer rather than requiring the municipal court judge to personally prepare the information. It was further agreed that a form of certification should be written into the law which the lower court judges could use if they so desired.

Fifth. *That the probation report should be sent to the superior court when a case is certified under the Sexual Psychopathy Act.* The reason for this is similar to that set forth under the fourth suggestion. Realizing that in all instances the defendant does not tell the truth to the psychiatrist during his examination, the further reason is that such a report would be of assistance to the psychiatrist in making his examination. In that regard, it was agreed that the probation officer should provide each psychiatrist with a copy of the probation report prior to the examination.

Sixth *That each psychiatrist should file a separate report after examining the defendant.* The reason for this is that when only one report is submitted to the court signed by both psychiatrists or all three, if three psychiatrists have been appointed, the judge is not certain that

each psychiatrist personally examined the defendant and if that is his own individual report. The medical profession has no objection to a separate report so long as the three psychiatrists can examine the individual together if they so desire and so long as the doctors are free to consult with each other relative to their findings and conclusions. The medical profession states that they have found that the best way for doctors to arrive at conclusions is through the conference method.

Seventh. That the Public Defender be permitted to defend the accused sexual psychopath. This is a civil action and it does not specifically provide that the public defender be permitted to appear in this type of case. The law covering commitment of mentally ill persons specifically permits the public defender to represent the accused. This change was agreed upon by all, keeping in mind, however, that all counties do not have a public defender and the wording should be such that a private attorney can likewise be appointed.

Eighth. That the district attorney should be given authority to represent the people at the sexual psychopathy hearing. The reason for this is the same as set forth under the seventh suggestion above.

Ninth. That a conviction of a crime should not be a condition precedent to a sexual psychopathy hearing. The reasons offered for this suggestion were that if the facts of the case showed that a crime had probably been committed or if the accused had a past record of sex offenses, a psychopathy hearing should be permitted without going through the process of a trial before hand. Arguments presented against this suggestion were that an individual is innocent until he is proved guilty and that provision for such a hearing before conviction might cause an individual to be confined who later was proved not guilty. It was pointed out, however, that this recommendation should only apply to persons having previously been convicted of a sex offense.

Tenth. That it should be made clear whether or not the Director of Mental Hygiene has veto power over recommendations made by the superintendent of the mental institution under Section 5517 of the Welfare and Institutions Code. As the section now reads it does not appear clear whether the Director of Mental Hygiene merely forwards the certification which was made by the superintendent of the institutions, whether he can add recommendations, or whether he can actually veto the superintendent's recommendations.

Changes in the Law As Made at the First Extraordinary Session, 1952

The Call of the First Extraordinary Session of the California Legislature, 1952, included sex offenses, and this committee submitted Assembly Bill No. 16 which incorporated those suggestions which had been unanimously agreed to by the committee as well as additional changes which appeared desirable to the committee. As a result, Assembly Bill No. 16 was approved by the Governor on April 17, 1952, and became law on July 2, 1952.

The text of Assembly Bill No. 16 incorporates the changes in the Sexual Psychopathy Act.

Assembly Bill No. 16**CHAPTER 24**

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.

[Approved by Governor April 17, 1952. Filed with Secretary of State April 19, 1952.]

The people of the State of California do enact as follows:

SECTION 1 Section 5500 5 is added to the Welfare and Institutions Code, to read

5500 5 This chapter shall not apply to any person sentenced to death. This chapter shall not apply to any person convicted of an offense the punishment for which may be death until after a sentence other than death has been imposed, at which time this chapter shall apply to such person and he may be certified to the superior court as provided in Section 5501.

SEC 2 Section 5501 of said code is amended to read:

5501 (a) When a person is convicted of any criminal offense, whether or not a sex offense, the trial judge, on his own motion, or on motion of the prosecuting attorney, or on application by affidavit by or on behalf of the defendant, if it appears to the satisfaction of the court that there is probable cause for believing such person is a sexual psychopath within the meaning of this chapter, may adjourn the proceeding or suspend the sentence, as the case may be, and may certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter. Conviction upon a charge of violation of Section 290 of the Penal Code by failure to register as required thereby is conviction of a criminal offense within the meaning of this subdivision.

(b) When a person is convicted of a sex offense involving a child under 14 years of age and it is a misdemeanor, and the person has been previously convicted of a sex offense in this or any other state, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the

— 2 —

person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter

(c) When a person is convicted of a sex offense involving a child under 14 years of age and it is a felony, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

When an affidavit is filed under (a) it shall be substantially in the form specified for the affidavit of mental illness in Section 5049 of this code except that the title and body of the affidavit shall refer to such person as "an alleged sexual psychopath" and shall state fully the facts upon which the allegation that the person is a sexual psychopath is based. If the person is then before the court or is in custody, the court may order that the person be detained in a place of safety until the issue and service of a warrant of apprehension as provided by this chapter.

When the court certifies the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath, the court shall transmit to the superior court its certification to that effect, accompanied by a statement of the court's reasons for finding that there is probable cause for believing such person is a sexual psychopath within the meaning of this chapter in cases certified under (a), or a statement of the facts making such certification mandatory under (b) or (c).

The judge or justice presiding in such court, whenever it is deemed necessary or advisable, may issue and deliver to some peace officer for service, a warrant directing that the person be apprehended and taken before a judge of the superior court for a hearing and examination to determine whether the person is a sexual psychopath. The officer shall thereupon apprehend and detain the person until a hearing and examination can be had. At the time of the apprehension a copy of the affidavit if one was filed, the certification, accompanied by the court's statement, and the warrant shall be personally delivered to the person and copies thereof shall also be delivered to the superior court to which the person was certified and to the district attorney of the county.

The warrant of apprehension shall be substantially in the form provided by Section 5050 1 of this code for the apprehension of a person alleged to be mentally ill.

— 3 —

SFC 3 Section 5501 5 is added to said code, to read:
 5501 5 Whenever a person is certified to the superior court for hearing and examination under Section 5501 the certification may be made in substantially the following form:

(Title of Court and Cause)

ORDER ADJOURNING PROCEEDINGS AND
 CERTIFYING ALLEGED SEXUAL PSYCHOPATH TO THE SUPERIOR COURT

Upon the court's own motion, the motion of the prosecuting attorney, application by or on behalf of the defendant (strike the conditions not applicable), it appearing to the satisfaction of the court that the above-named defendant has been convicted of a criminal offense, to wit, violation of _____ of the State of California, and that there is probable cause for believing that said defendant is a sexual psychopath within the meaning of Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code of the State of California, as amended, in that he is a person affected in a form predisposing to the commission of sexual offenses, and in a degree constituting him (her) a menace to the health or safety of others, with one or more of the following conditions.

A Mental disease or disorder,

B Psychopathic personality,

C Marked departures from normal mentality;

NOW, THEREFORE, THE ABOVE PROCEEDING IS ADJOURNED AND IT IS HEREBY ORDERED THAT THE ABOVE-NAMED DEFENDANT IS CERTIFIED TO THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF _____ for hearing and examination by said court to determine whether said defendant is a sexual psychopath within the meaning of said Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code of the State of California, as amended. The above-named defendant shall be taken before said court, as provided in Section 5503 of said code, on the _____ day of _____, 19____, at the hour of _____. * A copy of this certification of said defendant to said superior court shall be delivered to said defendant.

Dated this ____ day of _____, 19____.

 Judge

* This sentence may be included if such date and hour have been set by the superior court upon the request of the certifying judge.

— 4 —

SEC. 4 Section 5502 is amended and renumbered to read:

5511 7 If, upon the hearing of sexual psychopathy, the person is found by the superior court not to be a sexual psychopath, the superior court shall return the person to the court in which the case originated for such disposition as that court may deem necessary and proper.

SEC. 5 Section 5503 of said code is amended to read:

5503 The person certified or alleged to be a sexual psychopath shall be taken before a judge of the superior court of the county. The judge shall then inform him that he is certified or alleged to be a sexual psychopath, and inform him of his rights to make a reply and to produce witnesses in relation thereto. The judge shall by order fix such time and place for the hearing and examination in open court as will give reasonable opportunity for the filing of the probation officer's report as provided in Section 5503 5, and for the production and examination of witnesses. If, however, the person is too ill to appear in court, or if appearance in court would be detrimental to the mental or physical health of the person, the judge may hold the hearing at the bedside of the person. The order shall be entered at length in the minute book of the court or shall be signed by the judge and filed, and a certified copy thereof served on the person. The judge shall order that notice of apprehension of the person and of the hearing of sexual psychopathy be served on the district attorney of the county and on such relatives of the person known to be residing in the county as the judge deems necessary or proper.

SEC. 6 Section 5503 5 is added to said code, to read:

5503 5 The court shall refer the matter to the probation officer, along with a copy of the certification accompanied by the certifying court's statement, and the name and address of each psychiatrist appointed pursuant to Section 5504, to investigate and report to the court within a specified time, upon the circumstances surrounding the crime and the prior record and history of the person. The report shall include the criminal record, if any, of the person, obtained from the State Bureau of Criminal Identification and Investigation. The probation officer shall, within the specified time, transmit a copy of this report and a copy of the certification accompanied by the certifying court's statement to each psychiatrist appointed by the court.

SEC. 7 Section 5505 of said code is amended to read:

5505 Each psychiatrist so appointed shall file with the court a separate written report of the result of his examination, together with his conclusions and recommendations. At the hearing each psychiatrist shall hear the testimony of all witnesses, and shall testify as to the result of his examination, and to any other pertinent facts within his knowledge.

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Src 8 Section 5511 of said code is amended to read:

5511 The alleged sexual psychopath shall be present at the hearing, and if he has no attorney, the judge may appoint an attorney to represent him, or the judge may order the county public defender to represent him at the hearing, if he determines that the person is not financially able to employ counsel

SEC 9 Section 5512 of said code is amended to read:

5512 If, after examination and hearing, the judge finds that the person is a sexual psychopath within the meaning of this chapter, he shall make and sign an order that the person be placed temporarily in a suitable psychiatric facility maintained by a county or in a state hospital of the Department of Mental Hygiene designated by the court for observation and diagnosis for a period not to exceed 90 days, with the further provision in said order that the superintendent of the hospital or person in charge of the county facility shall report to the court the diagnosis and recommendations concerning such person within the 90-day period. The court shall attach to the order for observation its findings and copies of the certification and statement from the other court, any affidavits filed, the written reports of the court-appointed psychiatrists, and the report of the probation officer, together with such social and other data that it has available bearing upon the case, and the same shall be delivered to the institution with such order

The superintendent of the hospital or person in charge of the county facility shall within 90 days cause the person to be examined and forward to the committing court his opinion as to whether or not the person is a sexual psychopath, whether or not he is a menace to the health and safety of others, and whether or not he will benefit by care and treatment in a state hospital, including therein a report, diagnosis and recommendation concerning the person's future care, supervision and treatment.

If the superintendent of the hospital or person in charge of the county facility reports to the court that the person is not a sexual psychopath or that he is a sexual psychopath but will not benefit by care and treatment in a state hospital, the person shall be returned to the court for further disposition of his case. The court shall then cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge

If the superintendent of the hospital or person in charge of the county facility reports to the court that the person is a sexual psychopath and that the person could benefit by treatment in a state hospital, the court shall proceed with the case and make such orders for the return of the person to the court and for the time, place and notice of the further hearing as the

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court may deem necessary and proper under all of the circumstances. The court may accept the report of the superintendent of the hospital or person in charge of the county facility, if verified, in lieu of the examination by and testimony of court-appointed psychiatrists, or may consider the report as additional evidence.

Upon such further hearing the court may make an order committing the person to the department for placement in a state hospital designated by the court for an indeterminate period, or may make other suitable disposition of the case. No person shall be committed for an indeterminate period as a sexual psychopath unless an observation placement has been made and reported, diagnosed and recommended upon as provided by this section.

SEC. 10. Section 5512.3 is added to said code, to read:

5512.3. If the court orders the commitment of the person to the department for placement in a state hospital for an indeterminate period the court may, in the order of commitment, require the superintendent of the state hospital to make periodic reports to the court concerning the person's progress towards recovery from his sexual psychopathy.

SEC. 11. Section 5517 of said code is amended to read:

5517. Whenever a person who is committed for an indeterminate period to the department for placement in a state hospital as a sexual psychopath (a) has recovered from his sexual psychopathy to such an extent that in the opinion of the superintendent the person is no longer a menace to the health and safety of others, or (b) has been treated to such an extent that in the opinion of the superintendent the person will not benefit by further care and treatment in the hospital and is not a menace to the health and safety of others, or (c) has not recovered from his sexual psychopathy, and in the opinion of the superintendent the person is still a menace to the health and safety of others, the superintendent of the hospital shall file with the Director of Mental Hygiene a certification of his opinion under (a), (b), or (c), as the case may be, including therein a report, diagnosis and recommendation concerning the person's future care, supervision or treatment. The director may, by general rules and regulations, provide standards and procedures for the guidance of the superintendents in carrying out their functions under this chapter. If the rules and regulations of the department have been followed, the director shall transmit the certification of the superintendent to the committing court. If the opinion so certified is under (a) or (b), the committing

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court shall forthwith order the return of the person to said committing court and shall thereafter cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge.

Such court shall resume the proceedings upon the return of the person to the court, and after considering all the evidence before it may place the person on probation for a period of not less than five years if the criminal charge permits such probation and the person is otherwise eligible for probation. As a condition of such probation the person shall totally abstain from the use of alcoholic liquor or beverages.

SEC. 12. Section 5519 is added to said code, to read

5519. After a person has been committed for an indeterminate period to the department for placement in a state hospital as a sexual psychopath and has been confined for a period of not less than six months from the date of the order of commitment, the committing court may upon its own motion or on motion by or on behalf of the person committed require the superintendent of the state hospital to which the person was committed to forward to the committing court, within 30 days, his opinion under (a), (b), or (c) of Section 5517, including therein a report, diagnosis and recommendation concerning the person's future care, supervision, or treatment. After receipt of the report, the committing court may order the return of the person to the court for a hearing as to whether the person is still a sexual psychopath within the meaning of this chapter.

The hearing shall be conducted substantially in accordance with Sections 5504 to 5511, inclusive. If, after the hearing the judge finds that the person has not recovered from his sexual psychopathy and is still a menace to the health and safety of others, he shall 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 make and sign an order recommitting the person for an indeterminate period to the Department of Mental Hygiene for placement in 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. A subsequent hearing may not be held under this section until the person has been confined for an additional period of six months from the date of his return to the department. If the court finds that the person has recovered from his sexual psychopathy to such an extent that he is no longer a menace to the health and safety of others, or that he will not benefit by further care and treatment in the hospital and is not a menace to the health and safety of others, the committing court shall thereafter cause the person to be

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returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge

SEC. 13 Section 5520 is added to said code, to read

5520 The superintendent of a state hospital or person in charge of a county psychiatric facility may extend to any person confined therein pursuant to this chapter such of the privileges granted to other patients of the hospital or facility as are not incompatible with his detention or unreasonably conducive to his escape from custody.

SEC. 14 Section 5521 is added to said code, to read

5521 The district attorney of the county may appear on behalf of the people at any of the hearings held pursuant to this chapter

SEC. 15 Section 27706 of the Government Code is amended to read:

27706 The public defender shall perform the following duties:

(a) Upon request of the defendant or upon order of the court, he shall defend, without expense to the defendant, any person who is not financially able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination. The public defender shall, upon request, give counsel and advice to such person about any charge against him upon which the public defender is conducting the defense, and shall prosecute all appeals to a higher court or courts of any person who has been convicted, where, in his opinion, the appeal will or might reasonably be expected to result in the reversal or modification of the judgment of conviction.

(b) Upon request, he shall prosecute actions for the collection of wages and other demands of any person who is not financially able to employ counsel, where the sum involved does not exceed one hundred dollars (\$100), and where, in the judgment of the public defender, the claim urged is valid and enforceable in the courts.

(c) Upon request, he shall defend any person who is not financially able to employ counsel in any civil litigation in which, in the judgment of the public defender, the person is being persecuted or unjustly harassed.

(d) Upon order of the court, he shall represent any person who is not financially able to employ counsel in proceedings under Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code.

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Summary of the Changes Effected by Assembly Bill No. 16

For the assistance of the courts, district attorneys, probation officers, public defenders and other interested individuals, the following summary has been prepared showing the changes in the Sexual Psychopathy Act as made by Assembly Bill No. 16 at the First Extraordinary Session of the California Legislature, 1952.

Amends and adds various Secs., W. & I. C., to revise Ch. 4, Pt. 1, Div. 6, amends Sec. 27706, Gov. C., providing for commitment of sexual psychopaths.

Provides that persons sentenced to death may not be committed as sexual psychopaths under the chapter and that persons convicted of a crime the punishment for which may be death may not be so committed until a sentence other than death has been imposed (Sec. 1 of the bill).

Requires a trial court when it certifies a person to the superior court for a sexual psychopathy hearing to transmit to the superior court a certification accompanied by a statement of the court's reasons for finding probable cause for believing such person to be a sexual psychopath, or, in cases where the certification is mandatory, a statement of the facts making the certification mandatory (Sec. 2).

Provides a form which may be used by the trial court in certifying a person to the superior court for a sexual psychopathy hearing (Sec. 3).

Renumbers Section 5502, which specifies the procedure the superior court must follow after the sexual psychopathy hearing, to be Section 5511.7 so that it follows the provisions of the chapter dealing with the hearing instead of preceding them. Deletes the provision specifying the court's action if it finds the person to be a sexual psychopath since this is presently covered by Section 5512 of the Welfare and Institutions Code (Sec. 4).

Requires the superior court, in connection with the sexual psychopathy hearing, to refer the matter to the probation officer for a report as to the circumstances surrounding the crime, and the prior record and history of the person, including his criminal record obtained from the State Bureau of Criminal Identification and Investigation. Requires the court to furnish the probation officer with a copy of the certification, the certifying court's statement, and the addresses of the court-appointed psychiatrists. Requires the probation officer to send a copy of his report, and the certification and accompanying statement of the certifying court, to the court-appointed psychiatrists (Sec. 6).

Revises provision dealing with the reports of court-appointed psychiatrists to require separate reports to be rendered by each psychiatrist (Sec. 7).

Authorizes the superior court to order the county public defender, as an alternative to the present authorization to appoint a private attorney, to represent the alleged sexual psychopath at the hearing if the court finds that he is financially unable to employ counsel (Sec. 8). Makes similar change in the duties of county public defenders (Sec. 15).

Requires the court when it places an alleged sexual psychopath in a state hospital or county psychiatric facility for the 90-day observation period to transmit copies of the statement of the certifying court and the probation officer's report (Sec. 9).

Requires the superintendent of the state hospital or person in charge of the county psychiatric facility in which an alleged sexual psychopath is placed for observation, to include in his report to the committing court, his opinion as to whether or not the person is a sexual psychopath, whether or not he is a menace to the health and safety of others, and whether or not he will benefit by care and treatment in a state hospital (Sec 9).

Provides that if the superintendent of the state hospital or county psychiatric facility, after an observation placement, reports that the person is a sexual psychopath but will not benefit by care and treatment in a state hospital, he shall be returned to the committing court, the same as where the superintendent or person in charge of the county facility reports that the person is not a sexual psychopath. Provides that if the opinion reported is either that the person is not a sexual psychopath or that he is a sexual psychopath but will not benefit by further care or treatment in a state hospital, the committing court shall cause the person to be returned to the court in which the criminal charge was tried to await further action regarding the criminal charge (Sec. 9).

Deletes the provisions requiring, as a condition to the commitment of a person for an indeterminate period, that the report of the superintendent of the state hospital or person in charge of the county psychiatric facility include a determination that the type of treatment in a state hospital which would benefit the person is not available in a penal institution to which he would otherwise go (Sec 9).

Present law provides that where a person is committed as a sexual psychopath for an indeterminate period, he remains in the state hospital until the superintendent of the hospital and the Director of Mental Hygiene certify their opinion as to the person's recovery from his sexual psychopathy to the committing court. Bill revises this provision to provide that a certification of the opinion of the superintendent shall first be filed with the director who may provide standards and procedures for the guidance of the superintendents in carrying out their functions under the chapter. If these rules and regulations have been followed by the superintendent, the director transmits the certification of the superintendent to the court (Sec 11).

Present law provides for the return of a person committed as a sexual psychopath for an indeterminate period, to the committing court only upon the certification to the court of the opinion of the superintendent of the hospital and the Director of Mental Hygiene with regard to the recovery of the person from his sexual psychopathy. Bill provides a procedure whereby the committing court may, upon its own motion or on motion by or on behalf of the person committed, require the superintendent of the hospital to transmit to the court within 30 days his opinion as to the person's recovery from his sexual psychopathy. After the receipt of the report the court may order the return of the person to the court for a hearing as to whether the person is still a sexual psychopath, the hearing to be conducted substantially as presently required in connection with an original commitment. If the judge finds the person has not recovered from his sexual psychopathy, the judge must order the person's return to the Department of Mental Hygiene under the prior order of commitment, or if the opinion of the superintendent is that the person has not recovered and is still a menace he

may recommit the person for an indeterminate period to the department for placement in a state institution or institutional unit for sexual psychopaths designated by the court. Another hearing could not be held under this provision for an additional six months. If the court finds that the person has recovered from his sexual psychopathy, or that he will not benefit by further care and treatment in the hospital, and is no longer a menace to the health and safety of others, he would be returned to the court in which the criminal charge was tried for further action regarding the criminal charge (Sec. 12).

Authorizes the committing court to require in its order of commitment that the superintendent of the state hospital to which the person has been committed for an indeterminate period make periodic reports to the court concerning the person's progress towards recovery from his sexual psychopathy (Sec. 10).

Authorizes the superintendent of a state hospital or person in charge of a county psychiatric facility to extend to persons confined therein as sexual psychopaths such of the privileges granted to other patients as are not incompatible with the person's detention or unreasonably conducive to his escape (Sec. 13).

Authorizes the district attorney to appear on behalf of the people at any of the hearings held under the chapter (Sec. 14), and makes other changes requiring notice of the hearing to be given to the district attorney (Secs. 2 and 5).

Text of the Sexual Psychopathy Act

In view of the fact that the act was originally passed in 1939 and a number of changes have been made in the act since that time by various sessions of the California Legislature, a complete compilation of the text of the act as in effect, July 2, 1952, is set forth hereunder with comments on the margin regarding each of the sections

This is likewise being set forth for the assistance of all individuals who have duties under the provisions of this act as the same is not fully set forth in any of the California Codes

SEXUAL PSYCHOPATHY ACT

Compilation of Text of Chapter 4 of Part 1 of Division 6 of the
Welfare and Institutions Code, as in effect July 2, 1952

CHAPTER 4 SEXUAL PSYCHOPATHS

(Chapter 4 added by Stats 1939, Ch 447)

Sexual Psychopaths

5500. As used in this chapter "sexual psychopath" means any person who is affected, in a form predisposing to the commission of sexual offenses, and in a degree constituting him a menace to the health or safety of others, with any of the following conditions:

- (a) Mental disease or disorder,
- (b) Psychopathic personality,
- (c) Marked departures from normal mentality

(Added by Stats 1939, Ch 447; amended by Stats 1945, Ch. 138.)

Death Sentence

5500 5. This chapter shall not apply to any person sentenced to death. This chapter shall not apply to any person convicted of an offense the punishment for which may be death until after a sentence other than death has been imposed, at which time this chapter shall apply to such person and he may be certified to the superior court as provided in Section 5501.

(Added by Stats 1st Ex Sess 1952, Ch 24.)

Adjournment of Criminal Proceedings, etc.

5501. (a) When a person is convicted of any criminal offense, whether or not a sex offense, the trial judge, on his own motion, or on motion of the prosecuting attorney, or on application by affidavit by or on behalf of the defendant, if it appears to the satisfaction of the court that there is a probable cause for believing such person is a sexual psychopath within the meaning of this chapter, may adjourn the proceeding or suspend the sentence, as the case may be, and may certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter. Conviction upon a charge of violation of Section 290 of the Penal Code by failure to register as required thereby is conviction of a criminal offense within the meaning of this subdivision

Misdemeanor

(b) When a person is convicted of a sex offense involving a child under 14 years of age and it is a misdemeanor, and the person has been previously convicted of a sex offense in this or any other state, the court shall adjourn the proceeding or suspend the sentence as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter

Felony

(c) When a person is convicted of a sex offense involving a child under 14 years of age and it is a felony, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter

When an affidavit is filed under (a) it shall be substantially in the form specified for the affidavit of mental illness in Section 5049 of this code except that the title and body of the affidavit shall refer to such person as "an alleged sexual psychopath" and shall state fully the facts upon which the allegation that the person is a sexual psychopath is based. If the person is then before the court or is in custody, the court may order that the person be detained in a place of safety until the issue and service of a warrant of apprehension as provided by this chapter.

Certification

When the court certifies the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath, the court shall transmit to the superior court its certification to that effect, accompanied by a statement of the court's reasons for finding that there is probable cause for believing such person is a sexual psychopath within the meaning of this chapter in cases certified under (a), or a statement of the facts making such certification mandatory under (b) or (c)

Warrant

The judge or justice presiding in such court, whenever it is deemed necessary or advisable, may issue and deliver to some peace officer for service, a warrant directing that the person be apprehended and taken before a judge of the superior court for a hearing and examination to determine whether the person is a sexual psychopath. The officer shall thereupon apprehend and detain the person until a hearing and examination can be had. At the time of the apprehension a copy of the affidavit if one was filed, the certification, accompanied by the court's statement, and the warrant shall be personally delivered to the person and copies thereof shall also be delivered to the superior court to which the person was certified and to the district attorney of the county.

The warrant of apprehension shall be substantially in the form provided by Section 5050 1 of this code for the apprehension of a person alleged to be mentally ill

(Added by Stats 1939, Ch 447, amended by Stats. 1949, Ch. 1325, by Stats 1st Ex Sess 1950, Ch 7, by Stats 1951, Ch 1759, and by Stats 1st Ex Sess 1952, Ch 24)

Certification Form

5501 5 Whenever a person is certified to the superior court for hearing and examination under Section 5501 the certification may be made in substantially the following form

(Title of Court and Cause)

ORDER ADJOURNING PROCEEDINGS AND CERTIFYING ALLEGED SEXUAL PSYCHOPATH TO THE SUPERIOR COURT

Upon the court's own motion, the motion of the prosecuting attorney, application by or on behalf of the defendant (strike the conditions not applicable), it appearing to the satisfaction of the court that the above-named defendant has been convicted of a criminal offense, to wit violation of ---- of the State of California, and that there is probable cause for believing that said defendant is a sexual psychopath within the meaning of Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code of the State of California, as amended, in that he is a person affected in a form predisposing to the commission of sexual offenses, and in a degree constituting him (her) a menace to the health and safety of others, with the one or more of the following conditions:

- A Mental disease or disorder,
- B Psychopathic personality,
- C. Marked departures from normal mentality;

NOW, THEREFORE, THE ABOVE PROCEEDING IS ADJOURNED AND IT IS HEREBY ORDERED THAT THE ABOVE-NAMED DEFENDANT IS CERTIFIED TO THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF ----- for hearing and examination by said court to determine whether said defendant is a sexual psychopath within the meaning of said Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code of the State of California, as amended. The above-named defendant shall be taken before said court, as provided in Section 5503 of said code, on the ----- day of -----, 19____, at the hour of ----- * A copy of this certification of said defendant to said superior court shall be delivered to said defendant

Dated this ----- day of -----, 19____.

Judge

(Added by Stats 1st Ex Sess 1952, Ch 24)

* This sentence may be included if such date and hour have been set by the superior court upon request of the certifying judge

5502. (Added by Stats 1939, Ch. 447, amended by Stats. 1941, Ch 884, by Stats 1945, Ch 138, by Stats. 1949, Ch 1325, and by Stats 1st Ex Sess 1950, Ch 7; amended and renumbered 55117 by Stats 1st Ex Sess 1952, Ch 24)

5502 5 (Added by Stats 1941, Ch. 881; amended by Stats. 1945, Ch 138, amended and renumbered 5517 by Stats. 1949, Ch 1325)

**Taking Before Superior Judge
Bedside Hearing**

5503 The person certified or alleged to be a sexual psychopath shall be taken before a judge of the superior court of the county. The judge shall then inform him that he is certified or alleged to be a sexual psychopath, and inform him of his rights to make a reply and to produce witnesses in relation thereto. The judge shall by order fix such time and place for the hearing and examination in open court as will give reasonable opportunity for the filing of the probation officer's report as provided in Section 5503 5, and for the production and examination of witnesses. If, however, the person is too ill to appear in court, or if appearance in court would be detrimental to the mental or physical health of the person, the judge may hold the hearing at the bedside of the person. The order shall be entered at length in the minute book of the court or shall be signed by the judge and filed, and a certified copy thereof served on the person. The judge shall order that notice of apprehension of the person and of the hearing of sexual psychopathy be served on the district attorney of the county and on such relatives of the person known to be residing in the county as the judge deems necessary or proper.

(Added by Stats 1939, Ch 447, amended by Stats 1st Ex Sess 1950, Ch 7, and by Stats 1st Ex Sess. 1952, Ch. 24.)

Report of Probation Officer

5503 5 The court shall refer the matter to the probation officer, along with a copy of the certification accompanied by the certifying court's statement, and the name and address of each psychiatrist appointed pursuant to Section 5504, to investigate and report to the court within a specified time, upon the circumstances surrounding the crime and prior record and history of the person. The report shall include the criminal record, if any, of the person, obtained from the State Bureau of Criminal Identification and Investigation. The probation officer shall, within the specified time, transmit a copy of this report and a copy of the certification accompanied by the certifying court's statement to each psychiatrist appointed by the court.

(Added by Stats. 1952, 1st Ex. Sess, Ch 24)

Examination by Psychiatrists

5504. The judge shall appoint not less than two nor more than three psychiatrists, each of whom shall be a holder of a valid and unrevoked physician's and surgeon's certificate who has directed his professional practice primarily to the diagnosis

and treatment of mental and nervous disorders for a period of not less than five years, and at least one of whom shall be from the medical staff of a state hospital or county psychopathic hospital, to make a personal examination of the alleged sexual psychopath, directed toward ascertaining whether the person is a sexual psychopath

(Added by Stats 1939, Ch 447)

Reports of Psychiatrists

5505 Each psychiatrist so appointed shall file with the court a separate written report of the result of his examination, together with his conclusions and recommendations. At the hearing each psychiatrist shall hear the testimony of all witnesses, and shall testify as to the result of his examination, and to any other pertinent facts within his knowledge

(Added by Stats 1939, Ch 447, amended by Stats 1st Ex Sess 1952, Ch. 24.)

Examination of Psychiatrists

5506 Any psychiatrist so appointed by the court may be called by either party to the proceeding or by the court itself and when so called shall be subject to all legal objections as to competency and bias and as to qualification as an expert. When called by the court, or by either party to the proceeding, the court may examine the psychiatrist, as deemed necessary, but either party shall have the same right to object to the questions asked by the court and the evidence adduced as though the psychiatrist were a witness for the adverse party. When the psychiatrist is called and examined by the court the parties may cross-examine him in the order directed by the court. When called by either party to the proceeding the adverse party may examine him the same as in the case of any other witness called by such party.

(Added by Stats 1939, Ch 447)

Fees of Psychiatrists

5507 The psychiatrists so appointed by the court shall be allowed such fees as in the discretion of the court seem just and reasonable, with regard to the services rendered by the psychiatrists, but in no event shall such fees exceed the sum of forty dollars (\$40) per day in addition to actual traveling expenses. The fees allowed shall be paid by the county in which the hearing is held

(Added by Stats 1939, Ch. 447.)

Other Expert Evidence

5508. The provisions of this chapter relating to psychiatrists appointed by the court shall not be deemed or construed to prevent any party to a proceeding under this chapter from producing any other expert evidence as to the mental condition of the alleged sexual psychopath.

(Added by Stats 1939, Ch 447.)

Other Witnesses

5509 The judge shall also cause to be examined as witness any other person he believes to have knowledge of the mental condition of the alleged sexual psychopath, or of the financial condition of the alleged sexual psychopath and of any person liable for his support

(Added by Stats 1939, Ch 447.)

Attendance of Witnesses

5510 The judge may, for any hearing, order the clerk of the court to issue subpoenas and compel the attendance of witnesses from any place within the boundaries of this State, but no person is obliged to attend as a witness in such a hearing out of the county where he resides or is served unless the judge, upon affidavit to the effect that affiant believes that the evidence of the witness is material and his attendance at the hearing necessary, indorses on the subpoena an order for the attendance of the witness

Witness Fees

All witnesses, other than psychiatrists appointed by the court, attending a hearing upon a subpoena issued under this section shall be entitled to the same fees and expenses as in criminal cases, to be paid upon the same conditions and in like manner

(Added by Stats 1939, Ch 447)

Attendance at Hearing and Representation by Counsel

5511 The alleged sexual psychopath shall be present at the hearing, and if he has no attorney, the judge may appoint an attorney to represent him, or the judge may order the county public defender to represent him at the hearing, if he determines that the person is not financially able to employ counsel.

(Added by Stats 1939, Ch 447, amended by Stats 1949, Ch 1325, by Stats. 1951, Ch 667, and by Stats. 1st Ex. Sess 1952, Ch 24)

Procedure on Finding Not a Sexual Psychopath

5511 7. If, upon the hearing of sexual psychopathy, the person is found by the superior court not to be a sexual psychopath, the superior court shall return the person to the court in which the case originated for such disposition as that court may deem necessary and proper

(Formerly 5502 Amended and renumbered by Stats. 1st Ex Sess 1952, Ch. 24)

Order of Commitment

5512 If, after examination and hearing, the judge finds that the person is a sexual psychopath within the meaning of this chapter, he shall make and sign an order that the person be placed temporarily in a suitable psychiatric facility maintained by a county or in a state hospital of the Department of Mental Hygiene designated by the court for observation and diagnosis for a period not to exceed 90 days, with the further

provision in said order that the superintendent of the hospital or person in charge of the county facility shall report to the court the diagnosis and recommendations concerning such person within the 90-day period. The court shall attach to the order for observation its findings and copies of the certification and statement from the other court, any affidavits filed, the written reports of the court-appointed psychiatrists, and the report of the probation officer, together with such social and other data that it has available bearing upon the case, and the same shall be delivered to the institution with such order.

Reports, Diagnosis, etc.

The superintendent of the hospital or person in charge of the county facility shall within 90 days cause the person to be examined and forward to the committing court his opinion as to whether or not the person is a sexual psychopath, whether or not he is a menace to the health and safety of others, and whether or not he will benefit by care and treatment in a state hospital, including therein a report, diagnosis and recommendation concerning the person's future care, supervision and treatment.

Disposition of Case

If the superintendent of the hospital or person in charge of the county facility reports to the court that the person is not a sexual psychopath or that he is a sexual psychopath but will not benefit by care and treatment in a state hospital, the person shall be returned to the court for further disposition of his case. The court shall then cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge.

If the superintendent of the hospital or person in charge of the county facility reports to the court that the person is a sexual psychopath and that the person could benefit by treatment in a state hospital, the court shall proceed with the case and make such orders for the return of the person to the court and for the time, place and notice of the further hearing as the court may deem necessary and proper under all of the circumstances.

The court may accept the report of the superintendent of the hospital or person in charge of the county facility, if verified, in lieu of the examination by and testimony of court-appointed psychiatrists or may consider the report as additional evidence.

Upon such further hearing the court may make an order committing the person to the department for placement in a state hospital designated by the court for an indeterminate period, or may make other suitable disposition of the case. No person shall be committed for an indeterminate period as a sexual psychopath unless an observation placement has been made and reported, diagnosed and recommended upon as provided by this section.

(Added by Stats 1939, Ch 447; amended by Stats 1945, Ch 138, by Stats 1949, Ch 1325, by Stats 1st Ex Sess. 1950, Ch 6, and by Stats. 1st Ex. Sess 1952, Ch. 24.)

Periodic Reports

5512.3 If the court orders the commitment of the person to the department for placement in a state hospital for an indeterminate period, the court may, in the order of commitment, require the superintendent of the state hospital to make periodic reports to the court concerning the person's progress towards recovery from his sexual psychopathy.

(Added by Stats 1st Ex Sess 1952, Ch 24)

Jury Trial

5512.5 Persons committed as sexual psychopaths to the department for placement in a state hospital following an observation placement under this chapter shall have the same rights to jury trial as provided in this code for mentally ill persons

(Added by Stats 1939, Ch 447; repealed by Stats 1949, Ch 1325; added by Stats 1951, Ch 677)

Execution of Writ or Order

5513 The sheriff of any county wherein an order is made by any court committing any person to a state hospital or returning such person to the court, or any other peace officer designated by the court, shall execute a writ of commitment or order of return, and receive as compensation therefor such fees as are now or may hereafter be provided by law for the transportation of prisoners to the state prison, which shall be payable in the same manner. No female person committed shall be taken to or from any state or other hospital without the attendance of some woman or relative of the person.

(Added by Stats 1939, Ch 447; amended by Stats 1st Ex. Sess 1950, Ch. 6.)

Delivery of Papers

5514 Certified copies of the affidavit, warrant of apprehension, order for hearing and examination, report of the psychiatrist and the order of commitment for observation and for an indeterminate period, as the case may be, shall be delivered to the person transporting the sexual psychopath to the state hospital, and shall be delivered by that person to the officer in charge of the hospital.

(Added by Stats 1939, Ch 447; amended by Stats 1945, Ch 138, and by Stats. 1949, Ch. 1325)

Order for Payment of Expenses, Support, etc.

5515 At the hearing the judge shall inquire into the financial condition of the person committed or of any other person charged with his support. If the judge finds such person able to do so in whole or in part, the judge shall make a further order requiring him to pay, to the extent the judge considers him able to pay, the expenses of the proceedings in connection with the commitment and to pay to the Department of Institutions at stated periods the cost of the care, support, and maintenance of the person at the hospital, at the monthly rate lawfully fixed by the Director of Institutions. The court may from time to time modify any such order.

If the court finds the person committed or the person charged with his support able to do so in whole or in part, the court shall make a further order requiring the person committed or the person charged with his support to pay to the Department of Institutions the expense of delivery of the person to the state hospital which shall be paid to and collected by the department and credited to the appropriation for transportation of patients.

When any such order has been made, upon affidavit of the Director of Institutions that any payment is due and has not been made, execution may issue for such payment upon the order and at the direction of the court.

Disobedience to any such order for payment by a person able to pay shall constitute a contempt of court; but nothing in this section shall interfere with any other legal remedy for recovery of such costs for transportation or care of such patients

(Added by Stats 1939, Ch 447, amended by Stats 1945, Ch 129)

Cost of Care

5516 The provisions of Article 5 of Chapter 1 of Part 4 of Division 6 relative to the property and support of insane persons and inebriates in State hospitals, the liability of such support, and the powers and duties of the Department of Institutions and all officers and employees thereof in connection therewith shall apply to persons committed to State hospitals pursuant to this chapter the same as if such persons were expressly referred to in said Article 5

(Added by Stats. 1939, Ch 447, repealed and added by Stats 1945, Ch 129.)

Return to Court of Sexual Psychopaths

5517. Whenever a person who is committed for an indeterminate period to the department for placement in a state hospital as a sexual psychopath (a) has recovered from his sexual psychopathy to such an extent that in the opinion of the superintendent the person is no longer a menace to the health and safety of others, or (b) has been treated to such an extent that in the opinion of the superintendent the person will not benefit by further care and treatment in the hospital and is not a menace to the health and safety of others, or (c) has not recovered from his sexual psychopathy, and in the opinion of the superintendent the person is still a menace to the health and safety of others, the superintendent of the hospital shall file with the Director of Mental Hygiene a certification of his opinion under (a), (b), or (c), as the case may be, including therein a report, diagnosis and recommendation concerning the person's future care, supervision or treatment. The Director may, by general rules and regulations, provide standards and procedures for the guidance of the superintendents in carrying out their functions under this chapter. If the rules and regulations of the department have been followed, the director shall transmit the certification of the superintendent to the

committing court If the opinion so certified is under (a) or (b), the committing court shall forthwith order the return of the person to said committing court and shall thereafter cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge

Probation

Such court shall resume the proceedings, upon the return of the person to the court, and after considering all the evidence before it may place the person on probation for a period of not less than five years if the criminal charge permits such probation and the person is otherwise eligible for probation. As a condition of such probation the person shall totally abstain from the use of alcoholic liquor or beverages

(Formerly 5502.5 Amended and renumbered by Stats 1949, Ch 1325, amended by Stats 1st Ex Sess 1950, Ch 25, by Stats 1951, Ch 448, and by Stats 1st Ex Sess 1952, Ch 24)

Criminal Proceedings

5518 If the opinion so certified is under subdivision (c) of Section 5517 the committing court shall forthwith order the return of the person to said committing court and shall thereafter cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge

Recommitment

Such court shall resume the proceedings and after considering all the evidence before it shall impose sentence or make such other disposition of the case as the court may deem necessary and proper, provided, the said court, if satisfied that the person has not recovered from his sexual psychopathy and is still a menace to the health and safety of others, may recertify the person to the superior court of the county. If said court after hearing makes a finding the person is still a sexual psychopath and is still a menace to the health and safety of others, it shall make an order recommitting the person for an indeterminate period to the Department of Mental Hygiene for placement in a state institution or institutional unit for the care and treatment of such sexual psychopaths designated by the court. At such hearing or hearings, the person shall be entitled to present witnesses in his own behalf, to be represented by counsel and to cross-examine any witnesses who testify against him

Institutional Units for Treatment, etc.

The Director of Mental Hygiene, with the approval of the Director of Corrections and the Director of Finance, may provide on the grounds of a state institution or institutions under the jurisdiction of the Department of Corrections or the Department of Mental Hygiene one or more institutional units

to be used for the custodial care and treatment of sexual psychopaths. Each such unit shall be administered in the manner provided by law for the government of the institution in which such unit is established.

Delivery to Institution

The court shall cause the person so recommitted to be delivered to the state institution or the institutional unit so designated. The person shall remain therein or in any other such institution or institutional unit to which he may be transferred by the Director of Mental Hygiene until the person is no longer a menace to the health and safety of others. Thereupon the proceedings set forth in Section 5517 shall be followed with respect to the certifying of an opinion to the committing court and the release of the person thereby.

(Added by Stats 1949, Ch 1325, amended by Stats 1951, Ch 448.)

Return of the Sexual Psychopath to Court

5519 After a person has been committed for an indeterminate period to the department for placement in a state hospital as a sexual psychopath and has been confined for a period of not less than six months from the date of the order of the commitment, the committing court may upon its own motion or on motion by or on behalf of the person committed require the superintendent of the state hospital to which the person was committed to forward to the committing court, within 30 days, his opinion under (a), (b), or (c) of Section 5517, including therein a report, diagnosis and recommendation concerning the person's future care, supervision or treatment. After receipt of the report, the committing court may order the return of the person to the court for a hearing as to whether the person is still a sexual psychopath within the meaning of this chapter.

Disposition

The hearing shall be conducted substantially in accordance with Sections 5504 to 5511, inclusive. If, after the hearing, the judge finds that the person has not recovered from his sexual psychopathy and is still a menace to the health and safety of others, he shall 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 make and sign an order recommitting the person for an indeterminate period to the Department of Mental Hygiene for placement in 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. A subsequent hearing may not be held under this section until the person has been confined for an additional period of six months from the date of his return to the department. If the court finds that the person has recovered from his sexual psychopathy to such an extent that he is no longer a menace to the health and safety of others, or

that he will not benefit by further care and treatment in the hospital and is not a menace to the health and safety of others, the committing court shall thereafter cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge.

(Added by Stats 1st Ex. Sess 1952, Ch 24)

Privileges of Persons Committed

5520 The superintendent of a state hospital or person in charge of a county psychiatric facility may extend to any person confined therein pursuant to this chapter such of the privileges granted to other patients of the hospital or facility as are not incompatible with his detention or unreasonably conducive to his escape from custody

(Added by Stats 1st Ex Sess 1952, Ch 24)

District Attorney

5521 The district attorney of the county may appear on behalf of the people at any of the hearings held pursuant to this chapter

(Added by Stats 1st Ex Sess 1952, Ch 24)

For the further assistance of those having duties and responsibilities under the act, as well as the public and the legal profession generally, the Honorable Charles W. Fricke, Judge of the Superior Court, Los Angeles, California, has prepared a Memorandum Brief covering the procedure under the Sexual Psychopathy Act which is as follows:

Memorandum Brief on Sexual Psychopathy Act

OUTLINE OF PROCEDURE

IN RE SEXUAL PSYCHOPATHS

(Welfare and Institutions Code, Sec. 5500 to 5521)

Section 5500 defines a "sexual psychopath" as "any person who is affected in a form predisposing to the commission of sexual offenses *and* in a degree constituting him a menace to the health or safety of others, with any of the following conditions

- (a) Mental disease or disorder.
- (b) Psychopathic personality
- (c) Marked departures from normal mentality "

Subdivision (a) does not contemplate cases of insanity. The finding that a person is a sexual psychopath is not an adjudication that he is insane nor does the sexual psychopath law so contemplate (*People vs. Tipton*, 90 Cal App 2d 603)

A sex pervert is not necessarily a sexual psychopath (*People vs. Parish*), 75 Cal. App 2d 907.)

Section 1026a of the Penal Code, relating to commitments and releases of a defendant from a state hospital after having been found not guilty by reason of insanity, has no application to a detention in a state hospital as the result of sexual psychopath proceedings (*People vs. Mitchell*, 109 Cal App 2d ----.)

The provisions of the sexual psychopath law do not apply to a defendant convicted of an offense the punishment for which may be death

until after a sentence other than death has been imposed and does not apply to any person sentenced to death (Sec. 5500.5.)

How Initiated

A hearing to determine whether a person is a sexual psychopath may spring from any one of three previous proceedings.

(a) "When a person is convicted of any criminal offense, whether or not a sex offense" (Sec. 5501)

The word "convicted" in section 5501 (a) merely means the ascertainment of guilt upon the trial or by plea of guilty, and does not mean the final determination after an appeal (*In re Moorehead*, 107 Cal App 2d 346) A conviction upon a charge of failure to register after a lewd or sex crime as required by Section 290 of the Penal Code is a conviction within the meaning of the law (Sec. 5501)

Upon such conviction the trial judge, on his own motion or on motion of the prosecuting attorney or on application by affidavit on behalf of the defendant showing probable cause for believing that such person is a sexual psychopath, may adjourn the proceedings or suspend the sentence, as the case may be, and may certify the person for hearing and examination by the superior court to determine whether the person is a sexual psychopath (Sec. 5501.)

Discretionary

The use of the word "may" in the statute makes the ordering of such proceedings a matter of discretion (*People vs Haley*, 46 Cl App. 2d 618, 622, *People vs Smith*, 100 Cal App 2d 162) but, when the unequivocal and uncontradicted showing is made that a defendant is a sexual psychopath, a denial of a hearing is an abuse of discretion (*People vs Barnett*, 27 Cal 2d. 649)

There is no discretion as to whether the defendant be permitted to file the affidavit of sexual psychopathy, as the filing of such an affidavit is a matter of right

Where there is a conflict in the showing made or the showing is not sufficient to satisfy the court that there is probable cause for believing the defendant to be a sexual psychopath, the court may properly deny a hearing as to sexual psychopathy. Thus the showing may be merely that the defendant is a sex pervert and a sex pervert is not necessarily a sexual psychopath (*People vs Parrish*, 75 Cal. App 2d 907)

The Affidavit

The affidavit under subdivision (a) must be substantially in the form specified for the affidavit of mental illness (Sec. 5049, W & I Code) except that the person be referred to as the "alleged sexual psychopath" (Sec. 5501)

When Hearing Mandatory (Sec. 5501)

(b) "When a person is convicted of a sex offense involving a child under 14 years of age and it is a misdemeanor and the person has been previously convicted of a sex offense in this or any other state," the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court to determine whether the person is a sexual psychopath

(c) "When a person is convicted of a sex offense involving a child under 14 years of age and it is a felony" the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court to determine whether the person is a sexual psychopath. Section 5501.5 provides the form for certifying an alleged sexual psychopath to the superior court.

The Warrant (Sec. 5501)

When an affidavit is filed under subdivision (a) or a sexual psychopath hearing is ordered under subdivision (b) or (c), the court may order that the person be detained in a place of safety and should order the issuance and serving of a warrant similar to that in the case of an alleged mentally ill person. (Sec. 5050.1, W & I Code)

The Arraignment (Sec. 5503)

Where a sexual psychopath hearing is ordered, the person is brought into court, informed that he has been certified, an affidavit filed or has been convicted, as the case may be, and of his right to reply and defend and to produce witnesses at the hearing which will be had. The time and place of the hearing is then fixed.

Appointment of Psychiatrists

When a hearing is ordered the court must appoint not less than two nor more than three psychiatrists, holding valid certificates as physicians and surgeons and with at least five years' experience, at least one of which shall be from the medical staff of a state hospital, to examine the person to determine whether he is a sexual psychopath. (Sec. 5504)

"Each psychiatrist so appointed shall file with the court a separate written report of the result of his examination together with his conclusions and recommendations. At the hearing each psychiatrist shall hear the testimony of all witnesses and shall testify as to the result of his examination and to any other pertinent facts within his knowledge." (Sec. 5505.)

Probation Report

Where such a hearing is ordered the court must refer the matter to the probation officer with a copy of the certification, the court's statement, the names and addresses of the psychiatrists appointed and such officer must make a report to the court upon the circumstances of the crime and the criminal record of the defendant, if any, and send a copy to each of such psychiatrists. (Sec. 5503.5)

Hearing Rights of Defendant

"The alleged psychopath shall be present and if he has no attorney the judge may appoint an attorney to represent him." (Sec. 5511)

(The hearings partake so closely of trials of the mentally ill or insane and of the issue of present sanity that the latter furnish a general guide to the procedure.) The hearing is had before the court without a jury.

Findings and Commitment

"If, after the examination and hearing, the judge finds that the person is a sexual psychopath * * * he shall make and sign an order that the person be placed *temporarily* in a suitable psychiatric facility maintained by a county or in a state hospital of the Department of Mental Hygiene designated by the court for observation and diagnosis for a period not

to exceed 90 days with the further provision in said order that the superintendent of the hospital or person in charge of the county facility shall report to the court the diagnosis and recommendations concerning such person within the 90-day period *The court shall attach to the order for observation its findings and copies of the certification from the other court, any affidavits filed, the written reports of the court-appointed psychiatrists, together with such social and other data that it has available bearing upon the case and the same shall be delivered to the institution with such order* " (Sec 5512)

Report Upon Temporary Commitment

Within 90 days after the temporary commitment the superintendent of the hospital or person in charge of the county facility must cause the person to be examined and forward to the committing court his opinion whether or not the person is a sexual psychopath, whether or not he is a menace to the health and safety of others and whether or not he will benefit by care and treatment in a state hospital

If it is so reported that the defendant "*is not a sexual psychopath*" or that he is a sexual psychopath but will not benefit by care and treatment in a state hospital, he "shall be returned to the court for further disposition of his case" and the court proceeds in the criminal case from the point where it was interrupted by the psychopathy proceedings. (Sec 5512.)

Hearing

If it is reported that the defendant is a "*sexual psychopath* and that the person could benefit by treatment in a state hospital, the court shall proceed with the case and make such orders for the return of the person to the court and for the time, place and notice of the further hearing as the court may deem necessary and proper " (Sec 5512)

"Upon such further hearing the court may make an order committing the person to the department for placement in a state hospital designated by the court for an indeterminate period, or may make other suitable disposition of the case " (Sec 5512)

"The court may accept the report of the superintendent of the hospital or person in charge of the county facility, if verified, in lieu of the examination by and testimony of court appointed psychiatrists, or may consider the report as additional evidence " (Sec. 5512)

No person shall be committed for an indeterminate period unless the observation placement (the 90 day placement) has been made and the foregoing procedure has been followed (Sec 5512)

Hearing by Court or Jury

Persons returned after temporary commitments are, at the hearings under Sec 5512, entitled to the same rights to a jury trial "as is provided in this code for mentally ill persons " (Sec. 5512 5)

(NOTE —In the case of mentally ill persons the law provides (Sec 5125, W & I Code) that if, after a hearing before a judge, the patient or any friend in his behalf, is dissatisfied with the order of the judge, he may, within 10 days after the order, demand a retrial of the issue before a jury which trial shall be set for not less than five nor more than ten days after the demand)

Execution of Commitments and Orders for Return

Section 5513 provides that the sheriff shall execute commitments and orders for the return of a defendant from a hospital

Section 5514 provides that certified copies of the affidavit, warrant, order for hearing and examination, report of the psychiatrists and the order of commitment shall be delivered by the sheriff to the officer in charge of the hospital to which the sexual psychopath is committed.

Expense of Commitment and Care

“At the hearing the judge shall inquire into the financial condition of the person committed or of any other person charged with his support” and, if such person is able to do so in whole or in part, the court shall order such person to pay to the Department of Institutions such sums as it deems proper, at stated periods, and may from time to time modify such order (Sec 5515)

Sec 5516 provides for payment by the county to the state for hospital care in a state hospital

Certification to Court After Indeterminate Commitment (Sec. 5517)

“Whenever a person who is committed for an indeterminate period to the department (of Mental Hygiene) for placement in a state hospital as a sexual psychopath,

(a) has recovered from his sexual psychopathy to such an extent that, in the opinion of the superintendent, the person is no longer a menace to the health and safety of others, or

(b) has been treated to such an extent that, in the opinion of the superintendent, the person will not benefit by further care and treatment in the hospital and is not a menace to the health and safety of others, or

(c) has not recovered from his sexual psychopathy and in the opinion of the superintendent is still a menace to the health and safety of others,

the superintendent of the hospital shall file with the Director of Mental Hygiene a certification of his opinion under (a), (b) and (c), as the case may be, including therein a report, diagnosis and recommendations concerning the person's future care, supervision and treatment” The Director must transmit such certification to the committing court (Sec 5517, see *People vs Thompson*, 102 Cal App 2d 183)

(Note —The report must be certified by both such superintendent and director, must specify which of the three classes, (a), (b), or (c) into which the case falls, whether the patient has recovered, will no longer benefit by further hospitalization, and whether or not he is a menace to the health and safety of others, the certificate covering fully the class into which the case falls (*People vs Thompson*, 102 Cal App 2d 183)

If Certification Is Under (a) or (b)

“If the opinion so certified is under (a) or (b), the committing court shall forthwith order the return of the person to said committing court and shall thereafter cause the person to be returned to the court in which the criminal charge was tried to await further action with reference to such criminal charge” which may either sentence the defendant or place him on probation for a period of not less than five years (Sec 5517) As a condition of probation he must abstain from the use of alcoholic beverages

Hearing—Psychopath Not Recovered

If, however, the case falls within (c) characterized by the certification that the person is still a menace to the health and safety of others, the court must, upon the return of the person to court, conduct a hearing and, if the court is satisfied that the person has not recovered from his sexual psychopathy, must make an order recommitting him for an indeterminate period to the Department of Mental Hygiene for placement in a state hospital or institutional unit for the care and treatment of such sexual psychopaths, and the person must remain therein until he is no longer a menace to the health and safety of others, at which time the case will come under class (a) or class (b) and be handled under whichever class the case falls. (Sec 5518; *People vs Thompson*, 102 Cal. App. 2d. 183.)

After a person has been committed to a state hospital for an indefinite period as a sexual psychopath and has been confined for at least six months from the date of the commitment, the committing court may of its own motion or on motion of such person require the superintendent of the hospital to forward to the court his opinion under (a), (b), or (c) of Section 5517 including a report, diagnosis and recommendation concerning the person's future care, supervision or treatment. After receiving the report the court may order the person's return for a hearing as to whether he is still a sexual psychopath as provided in Sections 5504 to 5511 inclusive.

If after the hearing the judge finds that the person has not recovered from his sexual psychopathy and is still a menace to the health and safety of others, he shall recommit him for an indefinite period and subsequent hearing may not be had until the person has been confined for an additional six months from his return to the hospital.

If the court finds that the person has recovered so that he is no longer a menace to the health and safety of others or that he will not benefit by further treatment or care, such person is returned to the court in which the criminal charge was tried for further proceedings therein. (Sec. 5519.)

State Facilities

The Department of Hygiene has designated

Norwalk State Hospital and

Mendocino State Hospital

as institutions for diagnosis, care and treatment of sexual psychopaths and as institutions to which they may be committed for temporary commitment and for indeterminate commitment and also designated

California Medical Facility at San Pedro and

California State Prison at San Quentin

as a place for their care and treatment

Changes in the Penalties for Certain Sex Offenses

The reports previously submitted by the Subcommittee on Sex Crimes, together with further findings of this committee, clearly indicate that the penalties for certain sex offenses should be changed to provide for an indeterminate sentence rather than a specific period of time. There seems little doubt that a sexual psychopath should be confined until cured if it is possible for the individual to be cured by treatment. If, on the other hand, he cannot be cured and continues to be a menace to

the health and safety of others, then the person should be incarcerated and not released to again prey on society.

Under the penalties for certain of the laws now on the books, this would not be possible and the individual would have to be released after having served a maximum period of time

With the changes in the Sexual Psychopathy Act as set forth above providing for incarceration and treatment, the penalties for the commission of a more serious sex offense must necessarily be made indeterminate so that the over-all problem can be dealt with in the best possible manner.

At the 1951 Session of the California Legislature, Assembly Bill No 2367 was introduced to make indeterminate sentences in connection with certain sex offenses. This bill, however, was amended to include provision for castration, which amendment resulted in the veto of the bill. All of the provisions of Assembly Bill No 2367 making changes in the penalties were discussed by the aforementioned authorities as well as your committee, and there was unanimous agreement that the law should be changed in regard thereto. It was further unanimously agreed that the provisions regarding castration should be deleted from the bill and introduced as a separate measure. Accordingly, Assembly Bill No. 15 was passed by the First Extraordinary Session of the California Legislature, 1952, and became law on July 2, 1952.

The text of this measure is as follows

Assembly Bill No. 15**CHAPTER 23**

*An act to amend Sections 264, 286, 288a, 311, and 647a of the
- Penal Code, relating to sex crimes*

[Approved by Governor April 17, 1952. Filed with
Secretary of State April 19, 1952.]

The people of the State of California do enact as follows:

SECTION 1 Section 264 of the Penal Code is amended to read

264 Rape is punishable by imprisonment in the state prison not less than three years, except where the offense is under subdivision 1 of Section 261 of the Penal Code, in which case the punishment shall be either by imprisonment in the county jail for not more than one year or in the state prison for not more than 50 years, and in such case the jury shall recommend by their verdict whether the punishment shall be by imprisonment in the county jail or in the state prison, provided, that when the defendant pleads guilty of an offense under subdivision 1 of Section 261 of the Penal Code the punishment shall be in the discretion of the trial court, either by imprisonment in the county jail for not more than one year or in the state prison for not more than 50 years

SEC 2 Section 286 of said code is amended to read

286 Every person who is guilty of the infamous crime against nature, committed with mankind or with any animal, is punishable by imprisonment in the state prison not less than one year

Sec 3. Section 288a of said code is amended to read:

288a. Any person participating in an act of copulating the mouth of one person with the sexual organ of another is punishable by imprisonment in the state prison for not exceeding 15 years, or by imprisonment in the county jail not to exceed one year; provided, however, that one more than 10 years older than his coparticipant in such an act, which coparticipant is under the age of 14, or one compelling another's participation in such an act by force, violence, duress, menace, or threat of great bodily harm, shall be punished by imprisonment in the state prison for not less than three years

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SEC. 4 Section 311 of said code is amended to read:

311 Every person who wilfully and lewdly, either:

1 Exposes his person, or the private parts thereof, in any public place, or in any place where there are present other persons to be offended or annoyed thereby, or,

2 Procures, counsels, or assists any person so to expose himself or to take part in any model artist exhibition, or to make any other exhibition of himself to public view, or the view of any number of persons, such as is offensive to decency, or is adopted to excite to vicious or lewd thoughts or acts, or,

3 Writes, composes, stereotypes, prints, publishes, sells, distributes, keeps for sale, or exhibits any obscene or indecent writing, paper, or book; or designs, copies, draws, engraves, paints, or otherwise prepares any obscene or indecent picture or print; or molds, cuts, casts, or otherwise makes any obscene or indecent figure; or,

4. Writes, composes, or publishes any notice or advertisement of any such writing, paper, book, picture, print or figure; or,

5. Produces, prepares, manufactures, sells, distributes, keeps for sale, exhibits, buys, rents, operates, uses, keeps, or maintains recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in producing or reproducing any lewd or obscene song, ballad, or other words, whether spoken or sung, or,

6 Sings or speaks any lewd or obscene song, ballad, or other words, in any public place, or in any place where there are persons present to be annoyed thereby, is guilty of a misdemeanor

Upon the second and each subsequent conviction under subdivision 1 of this section, or upon a first conviction under subdivision 1 of this section after a previous conviction under Section 288 of this code, every person so convicted is guilty of a felony, and is punishable by imprisonment in the state prison for not less than one year

The provision of subdivision 6 of this section shall not apply to any person participating in violation thereof only as an actor, unless and until the proper court shall have passed upon the matter and found the actor to have violated the said subdivision 6 of this section, except where after a complaint has been filed against the owner, manager, producer or director charging a violation of said subdivision 6 of this section, and pending the determination thereof an actor or actress utters the particular word or words complained against or other word or

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words of the same or similar import, in connection with such performance, act, play, drama, exhibition or entertainment.

Sic 5 Section 647a of said code is amended to read:

647a (1) Every person who annoys or molests any child under the age of 18 is a vagrant and is punishable upon first conviction of a fine of not exceeding five hundred dollars (\$500) or by imprisonment in the county jail for not exceeding six months or by both such fine and imprisonment and is punishable upon the second and each subsequent conviction or upon the first conviction after a previous conviction under Section 288 of this code by imprisonment in the state prison for not less than one year

(2) Every person who loiters about any school or public place at or near which school children attend, or who loiters in or about public toilets in public parks, is a vagrant, and is punishable by a fine of not exceeding five hundred dollars (\$500) or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment

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Summary of Assembly Bill No. 15

For the assistance of those having responsibilities under the effected changes as well as for all interested in regard thereto, a summary of the changes affected by Assembly Bill No. 15 is as follows

Amends Secs. 264, 286, 288a, 311, and 647a, Pen. C, re punishment for sex crimes.

Changes the penalty for rape, other than statutory, to provide for an indeterminate sentence with a minimum of three years imprisonment rather than imprisonment for not more than 50 years as is presently provided

Changes the penalty for crime against nature from 1 to 20 years imprisonment to an indeterminate sentence with a minimum of one year.

Changes the penalty for one convicted of participating in an act of oral copulation from the present minimum imprisonment of one year in the county jail with a maximum imprisonment of 15 years in the state prison to an indeterminate sentence with a minimum of three years imprisonment in the state prison when the person convicted is more than 10 years older than his coparticipant which coparticipant is under the age of 14, or when the person convicted has compelled participation by force, violence, duress, menace, or threat of great bodily harm

Makes a violation of the section prohibiting wilfully lewd conduct a felony in the case of second and subsequent convictions for indecent exposure or in the case of a first such conviction following a previous conviction for lewd and lascivious acts involving children, the sentence to be indeterminate but to be not less than one year

Changes the penalty for a second and each subsequent conviction for vagrancy resulting from child molestation, and for a first conviction following a previous conviction for lewd and lascivious acts involving children, from a maximum of five years imprisonment to an indeterminate sentence with a minimum of one year.

Changes in the Education Code Relating to Persons Convicted of Sex Offenses in Respect to Employment in the Public School System

A review of the Education Code relating to person convicted of sex offenses in respect to their employment in the Public School System and to certification documents in connection therewith reflects that the laws are not sufficiently clear to assure that such a person could be prohibited from continuing to be employed in the Public School System of the State of California Your committee unanimously agreed that a person convicted of a sex offense should not continue to be employed in the Public School System The over-all solution to this problem should be severely handicapped if a convicted employee of the School System is merely allowed to terminate from one school district and to then obtain employment at another school

Accordingly, Assembly Bill No. 31 was passed by the California Legislature at the First Extraordinary Session, 1952, and became effective on July 2, 1952 The text of this law is as follows:

Assembly Bill No. 31**CHAPTER 25**

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.

- [Approved by Governor April 17, 1952 Filed with
Secretary of State April 19, 1952]

The people of the State of California do enact as follows:

SECTION 1. Section 12011.5 is added to the Education Code, to read:

12011.5 A plea or verdict of guilty or a finding of guilt by a court in a trial without a jury is deemed to be a conviction within the meaning of Sections 12107, 12756, 12785, 13001.3, and 14002 3 of this code, irrespective of a subsequent order under the provisions of Section 1203 4 of the Penal Code allowing the withdrawal of the plea of guilty and entering of a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusations 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.

Sec. 2. Section 12011 7 is added to said code, to read:

12011 7. "Sex offense" as used in Sections 12107, 12756, 12785, 13001 3, and 14002 3 of this code means any offense defined in Sections 266, 267, 285, 286, 288, 288a, 647a, subdivision 3 or 4 of Section 261, subdivision 5 of Section 647, or subdivision 1 or 2 of Section 311 of the Penal Code; or any offense involving lewd and lascivious conduct under Section 702 of the Welfare and Institutions Code; or any attempt to commit any of the above-mentioned offenses, or any offense committed or attempted in any other state which, if committed or attempted in this State, would have been punishable as one or more of the above-mentioned offenses.

Sec 3 Section 12107 is added to said code, to read:

12107. The State Board of Education shall deny any application for the issuance of a credential or a life diploma or for the renewal of a credential made by any applicant who has been convicted of any sex offense as defined in Section 12011.7.

— 2 —

Src 4. Section 12756 is added to said code, to read :

12756. Whenever the holder of any credential, life diploma, or document issued by the State Board of Education has been convicted of any sex offense as defined in Section 12011 7, the State Board of Education shall forthwith suspend the credential, life diploma, or document. 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.

Sec. 5. Section 12785 is added to said code, to read :

12785. Whenever the holder of a certificate issued by a county board of education has been convicted of any sex offense as defined in Section 12011 7, the county board of education 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.

Sec. 6. Section 13001 3 is added to said code, to read :

13001.3. Governing boards of school districts shall not employ or retain in employment persons in public school service who have been convicted of any sex offense as defined in Section 12011 7. 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.

Sec 7. Section 14002 3 is added to said code, to read :

14002 3. No person shall be employed or retained in employment by a school district who has been convicted of any sex offense as defined in Section 12011 7. 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.

A summary of Assembly Bill No 31 as well as an analysis of the changes effected thereby has been prepared and is as follows:

Summary

Adds various Secs, Ed C, re persons convicted of sex offenses in respect to employment in the Public School System and to certification by the State Board of Education

Prohibits school districts from employing a person who has been convicted of a sex offense, unless the conviction is reversed and either the person is acquitted in a new trial or the charges are dismissed.

Requires State Board of Education to deny application for issuance or renewal of certification documents to person convicted of sex offense

Requires State Board of Education and county boards of education to suspend certification document issued by such boards if holder thereof has been convicted of sex offense, and to revoke document when conviction becomes final or imposition of sentence is suspended. Requires termination of suspension if conviction is reversed and either the person is acquitted in a new trial or the charges are dismissed

Analysis:

Defines "sex offenses" as used in bill as meaning seduction for purposes of prostitution and procuring illicit sexual intercourse by false pretenses (Pen C, Sec 266), abduction of female for prostitution (Pen. C, Sec 267), incest (Pen C, Sec. 285), crime against nature (Pen C, Sec. 286), lewd and lascivious acts against children (Pen. C, Sec. 288), oral copulation (Pen C, Sec. 288a), annoying or molesting children or loitering where school children attend (Pen C, Sec 647a), forcible rape or rape by use of anesthetics (Pen C, Sec 261, subds 3 and 4), vagrancy involving idle, lewd, or dissolute person or associate of known thieves (Pen C, Sec 647, subd. 5), indecent exposure (Pen. C, Sec 311, subd. 1 and 2), contributing toward delinquency of minor if lewd and lascivious conduct is involved (W & I C, Sec 702), any attempt to commit such offenses, or any offense committed or attempted in another state which, if committed or attempted in this State, would be punishable as one of such offenses. These offenses are the same as those enumerated in Section 290 of the Penal Code requiring registration of persons convicted of such offenses, except that seduction under promise of marriage is not included within the bill (Sec 2 of the bill)

Defines "conviction" as used in bill as meaning plea or verdict of guilty or finding of guilt by a court in a trial without a jury, irrespective of withdrawal of plea of guilty or vacation of verdict of conviction and release from disability by the court after the person completes a period of probation pursuant to Section 1203 4 of the Penal Code (Sec. 1) The effect of the definition is to require the denial or suspension of certification documents, or dismissal from employment, at the time the person is found or pleads guilty to the offense, thereby avoiding a possible interpretation of "conviction" as meaning *final* conviction including termination of time for appeal.

Provides record of such conviction of sex offense is sufficient proof of conviction of crime involving moral turpitude for the dismissal of a permanent, certificated employee of a school district. The effect of this is to eliminate the necessity of showing the sex offense to be a crime of

moral turpitude within the meaning of provision describing the grounds for dismissal of such employees (Sec. 1)

Requires the State Board of Education to deny an application for issuance of credential or life diploma, or renewal of credential, made by person convicted of a sex offense (Sec. 3)

Requires State Board of Education and county boards of education to suspend the certification documents of any person convicted of a sex offense and to revoke such documents when the conviction becomes final or when imposition of sentence is suspended. If the conviction is reversed and thereafter either the person is acquitted in a new trial or the charges against him are dismissed, the suspension must be terminated (Secs. 4 and 5).

Prohibits school district from employing or retaining in employment certificated or noncertificated employees if such employees have been convicted of sex offenses, but provides the prohibition does not apply if the conviction is reversed, and either the person is acquitted in a new trial or the charges against him are dismissed (Secs. 6 and 7)

The provisions of the bill overlap, to a certain extent, with existing provisions in the Education Code.

Under Section 12775 of the Education Code the State Board of Education, and under Section 12784 a county board of education, is required to revoke any credential of a person convicted of certain offenses. The offenses described in those sections include some, but not all, of the sex offenses described in this bill. However, under those sections, action may be taken only when the conviction becomes final. Under the bill the credentials must be *suspended* when the person is found or has pleaded guilty.

Under Section 12106 the state board may deny an application for credentials of a person who has committed an act involving moral turpitude and under Sections 12752 and 12776 the credentials of persons may be revoked for immoral conduct, and under Section 13521 a permanent certificated employee may be dismissed upon conviction of a crime involving moral turpitude. This necessitates a hearing and showing that the offense is one involving immoral conduct or moral turpitude. Under the bill proof of conviction of one of the specified offenses would be sufficient.

Castration

Considerable information regarding castration has heretofore been reported by the Subcommittee on Sex Crimes.

This committee further considered this subject in detail with the authorities mentioned previously and with many others who have contributed their time and who have offered many suggestions to this committee.

There seems to be agreement that castration should be authorized by statute for those convicted of a crime and for those who request the operation even though they have not been charged with a crime. The reason for the latter is that evidence indicates that there are certain individuals who are afraid that they might commit a sex offense and who are desirous of the operation to keep them from committing such an offense.

It was agreed that the person performing the operation, under court order, should be relieved from liability other than negligence. In all cases, the operation must be requested by the one to be castrated and if the individual is married and living with his wife, her consent should likewise be obtained.

It was further agreed that individuals should be examined by doctors and psychiatrists at the direction of the court, and that at least one doctor should be from the medical staff of the state hospital or county psychopathic hospital and their reports should be in the possession of the court for their assistance in determining whether or not to make an order permitting castration.

It was felt that provision should be made to provide for observation, study and treatment following the operation. This operation should not, in any way, be traded for freedom but, at the same time, the Adult Authority, or other authority having jurisdiction relative to the release of the individual, should be allowed to take this action into consideration in determining if and when the person should be released.

A sufficient period of parole or probation should be possible in order that the history of the results of such operation could be readily available. At the same time, the castrate should be protected in every way possible so far as maintaining the facts of his identity in confidence.

The law at the present time does not specifically permit castration, however, since 1937, approximately 60 convicted individuals have been castrated in San Diego County. The records reflect that not one of these individuals has committed a further sex offense; crimes of a different nature have been committed in a few instances subsequent to the operation.

A summary of a portion of these cases as submitted to the committee is as follows:

Date of Orchotomy, 4-3-43, age, 50, race, W, occupation, laborer, marital, married

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
San Diego, Calif, 3-20-43—647a	702 W & I Exposed privates to school children, showed them nude pictures and told them dirty stories	9-29-44	11 F
P C—6 mos County Jail			10 F
			6 F

Date of Orchotomy, 3-17-37, age, 57, race, W, occupation, bookkeeper; marital, single, education, 11th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	L & L Fondled private parts of victim, age 9, in presence of boy, age 6 years	7-12-46	9 F

Date of Orchotomy, 2-40, age, 33, race, W, occupation, salesman; marital, married

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
Mason City, Iowa 12-1-29 In-tox. \$10 bail forfeited	Fondled private parts of boy, age 6 years. Placed his penis in mouth of victim on previous occasion	6-8-44	6 M

Date of Orchotomy, 6-44; age, 60, race, W; occupation, carpenter, marital, divorced, education, 8th grade.

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	Rape (2 cts) Sexual intercourse with girls, ages 11-16 years. Daughter of his landlord. No force or fear. Many previous acts of intercourse	Active	11 F 16 F

Date of Orchotomy, 9-41; age, 30; race, W, occupation, commercial fishing; marital, divorced; education, 11th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
4-10-37, San Diego vio. Co. Ord No 175—\$10 or 5 days County Jail 7-22-37, San Diego. Burglary 10 mos. Co Road Camp 12-28-38, San Diego L & L. and W. & I. Code. 2-17-39 5 yrs probation 1st 18 mos Co. Road Camp 8-11-41 San Diego Rape (offense as reported in this survey) Prob. on cond orchotomy. 7-9-46, San Diego. Petty Theft—\$20 fine (Since operation).	Rape Forcible rape of woman who was blind in one eye and paralyzed in one arm	Active	A * F

Date of Orchotomy, 12-41; age, 72; race, W; occupation, dentist, marital, widowed; education, graduate of dental school

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	Sex perversion Committed fellatio upon adult male. Admits such acts for period of six years	12-19-42	A M

Date of Orchotomy, 1-38, age, 32; race, W; occupation, physician; marital, single; education, graduate of medical school

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	L. & L. 702 W. & I. (Cont.). Mutual masturbation with victim. Same acts with other boys same age.	7-8-39	13 M

Date of Orchotomy, 5-41; age, 26, race, W, occupation, milk checker, dairy; marital, single, education, 10th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	L. & L. (2 cts) Mutual masturbation with victims Previous acts with same boys, in addition to placing penis between their legs	2-16-42	12 M 13 M

Date of Orchotomy, 12-3-44, age, 48, race, W.; occupation, painter, marital, married, education, 8th grade.

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	L. & L. On several occasions defendant undressed daughter, age 9, and attempted to have intercourse Older sister stated that father had attempted same when she was young.	1-28-49	9 F

Date of Orchotomy, 11-41, age 61, race, W, occupation, warehouseman, marital, married, education, 7th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
1-26-41, S D Drunk, \$10 bail forfeited	L & L and 702 W & I (Cont) Exhibited self to victim and fondled victim's penis	Active	8 M

Date of Orchotomy, 1-18-40, age, 25, race, W, occupation, landscape gardener, marital, married, education, 9th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
1-8-38—S D 647a P C (2 cts)	702 W & I (Cont) Placed hands under clothes of victim and on private parts	8-5-43	14 F
1-9-38 6 mos Co. Jail 2-11-38—S D Vag 6 mos road Camp 1120-39 Att Rape; indecent exposure dismissed	Long prior record of sex offenses		

Date of Orchotomy, 11-39, age, 41; race, W; occupation, laborer, marital, single, education, 9th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	702 W & I (Cont) L. & I. Charged dismissed Undressed in front of victim Inserted finger into vagina Placed penis between her legs and had emission.	7-1-44	12 F
		Defendant died of heart trouble	

Date of Orchotomy, 7-41, age, 51, race, W, occupation, machinist; marital, divorced, education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
8-24-26 Ft Collins, Colo Dist 60 days Jail Costs 9-17-26 Long Beach, Calif Inv Burglary (arrest as prowler late at night) No disp given 12-15-26 Burbank, Calif Ord 173 Sec 2 (Peeping Tom) No disp given 12-8-27 Los Angeles, Burglary, 3 cts—San Quentin 9-1-32 Berkeley, Calif Burglary—Folsom Prison 12-22-39 Las Vegas, Nev—Prowling N NC 9-2-40, San Diego, Calif Vag—no Disp 1-25-41, San Diego, Vag late hours 60 days City Jail 7-8-41, San Diego, Vag Probation grtd.	702 W. & I. (Cont) Cut tent where victim was sleeping Cut her pajamas and fondled her private parts Additional acts of similar nature with other girls and women	7-12-46	13 F

Date of Orchotomy, 10-20-41; age, 29, race, W, occupation, paper boy, marital, single, education, 2d grade, sub-normal

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	L & L; encouraged victim to fondle defendant's privates Two other acts during preceding month	2-4-49	9 M

Date of Orchotomy, 6-30-45; age, 36, race W, occupation, salesman, marital, married; education, 15th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
10-14-44, SD, Vag Las ss	Sex perversion, defendant committed fellatio upon Negro sailor	7-26-48	18 M

Date of Orchotomy, 1-18-40, age, 51, race, W, occupation, rancher-forestry, marital, single; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	Sodomy, committed sodomy upon 18 year old boy Admitted previous act with 16-year-old boy	11-17-48	18 M

Date of Orchotomy, 12-1-41; age, 34, race, W, occupation, U S Army, marital, single; education, 9th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	Sex perversion, committed fellatio upon victim Had made advances to other boys	12-5-47	15 M

Date of Orchotomy, 2-47, age, 38, race, W, occupation, mechanic; marital, separated, education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	Incest Daughter age 12 years Numerous previous acts of intercourse	Active	12 F

Date of Orchotomy, 6-16-47, age, 59, race, W, occupation, salesman, marital, divorced, education, 15th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	Sex perversion, defendant committed fellatio upon victim Ten to fifteen previous acts.	Active	14 M

Date of Orchotomy, 9-19-45, age, 54, race, W, occupation, barber, disabled veteran; marital, married, education, 5th grade, art

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	L & L, fondled private parts of girl victim age 9 years	5-15-46	9 F

Date of Orchotomy, 5-22-39, age, 58; race, W; occupation, instructor, writing stories, marital, separated; education, 10th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	702 W & I (Cont) Committed fellatio upon boy age 14 yrs while in company of girl age 14	5-22-44	14 M 14 F

Date of Orchotomy, 5-17-41; age, 36; race, W; occupation, theatrical, female impersonator; marital, single; education, 12th grade.

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
9-3-37 N. Y., N. Y. D. C. Ind. Act inv.—prob 1 year; 12-17-39 N. Y., N. Y. D. C. Female attire 30 days; 1-19-41 L. A. Vag. Dissolute—no disp	Sex perversion; committed fellatio upon unknown man Defendant dressed in women's clothes Homosexual relations since age 17, both fellatio and sodomy.	5-28-41	Unk. M

Date of Orchotomy, 10-16-40; age, 66; race, W.; occupation, physical education instructor, M.D.; marital, grass widow; education, medical

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	Sex perversion; committed fellatio upon victim. Previous act 10 years prior	3-22-49	14 M

Date of Orchotomy, 2-7-48; age, 52, race, W, occupation, dairyman; marital, married; education, 8th grade.

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
1-12-28 L. A.—Cont. reduced to Vag Lewd—\$500-180 das. 7-13-36 I. & L. L. A. 15 years probation First 6 mos. Co. Jail	I. & L. (2 cts. Dis) 702 (Cont 5 cts) Mutual masturbation with victim age 11-13 years Insertion of penis between thighs Long history of sexual deviance including fellatio (active or passive)	Active	11- M 13

Date of Orchotomy, 3-6-48; age, 61, race, W.; occupation, school janitor; marital, separated; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
None	I. & L. Fondled private parts of victim Had her fondle his penis Placed penis between victim's legs—no penetration.	Active	8 F

Date of Orchotomy, 7-15-47, age, 25; race, W., occupation, forestry-stage performer; marital, single; education, 10th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
1934 El Paso, Texas, Accessory to crime. Dismissed 2-27-38 Robb by Assault. Trans. to Co 2-28-31	I. & L. (3 cts.) Placed penis between legs of victim, age 13 yrs. Would fondle penis of victim at same time	Active	13 M

Date of Orchotomy, 10-47; age, 49; race, Mexican; occupation, landscape gardener; marital, married, education, 2d grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation</i>	<i>Victim</i>
		<i>Status</i>	<i>Age Sex</i>
1-3-34 593 P C—Removing Elec wire from poles 6 mos S D Co Jail. 8-31-40 SD DWD No disposition	I. & L. Placing penis between thighs of victim from rear until an emission occurred	Active	13 M

Date of Orchotomy, 6-20-44; age, 55; race, W, occupation, insurance dealer; marital, married; education, 16th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
10-10-42 SD 311-1 P C. (Exposing self in presence of children) Probation 1 yr.	702 W & I (Cont) Exposed self to victim (Girl, age 9 yrs) and tried to encourage her to fondle his penis. Made lewd signs and suggestions to other girls of similar age	6-5-48	9 F

Date of Orchotomy, 2-21-39; age, 48; race, W.; occupation, clerk, marital, separation; education, 12th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
Aug 25, 1916—Larceny, probation 2 yrs	702 W & I (Cont) 1st Dismissed Placed penis between legs of victim, girl, age 7 Had an emission. Penetration questionable Victim later took treatment for gonorrhea	2-21-44	7 F

Date of Orchotomy, 6-30-48, age, 44, race, W, occupation, laborer, marital, single, education, 7th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
San Diego, 10-22-25 Indecent exposure Lewd and dissolute 1-16-26 dismissed San Diego, 10-25-38 Disorderly Conduct—45 days City Jail San Diego 3-18-47 Lewd and Dissolute, 180 days Co Jail.	L & L Rubbed his hands on private parts of victim Demanded charge of victim that he kissed her private parts	Active	4½ F

Date of Orchotomy, 5-8-48; age, 52, race, W, occupation, baker, marital, divorced; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
1-1-48 San Diego, S 288 P C 1-3-48 \$25 fine on charge of Vag L & D	L & L Fondled victim's penis Committed fellatio and sodomy upon victim	Active	13 M

Date of Orchotomy, 1-50; age, 38; race, W; occupation, radio-engineer; marital, divorced; education, 12th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	L & L Fondled victim's penis Previous episode of similar nature with other young boy	Active	13 M

Date of Orchotomy, 2-41, age, 36, race, W.; occupation, truck driver, marital, single; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	Sex perversion Attempt Sodomy 702 W & I (Cont) Fondled private parts of victim, age 14 years Attempted sodomy upon victim; committed fellatio upon victim	Active	14 M

Date of Orchotomy, 11-28-39; age, 55, race, W; occupation, race track worker; marital, divorced; education, 5th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
10-31-33 Detroit, Mich, debauchery 1-5 years State Prison (1-15-35 parole discharge)	L & L Defendant placed his penis against buttocks of victim's Allegedly had previous acts of active sodomy with victim	Active	12 M

Date of Orchotomy, 7-26-41; age, 24, race, W; occupation, mechanic, marital, single; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
12-17-36 L A, Vag Roamer, no Disp 9-11-37, S F 21 Juv Ct Law—no disp 3-27-38 Susp 288 P C and Susp 288a P C, Ct No 2 (288a) to S Q—Cts 1 and 3 dismissed (Escape from road camp No 34 when committing offense)	L & L Committed fellatio on boy, age 8 yrs Placed his penis between boy's legs Admitted homosexual of long duration Alleged previous requests for orchotomy but was denied	7-26-41 after operation case dismissed Def ret'd to prison	8 M

Date of Orchotomy, 10-28-38; age, 38, race, W, occupation, U S. Navy (retired); marital, married; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	702 W & I (Cont) Placed penis against private parts of daughter, age 13 Accused by older daughter of incest	10-19-39	13 F

Date of Orchotomy, 4-22-38, age, 54; race, W; occupation, baker; marital, single; education, 12th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
11-27-16 S F Lewd Indecent Act, 6 mos Co Jail 3-22-26 Portland, Ore Contrib Del of Minor 6 mos Co Jail—\$500 fine	702 W & I (Cont) Kissed and hugged boy, age 14 Fondled private parts of victim	4-22-40	14 M

Date of Orchotomy, 2-25-46; age, 46, race, W, occupation, rancher, marital, married; education, 10th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	L & L Had victim fondle his private parts; also had previous experience with another girl, age 8 years.	1-13-50	10 F

Date of Orchotomy, 11-28-39, age, 72, race, W, occupation, laborer; marital, widower; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	702 W & I (Cont) Placed hands under victim's clothes and fondled her private parts Committed same acts with other girls of similar age	10-4-44	11 F

Date of Orchotomy, 9-17-43; age, 41; race, W, occupation, insurance salesman; marital, married; education, ?

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
Ogden, Utah, 1-22-42, Sodomy Imposition of sent susp Came to San Diego and was involved in offenses as reported	Sex perversion (2 cts) Committed fellatio with victim, both as active and passive partner Other acts of fellatio committed with boy, age 16.	No Probation Case pending when operation completed. Case later dismissed.	10 M

Date of Orchotomy, 12-14-43; age, 48, race, W, occupation, show business, marital, married; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	I. & L Sex perversion (2 cts) Had victim commit fellatio upon him (defendant) on several occasions.	Active	11 M

Date of Orchotomy, 10-48; age, 42; race, W, occupation, machinist; marital, married; education, 3d grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	L. & L (2 cts) 702 W & I (Cont.) 1 ct Kissed victim, age 5 years, and had her fondle his penis Placed his penis in mouth of boy, age 7 years; exhibited self to daughter, age 8 years.	Active	5 F 7 M 8 M

Date of Orchotomy, 4-48, age, 41, race, W; occupation, aircraft mechanic; marital, married; education, 8th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	I. & L Fondled private parts of daughter, age 10 years Fondled private parts of daughter, age 15 Attempted to insert finger into vagina Older daughter related defendant had committed similar acts upon her years ago and had intercourse with her.	Active	10 F 15 F

Date of Orchotomy, 2-39; age, 34; race, W, occupation, machinist 2/c; marital, married; education, 9th grade

<i>Prior Record</i>	<i>Offense—Description</i>	<i>Probation Status</i>	<i>Victim Age Sex</i>
None	I. & L (1 ct.) 2 cts dismissed. Removed victim's pants; kissed her and placed finger in vagina. Placed penis between victim's legs Same acts with two other girls, age 5½ and 7 years	3-16-42	6 F

Experience in Sweden

The following letter was received from the Medical Counsellor 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 honour 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 1st July 1944 to 31st December 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. 100 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 physical 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 39 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 coeundi. Those who had preserved their libido were oligophrenes (5 of 48 examined persons) and psychopaths (8 of 11 examined). Of those with potentia coeundi 3 were oligophrenes and 6 psychopaths. There was no case of recidivism among the 66 followed-up cases.

Yours very truly,

(s) KARL LOBERG
(t) KARL LOBERG
Medical counsellor''

Proposed California Law

Assembly Bill No. 17 passed by the Assembly of the California Legislature at the 1952 First Extraordinary Session, remained in the Senate Judiciary Committee; and, accordingly, was not finally passed. This is all new proposed law and, in its final form, is as follows:

AMENDED IN SENATE MARCH 31, 1952

AMENDED IN ASSEMBLY MARCH 19, 1952

CALIFORNIA LEGISLATURE—1952 (FIRST EXTRAORDINARY) SESSION

ASSEMBLY BILL

No. 17

Introduced by Messrs. Smith, Beck, Tomlinson, Rosenthal, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Connolly, Dills, Doyle, Erwin, Hollibaugh, Kelly, Klockslem, Lanterman, Levering, Lipscomb, McFall, McGee, Meyers, Morris, Parker, Porter, Shaw, Stanley, and Stewart

March 5, 1952

REFERRED TO COMMITTEE ON JUDICIARY

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

The people of the State of California do enact as follows:

SECTION 1 Chapter 4 6 is added to Part 1 of Division 6 of the Welfare and Institutions Code, to read:

CHAPTER 4 6 CASTRATION OF SEX DEVIATES

5625. As used in this chapter, "sex deviate" means any 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

5626 As used in this chapter, "castration" and its variants mean removal of the testes with or without removal of associated internal genital structures by appropriate medical or surgical procedures

5627. Any person over 21 years of age who is committed to and confined in a state prison under the jurisdiction of the Department of Corrections and who is a sex deviate may be castrated upon compliance with the provisions of this chapter

The prisoner may submit a written request to the Adult Authority asking that an operation of castration be performed upon him. The request shall be accompanied by the written certification of the prison psychiatrist that, in his opinion, the prisoner is a sex deviate and he recommends that the person be castrated. If the Adult Authority approves the request, it shall petition the superior court of the county in which the person was convicted and sentenced to the state prison to authorize the castration of the prisoner pursuant to this chapter. The petition shall be accompanied by the written consent of the prisoner voluntarily requesting that the operation be performed upon him, the certification of the prison psychiatrist, and, except as provided in Section 5629.5, the written consent of the wife of the prisoner, if any, to the operation.

5628 When any person 21 years of age or over is being tried in the superior court for commission of any criminal offense, he may, after conviction or plea of guilty and prior to the time sentence is imposed or suspended or probation granted or denied, file a verified petition with the court alleging that he is a sex deviate, and asking that the court authorize an operation of castration to be performed upon him. Except as provided in Section 5629.5, the petition shall be accompanied by the written consent of the defendant's wife, if any, to the operation. If it appears to the satisfaction of the court that there is probable cause for believing the defendant is a sex deviate, the court may suspend the proceedings in the criminal prosecution until it rules on the petition of the defendant.

If the person is then before the court or is in custody, the court may order that the person be detained in a place of safety until the issue and service of a warrant of apprehension. The court, whenever it is deemed necessary or advisable, may issue and deliver to some peace officer for service, a warrant directing that the person be apprehended and detained until the hearing and examination provided for in this chapter may be had. The officer shall thereupon apprehend and detain the person until the hearing and examination can be had. At the time of apprehension a copy of the warrant shall be personally delivered to the person. The warrant of apprehension shall be substantially in the form provided by Section 5050.1 of the code for the apprehension of a person alleged to be mentally ill.

5629 Any person 21 years of age or over, except as otherwise provided herein, may file a verified petition in the superior court of the county in which he resides alleging that he is a sex deviate and asking the court to authorize the performance of an operation of castration upon him. Except as provided in Section 5629.5, the petition shall be accompanied by the written consent of the petitioner's wife, if any, to the operation. The petition shall also be accompanied by a written statement 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 opinion, the petitioner is a sex deviate and recommending that an operation of castration be performed upon him

A petition may not be filed under this section by any person confined in a state prison, a state institution under the jurisdiction of the Youth Authority, or a state hospital, nor by a person against whom a criminal charge has been made which has not been prosecuted to final judgment

5629 5 The court may authorize the filing of petitions under Section 5627, 5628 or 5629 without the consent of the wife if the address of the wife is not known and cannot, after reasonable efforts, be ascertained, or if obtaining such consent would not be feasible due to her mental condition, her relationship with the alleged sex deviate, or such other reasons as the court deems adequate

5630. An operation for the castration of persons described in Sections 5627, 5628 and 5629 may not be performed unless the court, after a hearing, issues an order authorizing the performance of the operation in accordance with the provisions of this chapter.

5631 The court shall fix a time and place for the hearing of the petition and shall require at least five days notice of the hearing to be given to the prisoner or petitioner, as the case may be, and his wife, if any. Notice need not be given to the wife if the court, pursuant to Section 5629 5, has determined that her address cannot be ascertained

5632 If the wife desires to be heard by the court, she shall, prior to the time of the hearing, notify the court and the court shall allow her to be heard at the hearing

5633 The court shall appoint not less than two nor more than three psychiatrists, each of whom shall be a holder of a valid and unrevoked physician's and surgeon's certificate issued pursuant to Chapter 5 of Division 2 of the Business and Professions Code who has directed his professional practice primarily to the diagnosis and treatment of mental and nervous disorders for a period of not less than five years, and at least one of whom shall be from the medical staff of a state hospital or county psychopathic hospital, to make a personal examination of the alleged sex deviate, directed toward ascertaining whether he is a sex deviate, and whether the operation should be performed.

5634. Each psychiatrist so appointed shall file with the court a separate written report of the result of his examination, together with his conclusions and recommendations. At the hearing each psychiatrist shall hear the testimony of all witnesses, and shall testify as to the result of his examination, and to any other pertinent facts within his knowledge.

5635. The psychiatrists so appointed by the court shall be allowed such fees as in the discretion of the court seem just and reasonable, with regard to the services rendered by the psychiatrists, but in no event shall such fees exceed the sum of forty

A.B. 17

— 4 —

dollars (\$40) per day for each, in addition to actual traveling expenses. The fees allowed shall be paid by the county in which the hearing is held.

5636 If, after the hearing, the court finds that the person is a sex deviate and is of the opinion that an operation of castration should be performed upon him, the court shall make and sign an order authorizing the performance of the operation.

5637 The operation may then be performed as follows:

(a) In cases arising under Section 5627, the Adult Authority may authorize the performance of the operation by a physician and surgeon, designated by the authority, holding a valid and unrevoked physician's and surgeon's certificate issued pursuant to Chapter 5 of Division 2 of the Business and Professions Code.

(b) In cases arising under Section 5628 or 5629, the operation may be performed only by a physician and surgeon, designated by the petitioner and approved by the court, who holds a physician's and surgeon's certificate issued pursuant to Chapter 5 of Division 2 of the Business and Professions Code. All medical and hospital charges in connection with the operation shall be borne by the petitioner. In cases arising under Section 5628, where the petitioner is confined in jail, the court shall arrange for the temporary removal of the petitioner from the jail, under custody if the court deems it advisable, for the performance of the operation.

5638 The castration of a person in accordance with the provisions of this chapter is lawful and shall not render the Adult Authority, its officers or employees, a physician and surgeon performing the operation pursuant to this chapter, or any person participating in the operation, liable either civilly or criminally, except for negligence in the performance of the operation.

5639 After the determination of the petition filed under Section 5628, the court shall resume the proceedings in connection with the criminal charge. The court, in granting probation to a defendant upon whom an operation of castration has been performed pursuant to this chapter, may impose such conditions as it deems proper for the treatment of the defendant and for observation by an appropriate agency as to the effect of the operation upon him.

5640 If a prisoner in a state prison has had an operation of castration performed upon him as a result of a petition filed by the Adult Authority pursuant to Section 5627, and if the prisoner is eligible for parole, the Adult Authority may, in determining whether parole should be granted, consider the fact that the operation was performed upon the prisoner. If parole is granted to such a prisoner, the Adult Authority may impose such conditions as it deems proper for the treatment of the prisoner and for observation by an appropriate agency as to the effect of the operation upon him.

5641 The petition, the reports, the court orders and other court documents filed in the court shall not be open to inspection by any other than the persons participating in the proceeding, their attorneys, *the psychiatrists appointed by the court, the physician and surgeon authorized to perform the operation*, the district attorney of the county, and the Adult Authority, except upon the written authority of a judge of the superior court of the county in which the proceedings were had

5642 *Any physician and surgeon who performs an operation of castration pursuant to this chapter shall make available any records kept or reports made in connection with the operation or treatment thereafter, to any agency designated by the court under Sections 5639 or 5640 for the purpose of observing the effect of the operation, upon the request of such agency.*

Analysis of Assembly Bill No. 17

The following is an analysis of Assembly Bill No. 17.

Analysis of Assembly Bill No. 17 (1952 1st Ex. Sess.)

The bill would add a new chapter to the Welfare and Institutions Code to authorize the castration of sex deviates in certain situations where the person asks that the operation be performed and the superior court, after a hearing, authorizes the performance of the operation

A. Scope

The bill defines a sex deviate as a male person who is affected, in a form predisposing to the commission of sex offenses, in a degree or manner constituting him a menace to the health or safety of others, with a condition of mental disease or disorder, or marked departure from normal mentality (Sec 5625) * This definition is similar to the definition of a sexual psychopath contained in the provisions of the Welfare and Institutions Code dealing with the commitment of sexual psychopaths

The bill would apply to persons over 21 years of age who are found to be sex deviates in three situations

1 Where the person is committed to and confined in a state prison,

2 Where the person is being tried in the superior court for commission of a criminal offense and has been convicted of, or has pleaded guilty to, such offense.

3 Where the person is not confined in a state prison, a state institution under the Youth Authority, or a state hospital, and does not have pending against him a criminal charge which has not been prosecuted to final judgment

B. Petition and Proceedings After Castration

In each situation the alleged sex deviate must initiate the procedure.

1 The prisoner in a state prison initiates the procedure by submitting a written request to the Adult Authority asking that an operation of castration be performed upon him. The request must be accompanied by the certification of the prison psychiatrist that, in his opinion, the prisoner is a sex deviate and he recommends his castration. If the Adult Authority approves the request it then petitions the superior court of the county in which the person was convicted and sentenced to the state prison to authorize the castration of the prisoner. The petition must be accompanied by the written consent of the prisoner, and the certification of the prison psychiatrist (Sec 5627)

If, upon the court's authorization, the operation is performed and the prisoner is eligible for parole, the Adult Authority, in determining whether parole should be granted, is authorized, but not required, to consider the fact that such an operation has been performed. If parole is granted the Adult Authority may impose such conditions as it deems proper for the treatment of the prisoner and for observation by an appropriate agency as to the effect of the operation (Sec 5640)

2 Where the person is being tried in the superior court for commission of a criminal offense, and has been convicted or has pleaded guilty, but

* Citations are to sections to be added to the Welfare and Institutions Code by this bill.

sentence has not been imposed or suspended or probation granted or denied, the procedure is initiated by the defendant filing a verified petition with the court alleging he is a sex deviate and asking that the operation be performed upon him. The court may then suspend the criminal proceedings if it feels there is probable cause for believing the defendant to be a sex deviate (Sec. 5628).

After the determination of the petition, the court resumes the criminal proceeding. If, upon the court's authorization, the operation is performed the prohibition contained in Section 1203 of the Penal Code against granting probation to a person convicted of certain sex offenses and who previously has been convicted of a felony, does not prohibit the granting of probation to a person upon whom the operation has been performed. Section 288.1 of the Penal Code requiring the court, prior to suspending sentence, to obtain a report from a psychiatrist as to the defendant's mental condition, also does not apply in this situation. In granting probation the court may impose appropriate conditions for the treatment of the defendant and for observation by an appropriate agency as to the effect of the operation upon him (Sec. 5639).

3. Any person against whom a criminal charge is not pending which has not been prosecuted to final judgment, and who is not confined in a state prison, state hospital, or institution under the Youth Authority, may petition the superior court of the county of his residence. The petition must be accompanied by a written statement of a medical examiner, giving his opinion that petitioner is a sex deviate and recommending castration (Sec. 5629).

In each of the three situations the petition must be accompanied by the written consent of the wife, if any, unless the court authorizes the filing of the petition without such consent (Secs. 5627, 5628, and 5629). The court may so authorize if the address of the wife is not known and cannot, after reasonable efforts, be ascertained or if the court finds that obtaining the wife's consent would not be feasible due to her mental condition, her relationship with the alleged sex deviate, or such other reasons as the court deems adequate (Sec. 5629.5).

C. Hearing

The court schedules a hearing on the petition, giving notice to the prisoner or petitioner, and to his wife, if any, unless the court determines that her address cannot be ascertained (Sec. 5631). The court appoints at least two and not more than three psychiatrists who are licensed physicians and surgeons and who have five years' experience diagnosing and treating mental and nervous disorders, to make a personal examination of the person to determine whether he is a sex deviate and should be castrated (Sec. 5633). The psychiatrists then file written separate reports (Sec. 5634). The psychiatrists' fees are set by the court, not to exceed forty dollars per day in addition to traveling expenses, and are paid by the county in which the hearing is held (Sec. 5635).

If the court finds the person is a sex deviate and is of the opinion that he should be castrated, the court makes an order authorizing the performance of the operation (Sec. 5636).

The petition, reports, orders and other court documents are confidential documents and not open to inspection by anyone other than those participating in the proceedings and their attorneys, and the Adult Authority, except upon written authority of a judge of the superior court of the county in which the proceedings took place (Sec 5641)

D. Operation

After the court makes its order authorizing the operation, the operation may be performed by a licensed physician and surgeon designated by the Adult Authority in the case of prisoners in a state prison, and in the other situations by a licensed physician and surgeon designated by the petitioner and approved by the court. In the latter situation the petitioner must bear all the medical and hospital charges in connection with the operation (Sec 5637).

The castration of a person pursuant to this chapter does not render the Adult Authority, its officers and employees, the physician and surgeon performing the operation, and any person participating in the operation, civilly or criminally liable (Sec 5638)

Research Program

The Sexual Deviation Research Program being conducted by the Langley Porter Clinic on behalf of the State of California has heretofore submitted a preliminary report under the date of March, 1952, and although your committee spent considerable time regarding this research program, it is not being reported herein in view of the previous report

Your committee, however, feels that this research program is an integral part of the over-all program and should be carried out to a logical conclusion

Problems Remaining

A number of problems are still before your committee which will be studied and reported on at a later date

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr Smith asked for, and was granted, unanimous consent that the above letter of transmittal, and report be ordered printed as a separate document, and that 2,000 copies be ordered printed

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs Munnell and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Walter Mitchell of Sacramento

On request of Messrs Munnell and Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Miss Sally Frith of Inglewood

On request of Messrs Munnell and Erwin the usual courtesies of the Assembly for this day were unanimously extended to Miss Peggy Graham of Whittier

On request of Messrs Fleury and Cooke, the usual courtesies of the Assembly for this day were unannnously extended to Mrs. Charles E. Wright and Mrs. Helga Teel of Sacramento.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Maude Rittmaster of Los Angeles.

On request of Mr Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Midshipman John Kelly of Annapolis, Maryland.

On request of Mr Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Ben Bihch of New Orleans and Mr and Mrs. E. Matisich of San Pedro.

On request of Mr Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Roy Hampton of Los Angeles.

On request of Mr Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Helen Negrin of San Mateo

ADJOURNMENT

At 3 52 p m , on motion of Mr Doyle, the Speaker declared the Assembly adjourned until 10 a m , Saturday, August 9, 1952, out of respect to the memory of the late former Assemblyman Robert B Fry of San Francisco

SAM COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, August 9, 1952

The Assembly met at 10 a m

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

Chief Clerk Arthur A Ohninus 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, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

Quorum present.

PRAYER

In the absence of the Chaplain, the following prayer was offered by Speaker Sam L Collins:

The Prayer Perfect

Dear Lord! Kind Lord!

Gracious Lord! We pray

Thou wilt look on all we love,

Tenderly today!

Weed their hearts of weariness;

Scatter every care

Down a wake of angel-wings

Winnowing the air

Bring unto the sorrowing

All release from pain,

Let the lips of laughter

Overflow again;

And with all the needy

O divide, we pray,

This vast treasure of content

That is ours today!

—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, on motion of Mr Maloney

Mrs Niehouse, on motion of Mr Maloney

The following members were granted leaves of absence for the day, because of legislative business elsewhere.

Mr Rumford, on motion of Mr Maloney

Mr Babbage, on motion of Mr Stanley.

Mr Hmckley, on motion of Mr Shaw

Mr Erwin, on motion of Mr Collier

Mr Sherwin, on motion of Mr Collier

The following member was granted leave of absence for the day, and desired to waive his per diem

Mr Rosenthal, on motion of Mr Maloney

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bill No 45 re-referred to the Committee on Public Health

Assembly Bill No 26 re-referred to the Committee on Ways and Means

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California has been called in extraordinary session to convene on August 4, 1952, and

WHEREAS, On account of extraordinary occasions which have arisen and now exist 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, and at the request of the President pro Tempore of the Senate and the Speaker of the Assembly, hereby amend and supplement my Proclamation dated July 3, 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:

12 To consider and act upon legislation relating to the filing of accounts and payment of fees for salaried public administrators after compulsory retirement under a retirement system

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

(SEAL)

EARL WARREN, Governor of California

ATTEST FRANK M JORDAN, Secretary of State

By CHAS. J HAGERTY, Assistant Secretary of State

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 51: By Mr. Maloney—An act to amend Section 1152 of the Probate Code, relating to compensation of public administrators and attorneys.

Referred to Committee on Judiciary

Assembly Joint Resolution No. 4: By Mr. Henderson—Relative to requesting the Congress of the United States to outlaw the Communist Party

Referred to Committee on Rules

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Meyers, Belotti, Connolly, George D. Collins, Brady, McCarthy, Berry, and Caldecott:

House Resolution No. 33

Re retirement of the Honorable Edward M. Gaffney

WHEREAS, After 12 years of honest, efficient, and diligent service as a Member of the State Assembly of the California State Legislature, representing the Twenty-sixth District, San Francisco, the Honorable Edward M. Gaffney will retire from public service at Sacramento; and

WHEREAS, During his years of service to his constituency and the people of California, he gave faithful service and stewardship that will always redound with credit upon him for a job well done; and

WHEREAS, As Ed Gaffney leaves this august body, he leaves behind him many cherished friends who have learned to respect and love him, not only as a member but as a colleague whose big heart and humanitarian acts have endeared him to the hearts of those who served with him as Members of the California State Legislature, now, therefore, be it

Resolved, That the Members of the Assembly of the State of California do hereby extend to the Honorable Edward M. Gaffney their best wishes and good luck in all his future endeavors, and bid him a "million tons of luck" in his everyday walk of life; and be it further

Resolved, That a suitably engrossed copy of this resolution be forwarded to the Honorable Edward M. Gaffney

Resolution read, and ordered referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 8, 1952

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

House Resolution No. 32

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, August 9, 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.

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

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

Assembly Concurrent Resolution No. 19

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, August 9, 1952

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

House Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Amend, and be adopted, as amended

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 47

Assembly Bill No. 48

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 35

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 26

Assembly Bill No. 45

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3—An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1952 Second Extraordinary Session of the Legislature, to take effect immediately;

Assembly Bill No. 4—An act making an appropriation for the mileage of the Members and Officers of the Assembly, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of August, 1952, at 10 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 9—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the third day of June, 1952;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the ninth day of August, 1952, at 10 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 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.

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 19

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER, SACRAMENTO, August 8, 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. 1

Senate Bill No. 2

Senate Bill No. 3

Senate Bill No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 12

Assembly Concurrent Resolution No. 16

Assembly Concurrent Resolution No. 17

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 11

Assembly Bill No. 15

Assembly Bill No. 16

Assembly Bill No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 8, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 17

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. 17—Relative to the birthday of Senator James J. McBride

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBLR, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 16

Senate Bill No. 17

J. A. BELK, 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. 16—An act to appropriate twenty million dollars (\$20,000,000) to be expended pursuant to Chapter 19 of Division 3 of the Education Code, relating to school district public works.

Referred to Committee on Education

Senate Bill No. 17—An act to add Chapter 19.5 to Division 3 of the Education Code, relating to school district public works.

Referred to Committee on Education

MESSAGES FROM THE SENATE

SENATE CHAMBLR, SACRAMENTO, August 8, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 6

J. A. BELK, 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. 6—An act to provide for the allocation of state funds to hospital districts for the acquisition of sites for, and the construction and equipping of hospitals, making an appropriation therefor, and declaring the urgency thereof

Request for Unanimous Consent

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

Motion to Refer Senate Bill No. 6 to Committee on Ways and Means

Mr. Hollibaugh moved that Senate Bill No. 6 be referred to the Committee on Ways and Means

Mr. Waters seconded the motion

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—56
 NOES—None

Senate Bill No. 6 ordered referred to Committee on Ways and Means

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

The following resolution was offered

Assembly Concurrent Resolution No. 21: By Messrs. Coats, Moss, Lindsay, Belotti, Fleury, and Lowrey—Relative to increasing the membership of the Joint Committee on Water Problems and augmenting the funds of said committee

Referred to Committee on Rules

Speaker pro Tempore Presiding

At 10 25 a m, Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

CONSIDERATION OF DAILY FILE THIRD READING OF ASSEMBLY BILLS

Resolution Withdrawn From Active File, and Placed on the Inactive File

Assembly Constitutional Amendment No. 1, on motion of Mr. Kelly

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 8a to Article XIII thereof, relating to property taxation

Resolution read, and ordered passed on file

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 7, on motion of Mr. Kelly

Speaker Presiding

At 10 38 a m, Hon. Sam L. Collins, Speaker of the Assembly, presiding

Assembly Bill No. 10—An act to add Section 29120.5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, 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, Caldecott, Chapel, Clarke, Clovel, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62
 NOES—None

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

AYES—Beck, Belotti, Berry, Brown, Bunke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksien, Levering, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMullan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Wateis, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 26

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

MARVIN SHERWIN, Chairman

By LLOYD W. LOWREY, Vice Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 26—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

Amendment No. 1

On page 3, line 26, of the printed bill, as amended in the Assembly on August 8, 1952, strike out "Advisory Hospital Council", and insert "State Department of Public Health"

Amendment No. 2

On page 3, lines 28 and 29, of said bill, strike out "as set forth in Chapter 3, Division 1, Part 1 of the Health and Safety Code", and insert a comma

Amendment No. 3

On page 3, lines 30 and 31, of said bill, strike out "of said Chapter 3, Division 1, Part 1"

Amendments read, and adopted

Bill ordered reprinted, and engrossed

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 33—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted

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, Cooke, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kloksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate

Resolution Withdrawn From Active File, and Placed on the Inactive File
House Resolution No. 27, on motion of Mr. Belotti.

Assembly Concurrent Resolution No. 15—Relative to commending Sim Innis.

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kloksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the City of Santa Rosa, a municipal corporation of the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election consolidated with the state-wide election held therein on the eighth day of April, 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, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kloksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Concurrent Resolution No. 16—Relative to congratulating the First A M E Zion Church in San Francisco upon its 100th Anniversary.

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None

Resolution ordered transmitted to the Senate

Senate Bill No. 7—An act to add Section 29120.5 to the Government Code, relating to the levy of taxes in counties in which property has been damaged by earthquake, 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, Clarke, Cloyd, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—63

NOES—None

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—63

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 5—An act to add Section 155.6 to the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, 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, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klockslem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Shaw, Silliman, Stanley, Thomas, and Waters—55

NOES—None

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klockslem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Shaw, Silliman, Stanley, Thomas, and Waters—55

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 12—An act to add Section 43005 to the Government Code, relating to taxes levied by cities, 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, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksniem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—60

NOES—None

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksniem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—60

NOES—None

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolutions were offered.

By Mr. Kirkwood

House Resolution No. 34

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; now, 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 seven hundred fifty dollars (\$750), 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. Silliman

House Resolution No. 35

Resolved, That the sum of five thousand dollars (\$5,000), 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 Second 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. McCarthy

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 Second 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 Second 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 Second 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 Second 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 ordered referred to the Committee on Rules.

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

The following resolution was offered:

Assembly Joint Resolution No. 5: By Messrs Coats, Lindsay, and Moss—Relative to memorializing Congress to enact H. R. 4574 and to select Beale Air Force Base as the site for the Air Force Academy.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr Henderson 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 requesting the Federal Communications Commission to expedite the licensing of television stations in California.

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksien, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—57

NOES—Collier and Levering—2

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Grant asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19

Assembly Concurrent Resolution No. 19—Relative to the passing of Aubrey A. Douglass.

Resolution read

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Siliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 26, at this time, without reference to file, for purpose of amendment

CONSIDERATION OF HOUSE RESOLUTION NO. 26

House Resolution No. 26—Relative to purchase of "The Summary of California Law" by Witkin

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 84 of the Assembly Journal for August 7, 1952, after "purchase", insert "as many copies of"

Amendment No. 2

In line 3 of the first *Resolved* clause of said resolution, after "Witkin", insert "as may be necessary to furnish one set of the two said volumes to each member of this Assembly who may request the same"

Amendment No. 3

In line 2 of the second *Resolved* clause of said resolution, after "deliver", insert "the set of"

Amendment No. 4

In lines 2 and 3 of the second *Resolved* clause of said resolution, strike out "the Honorable Harlan Hagen", and insert "each Member of the Assembly requesting the same"

Amendment No. 5

In line 2 of the third *Resolved* clause of said resolution, after "warrant", insert "or warrants".

Amendment No. 6

In lines 3 and 4 of the third *Resolved* clause of said resolution, strike out "seventy-five dollars (\$75)", and insert "one thousand five hundred dollars (\$1,500)".

Amendments read, and adopted.

Resolution ordered reprinted, as amended

House Resolution No. 26, As Amended

By Mr Sam L Collins:

House Resolution No. 26

Relative to the purchase of "The Summary of California Law" by Witkin

Resolved by the Assembly, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase as many copies of Volumes (1) and (2) of "The Summary of California Law" by Witkin as may be necessary to furnish one set of the two said volumes to each member of this Assembly who may request the same, and he it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver the set of two (2) said volumes of "The Summary of California Law" to each Member of the Assembly requesting the same, and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant or warrants upon the Contingent Fund of the Assembly in favor of the publisher of "The Summary of California Law" by Witkin in an amount not to exceed one thousand five hundred dollars (\$1,500) in payment for the aforesaid publication, and the State Treasurer is hereby directed to pay the same

Speaker pro Tempore Presiding

At 11.25 a m, Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 35—An act making an appropriation to be apportioned to school districts pursuant to Chapter 16 of Division 3 of the Education Code for the replacement and repair of school buildings damaged by earthquakes, 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, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Elhott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61

NOES—None.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyd, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Elhott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61

NOES—None

Bill ordered transmitted to the Senate

MESSAGES FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, The Legislature of the State of California has been called in extraordinary session to convene on August 4, 1952, and

WHEREAS, On account of extraordinary occasions which have arisen and now exist 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, and at the request of the President pro Tempore of the Senate

and the Speaker of the Assembly, hereby amend and supplement my Proclamation dated July 3, 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:

13 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 June 15, 1952.

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

(SEAL)

EARL WARREN, Governor of California

ATTEST FRANK M. JORDAN, Secretary of State

By CHAS. J. HUGHERTY, Assistant Secretary of State

Speaker Presiding

At 11:28 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Shaw asked for, and was granted, unanimous consent to take up Assembly Bill No. 47, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 47

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Shaw:

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 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, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64

NOES—None

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

Assembly Bill No. 47—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities and making an appropriation therefor.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64

NOES—None

Assembly Bill No. 47—An act to add Sections 41 and 42 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—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr Shaw asked for, and was granted, unanimous consent to take up Assembly Bill No. 48, at this time, without reference to file

CONSIDERATION OF ASSEMBLY BILL NO. 48

Resolution to Suspend Constitutional Provision

The following resolution was offered

By Mr Shaw

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 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, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—64

NOES—None

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

Assembly Bill No. 48—An act to add Section 36 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 June 15, 1952, and before the effective date of this act

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Mevers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 48—An act to add Section 36 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 June 15, 1952, 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—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Mevers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEES BE PERMITTED TO HOLD MEETINGS TODAY

Mr. Brown asked for, and was granted, unanimous consent that all committees having bills to consider be permitted to hold meetings today

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 1 p m.—

Ways and Means, in Room 4202.

Today upon adjournment—

Finance and Insurance, at Mr. Geddes' desk.

Education, in Room 3184.

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

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal to a Preliminary Report on the Unemployment Insurance Program of California, by the Assembly Interim Committee on Finance and Insurance, be ordered printed in the Journal, in 10-point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE

ASSEMBLY CHAMBER, STATE CAPITOL

SACRAMENTO, August 9, 1952

*Hon Sam L Collins**Speaker of the Assembly*

DEAR MR SPEAKER As Chairman of the Assembly Interim Committee on Finance and Insurance I have the honor to present, on behalf of the committee, a Preliminary Report on the Unemployment Insurance Program of California

Each regular session of the California Legislature sees a flood of bills dealing with unemployment insurance and unemployment disability insurance and the greater number of such bills are referred to your standing Committee on Finance and Insurance where we are faced with making fair and equitable decisions, but often hampered because the language of the present statutes is hard for laymen to understand The present work "a lay interpretation of the act" should prove invaluable to committee members called upon to consider proposed legislation in the 1953 Session

The proposed recodification of the act by the California Codification Commission, which will make no substantive changes, and the Governor's Study Commission on Problems of Unemployment Insurance Problems which will, it is hoped, recommend changes agreed upon as necessary and desirable are not in conflict with this work Rather it fills a crying need for, and points the way to, less obtuse statements of the provisions of the law We have been careful to make no changes in the meaning of the present statutes

On behalf of the members of the committee, and speaking for myself high praise must be accorded our Executive Secretary, Harry C Howard, who has gone beyond the usual and expected line of duty in producing that which we feel is as clear and lucid an interpretation and logical arrangement of the Unemployment Insurance Act as has been written to date.

In order to make the information contained in the report available to as many of those interested as possible, prior to the convening of the 1953 Legislature, we request that 1,000 copies be printed in 10 point type as a separate document, and that the filing of the report and this letter of transmittal be printed in the Journal of this day's session

Respectfully and sincerely yours,

ERNEST R GEDDES, Chairman
Assembly Interim Committee on
Finance and Insurance

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr Geddes asked for, and was granted, unanimous consent that the above letter of transmittal and report be ordered printed as a separate document, and that 1,000 copies be ordered printed

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Justice and Mrs. Oliver Carter of San Francisco

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ray L. Farlin of San Jose

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Don Carroll and Bill Squires of Tehachapi, and Tom Kelly and Mary Musser of Stanford University

ADJOURNMENT

At 11 38 a m., on motion of Mr. Evans, the Speaker declared the Assembly adjourned until 10 a m. Monday, August 11, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSETT, Minute Clerk

CALIFORNIA LEGISLATURE
1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, August 11, 1952

The Assembly met at 10 a m

Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnnum at the desk

ROLL CALL

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

Belotti, Beriv, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockner, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sheiwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

Quorum present

Request for Unanimous Consent That Names Be Placed Upon Morning Roll Call

Mr. Doyle asked for, and was granted, unanimous consent that the names of Messrs. Clarke, Erwin, Lowrey, and Hineckley, who are in attendance at the meeting of the Joint Interim Committee on Agriculture and Livestock Problems, in Room 3191, be placed upon the morning roll call

PRAYER

The following prayer was offered by the Chaplain, Rev. Raymond A. Graber:

Eternal God, Thou hast set in man's heart the impulse to build into the affairs of the State a unity of spirit

We rejoice in the strength of purpose through our awareness of the Divine Presence

We rejoice in the outreach of our State and Nation at home and abroad

May such beneficent influence reach out and bless the entire earth. May the efforts of our leaders be blessed in order that the greater spiritual beauty and usefulness of our land be established in the hearts of all peoples

So may we learn to live together in the spirit of unity to Thy honor and glory —
AMEN

READING OF THE 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 members were granted leaves of absence for the day, because of illness:

Mr. Crowley, on motion of Mr. Stewart.

Mrs. Nichouse, on motion of Mr. Stewart.

Mr. McCarthy, on motion of Mr. Connolly.

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

Mr. Beck, on motion of Mr. Munnell.

Mr. Lapsecomb, on motion of Mr. Munnell.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Rosenthal, on motion of Mr. Smith.

Mr. Babbage, on motion of Mr. Smith.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

ANNOUNCEMENT

Mr. Connolly announced that Mr. and Mrs. McCarthy are the proud parents of a new baby daughter, their fifth, which was born late yesterday.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 22: By Mr. Sam L. Collins—Relative to adjournment sine die of the 1952 Second Extraordinary Session of the Legislature of the State of California.

Request for Unanimous Consent

Mr. Grunsky asked for unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

Mr. Moss withheld unanimous consent.

Assembly Concurrent Resolution No. 22 ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 26

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, August 9, 1952

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

Senate Bill No. 16

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

DUNN, Chairman

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

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

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

House Resolution No. 33

House Resolution No. 34

House Resolution No. 35

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.

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

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

Senate Concurrent Resolution No. 17

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, August 9, 1952

MR. SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 8

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 8—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes making an appropriation therefor, and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "provide for", and insert "add Article 4 5 to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive, and on page 2, strike out lines 1 to 41, inclusive, and insert:

"SECTION 1 Article 4 5 is added to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

Article 4 5 Earthquake Relief

54125 As used in this article

"Board" means the State Allocation Board

"Local agency" means any city, city and county, county, or public district.

54126 Upon the application of the legislative body of a local agency the board may replace or reconstruct any public building or any public facility of a local agency which has been damaged or destroyed by earthquake after July 1, 1952.

54127 The provisions of Sections 54096 to 54102, inclusive, 54104 to 54107, inclusive, and 54111 to 54116, inclusive, are incorporated herein and made a part hereof as if fully set forth herein. The terms "board" and "local agency" in the provisions so incorporated shall mean the board and a local agency as defined in this article.

54128 The board and the local agency may agree upon the terms and conditions of payment, but no interest or other charge shall be required. The maximum term of an agreement shall be 40 years. The board may require a shorter repayment period."

Amendment No. 3

On page 2, line 42, of said bill, strike out "Sec 9", and insert

"Sec 2 The sum of three million dollars (\$3,000,000) is appropriated from the General Fund to carry out the purposes of Article 4 5, Chapter 5, Part 1, Division 2, Title 5 of the Government Code during the 1952-1953 and 1953-1954 Fiscal Years"

Amendment No. 4

On page 2, line 49, of said bill, strike out "Sec 10", and insert

"Sec 3"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 1

Assembly Bill No. 2

Assembly Bill No. 43

J. A. BEEK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 4

Assembly Concurrent Resolution No. 15

Assembly Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 14

J. A. BEEK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 19

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 bills were read the first time

Senate Bill No. 19—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

Referred to Committee on Education

Senate Bill No. 20—An act to add Chapter 20 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 administration 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

Referred to Committee on Education

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution 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 resolution was read:

Senate Concurrent Resolution No. 18—Relative to the passing of Aubrey A. Douglass.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 9, 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. 12

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. 12—An act to validate the organization of the San Marino Unified School District and the South Pasadena Unified School District, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 12?

Amendment No. 1

On page 1, line 9, of the printed bill, after "taken", insert "with respect to the organization of these districts".

Amendment No. 2

On page 1, line 13, after "proceedings", insert "with respect to the organization of these districts".

Amendment No. 3

On page 1, line 16, after "matter", insert "with respect to the organization of these districts".

Amendment No. 4

On page 1, line 20, after "matter", insert "with respect to the organization of these districts".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 12 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Moss, Munnell, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—35
NOES—None

Assembly Bill No. 12 ordered enrolled

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 9, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Constitutional Amendment No. 3

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. 3—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. 3?

Amendment No. 1

On page 1 of the printed measure, in lines 10 and 11, strike out "two hundred fifty million dollars (\$250,000,000)", and insert "one hundred thirty million dollars (\$130,000,000)".

Amendment No. 2

On page 2, line 21, of said measure, strike out "reasonably"

Demand for Previous Question

Messrs Lindsay, Gubser, Connolly, Brown, and Hahn demanded the previous question

Demand for previous question sustained

The question being on the concurrence in Senate amendments to Assembly Constitutional Amendment No. 3.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Constitutional Amendment No. 3 by the following vote:

AYES—Burke, Collier, Dunn, Hansen, Kirkwood, Klockslem, Lanterman, Levering, Landay, McGee, Smith, and Tomlinson—12

NOES—Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, Condon, Conrad, Cooke, Diekev, Dills, Doiwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubset, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—44

**Request for Unanimous Consent That Vote Be Changed Upon
Roll Call on Assembly Constitutional Amendment No. 3**

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to change his vote on Assembly Constitutional Amendment No. 3, and that he be recorded as voting "Nay" instead of "Aye."

**Appointment of Committee on Conference Concerning
Assembly Constitutional Amendment No. 3**

The Speaker announced the appointment of Messrs. Kirkwood, Moss, and Geddes as a Committee on Conference concerning Assembly Constitutional Amendment No. 3.

**REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEES BE
PERMITTED TO HOLD MEETINGS TODAY**

Mr. Lyon asked for, and was granted, unanimous consent that all committees having bills to consider be permitted to hold meetings today.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Recess—

Education, in Room 3184.

Ways and Means, in Room 4202.

Judiciary, at desk of Mr. Brown.

RECESS

At 10.33 a m., on motion of Mr. Kirkwood, the Assembly recessed until 11 30 a m.

REASSEMBLED

At 11 30 a m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohninus at the desk

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 32

By Mr. Thomas:

House Resolution No. 32

Relative to studies and surveys with respect to the construction of a tube or tunnel between San Pedro and Terminal Island

WHEREAS, At the present time the only means of transportation between San Pedro and Terminal Island is a public ferry, which situation has resulted in serious traffic congestion in this area for many years, and

WHEREAS, The tremendous growth of shipbuilding activities on Terminal Island, the importance of this entire area as a harbor for the City of Los Angeles, and the presence in San Pedro of a military reservation necessitates a solution to this problem; and

WHEREAS, For a number of years various groups and local agencies in this area have made studies and surveys with respect to the possible construction of a tube or tunnel between San Pedro and Terminal Island, the City Engineer of the City of Los Angeles, on July 2, 1952, published a report with respect to the construction of such a tunnel or tube, and

WHEREAS, It is imperative that an appropriate state agency gather and assimilate all of the studies and reports which have been made on this subject, make any other necessary studies on its own behalf, and report to the Legislature upon the feasibility of the construction of such a tube or tunnel and upon the advisability and means of state participation in the construction of such a tube or tunnel, now, therefore, be it

Resolved by the Assembly of the State of California, That the California Toll Bridge Authority, acting through the Department of Public Works, be requested to analyze and review the existing studies and surveys made with respect to the construction of a tube or tunnel between San Pedro and Terminal Island and make any other necessary studies and surveys which it deems necessary or advisable, and to report to the Legislature, upon the convening of the 1953 Session of the Legislature, the results of its reviews and studies and its recommendations as to the construction of such a tube or tunnel and as to the State's participation in said construction; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Chairman of the California Toll Bridge Authority and to the Director of Public Works

Resolution read and adopted

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 20—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately,

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 20—Relating to the passing of Arthur W Hill, Sr.

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eleventh day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11—An act to validate acts, proceedings, and elections in connection with bonds of school districts, and declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 15—An act to amend Section 3420 of, and to add Section 3472.1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 16—An act to amend Sections 3025 and 3084.1 of the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, 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 eleventh day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 12—Relative to the Honorable E Val Iatham;

Assembly Concurrent Resolution No. 13—Approving amendments to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the fifth day of May, 1952,

Assembly Concurrent Resolution No. 16—Approving certain amendments to the charter of the City of San Leandro, County of Alameda, State of California, voted for and ratified by the electors of said City of San Leandro at a general municipal election held therein on the eighth day of April, 1952,

Assembly Concurrent Resolution No. 17—Approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Culver City at a general municipal election held therein on the eighth day of April, 1952,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eleventh day of August, 1952, at 11 a m

BR RKE, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Judiciary, to which was referred

Assembly Bill No 51

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 bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 51—An act to amend Section 1152 of the Probate Code, relating to compensation of public administrators and attorneys.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No 1

On page 1, line 18, of the printed bill, after "compensation", insert "for services rendered after termination of his office"

Amendment No. 2

On page 1, line 18, of the printed bill, after "funds" strike out the comma, and insert a period.

Amendment No. 3

Strike out lines 19 and 20 of the printed bill

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT

Mr Cooke asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 17, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 17

Senate Concurrent Resolution No. 17—Relative to the birthday of Senator James J McBride

Resolution read, and adopted unanimously

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr Silliman 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. Silliman:

House Resolution No. 35

Resolved, That the sum of five thousand dollars (\$5,000), 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 Second 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—Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Morris, Munnell, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—52
NOES—None

REQUEST FOR UNANIMOUS CONSENT

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 34, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 34

By Mr. Kirkwood

House Resolution No. 34

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, now, 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 seven hundred fifty dollars (\$750), 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—Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Morris, Munnell, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—52
NOES—None

REQUEST FOR UNANIMOUS CONSENT

Mr. Connolly asked for, and was granted, unanimous consent to take up House Resolution No. 36, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 36

By Mr. McCarthy:

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 Second 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 Second 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 Second 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 Second 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

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

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kolpatnick, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCallister, McMillan, Morris, Munnell, Rumford, Shaw, Sherwin, Silberman, Stanley, Stewart, and Mr. Speaker—50

NAYS—None

CONSIDERATION OF DAILY FILE (RESUMED) CONSIDERATION OF HOUSE RESOLUTION NO. 26

By Mr. Sam L. Collins.

House Resolution No. 26

Relative to the purchase of "The Summary of California Law" by Witkin

Resolved by the Assembly, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase as many copies of Volumes (1) and (2) of "The Summary of California Law" by Witkin as may be necessary to furnish one set of the two said volumes to each Member of this Assembly who may request the same, and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver the set of two (2) said volumes of "The Summary of California Law" to each Member of the Assembly requesting the same, and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant or warrants upon the Contingent Fund of the Assembly in favor of the publisher of "The Summary of California Law" by Witkin in an amount not to exceed one thousand five hundred dollars (\$1,500) in payment for the aforesaid publication, and the State Treasurer is hereby directed to pay the same

Resolution read.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendment

Amendment No. 1

After the word "same", in the last line of the second "Resolved" paragraph, insert the words, "as approved by the Speaker"

Amendment read, and adopted

Consideration of House Resolution No. 26, As Amended

By Mr Sam L. Collins

House Resolution No. 26

Relative to the purchase of "The Summary of California Law" by Witkin

Resolved by the Assembly, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase as many copies of Volumes (1) and (2) of "The Summary of California Law" by Witkin as may be necessary to furnish one set of the two said volumes to each Member of this Assembly who may request the same; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver the set of two (2) said volumes of "The Summary of California Law" to each Member of the Assembly requesting the same as approved by the Speaker, and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant or warrants upon the Contingent Fund of the Assembly in favor of the publisher of "The Summary of California Law" by Witkin in an amount not to exceed one thousand five hundred dollars (\$1,500) in payment for the aforesaid publication, and the State Treasurer is hereby directed to pay the same

Resolution read, as amended

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

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Malonev, McCallister, McMillan, Morris, Munnell, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Mr Speaker—50

NOES—None**REMARKS ON CONDITION OF THE FILE**

Mr Doyle spoke on the condition of the file

RECESS

At 11 50 a m, on motion of Mr Hollibaugh, the Assembly recessed until 1 30 p m

REASSEMBLED

At 1 30 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, August 11, 1952

MR SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Donnelly, Dilworth, and Williams as a Committee on Conference concerning

Assembly Constitutional Amendment No. 3—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

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, August 11, 1952

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

Assembly Bill No 21
Assembly Bill No 22
Assembly Bill No 25
Assembly Bill No 30

Assembly Bill No. 41
Assembly Bill No. 44
Assembly Bill No 47
Assembly Bill No 48

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, August 11, 1952

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

Senate Constitutional Amendment No. 2

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 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 8a to Article XIII thereof, relating to property taxation.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 11, 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. 23

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. 23—An act to amend Section 1 of, to repeal Sections 2, 3, and 4 of, and to add Sections 2, 3, 4, 5, 6, and 7 to an act entitled "An act providing for the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and compensation of officers and attaches of the municipal court embracing the City of Fresno

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 23?

Amendment No. 1

In line 3 of the title of the printed bill, after "the", insert "constitution of the"

Amendment No. 2

In lines 7 and 8 of the title of said bill, strike out "embracing the City of Fresno", and insert "in the Fresno Judicial District"

Amendment No. 3

On page 1, line 3, of said bill, strike out "a".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 23 by the following vote:

AYES—Belotti, Berry, Brown, Buike, Chapel, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Landsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Parker, Porter, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—45

NOES—None

Assembly Bill No. 23 ordered enrolled.

MEMBER EXCUSED

At 1 37 p m, Mr Morris asked for, and was granted, unanimous consent that Mr Hahn be excused for the balance of the legislative day, because of legislative business elsewhere

REPORTS OF STANDING COMMITTEES**Committee on Education**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No 42

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

DUNN, Chairman

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

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Education, to which was referred Senate Bill No 17

Has had the same under consideration, and reports the same back with the recommendation. Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 17—An act to add Chapter 19.5 to Division 3 of the Education Code, relating to school district public works

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education.

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on August 8, 1952, between lines 2 and 3, insert

"Allocations under this article shall be made in such manner as to distribute the available funds equitably among school districts, giving consideration to the needs of each district and the number of children within each district who are blind, partially seeing, deaf, hard of hearing, mentally retarded, orthopedically handicapped or cerebral palsied"

Amendment No. 2

On page 3 of said bill, between lines 17 and 18, insert

"7808 When an allocation for the full cost of a project becomes effective pursuant to Section 7805, the Controller shall draw his warrant on the State Treasury in favor of the county treasurer of the county having jurisdiction over the district in accordance with the terms of such allocation. Such warrant shall be paid from the funds made available by Section 7800 for construction of facilities for exceptional children.

"7809 The Department of Education shall make such surveys as may be necessary to insure that any allocation made pursuant to this article is expended for the purpose for which it was allocated and that the housing and equipment acquired pursuant to such allocation is used for the education of exceptional children. If at any time within five years after the allocation becomes effective, the Department of Education certifies to the Controller that such housing or equipment is not being used for the education of exceptional children, the Controller shall deduct and withhold the total amount of the allocation less the amount repaid by reason of such allocation from any other funds which are due, or may become due to the district."

Amendment No. 3

On page 3, line 30, of said bill, strike out "7808", and insert "7810"

Amendment No. 4

On page 3, line 35, of said bill, strike out "7810", and insert "7811".

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 14

Senate Bill No. 21

Senate Bill No. 26

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. 14—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted

Referred to Committee on Revenue and Taxation

Senate Bill No. 21—An act to amend Section 1 of an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers, and attaches thereof," approved July 16, 1951, relating to the municipal court in a district embracing the City of Richmond.

Referred to Committee on Judiciary

Senate Bill No. 26—An act to add Section 36 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, making an appropriation to be allocated to cities incorporated on or after June 15, 1952, and before the effective date of this act, and declaring the urgency thereof to take effect immediately

Referred to Committee on Ways and Means

Senate Bill No. 27—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Ways and Means

MEMBER EXCUSED

At 1:48 p.m., Mr. Hinckley asked for, and was granted, unanimous consent that Mr. Waters be excused for the balance of the legislative day, because of legislative business elsewhere.

Speaker pro Tempore Presiding

At 1.50 p m., Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Education**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Education, to which was referred

Senate 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

DUNN, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr Dunn:

Resolved, That Senate Bill No 19 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read

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

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hieckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Landsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr Speaker—58

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 19

Senate Bill No. 19—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

Bill read second time

Consideration of Committee Amendments

Amendments were proposed by the Committee on Education, and read

Request for Unanimous Consent That All Proposed Committee Amendments to Senate Bill No. 19 Be Considered Prior to Bill Being Reprinted

Mr Dunn asked for, and was granted, unanimous consent that all proposed committee amendments be considered prior to the reprinting of the bill

Division of the Question

Messrs Lowrey and Collier asked for a division of the question

Consideration of Committee Amendments**Amendment No. 1**

On page 5, line 51, of the printed bill, as amended in the Senate on August 9, 1952, after "district", insert "voting thereat".

Amendment read, and adopted.

Consideration of Committee Amendments Nos. 2 to 4**Amendment No. 2**

On page 4, line 12, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 3

On page 9, line 37, of said bill, strike out "17", and insert "16 5".

Amendment No. 4

On page 11, line 12, of said bill, strike out "17", and insert "16 5".

Amendments read, and adopted

Consideration of Committee Amendments Nos. 5 to 8**Amendment No. 5**

On page 15 of said bill, strike out lines 15 to 36

Amendment No. 6

On page 15 of said bill, strike out line 40; and in line 41, strike out "rooms".

Amendment No. 7

On page 15, line 44, of said bill, strike out "7729", and insert "7731".

Amendment No. 8

On page 15 of said bill, strike out lines 45 to 50, and on page 16, strike out lines 1 and 2

Amendments read

Demand for Previous Question

Messrs Doyle, Evans, Klocksien, Grant, and Luckel demanded the previous question

Demand for previous question sustained

The question being on the adoption of Amendments Nos 5, 6, 7, and 8 to Senate Bill No 19.

Roll Call Demanded

Messrs Collier, Levering, and Cooke demanded a roll call

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

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Coats, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lindsay, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, and Stewart—45

NOES—Brady, Clarke, Cloyd, Collier, George D Collins, Connolly, Conrad, Grunsky, Hansen, Hunkley, Kukwood, Klocksien, Lanterman, Levering, Lowrey, Lyon, McGee, Sherwin, Silliman, Smith, Thomas, and Tomlinson—22

Consideration of Committee Amendments Nos. 9 to 11**Amendment No. 9**

In line 1 of the title of said bill, after "Division 3", insert "and to amend Sections 4714 and 7431".

Amendment No. 10

In line 2 of the title of said bill, after "works", insert "and financing".

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

Amendment No. 11

On page 25 of said bill, after line 51, insert

"SEC. 2 Section 4714 of the Education Code is amended to read

4714 Any unified school district maintaining a junior college may issue bonds not to exceed 15 percent of the taxable property of the district as shown by the last equalized

assessment of the county or counties in which the district is located. Any unified school district not maintaining a junior college may issue bonds not to exceed [10] 11 percent of the taxable property of the district as shown by such equalized assessment.

For the purposes of Chapter 16 and Chapter 19 of Division 3 only, any unified school district shall be considered to have a bonding capacity in the amount permitted by law for an elementary school district, a bonding capacity in the amount permitted by law for a high school district, and if the district maintains a junior college a bonding capacity in the amount permitted by law for a junior college district. Any unified district, if otherwise eligible, may receive an apportionment for elementary school purposes alone, for high school purposes alone, for junior college purposes alone, or for any combination of such purposes.

In computing the outstanding bonded indebtedness of any unified school district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes and junior college purposes, respectively, in the respective amounts that the proceeds of the sale of such outstanding bonds, excluding any premium and accrued interest received on said sale, were or have been allocated by the governing board of such unified school district to each of said purposes respectively.

SEC 3 Section 7431 of the Education Code is amended to read

7431 The total amount of bonds issued by an elementary school district shall not exceed 6 percent, by a high school district, 5 percent, and by a junior college district, 4 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.

SEC 4 Amendments to Sections 4714 and 7431 of the Education Code made by Sections 2 and 3 of this act shall remain in effect until December 1, 1955 and after that date the provisions of Sections 4714 and 7431 in effect on August 4, 1952 shall be revived and continued in effect."

Amendments read, and adopted

Bill ordered reprinted, and to third reading

Request for Unanimous Consent That Rush Order Be Placed Upon
Printing of Senate Bill No. 19

Mr. Dunn asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 19.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER Your Committee on Finance and Insurance, to which was referred Assembly Bill No. 50

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

GEDDIS, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 50—An act to add Chapter 20 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 administration 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

Bill read second time, and ordered engrossed

RESOLUTIONS

The following resolution was offered

By Messrs Hawkins, Rosenthal, and Kilpatrick

House Resolution No. 37

Relative to the marriage of the Honorable Edward Elliott and Miss Carol Milman

WHEREAS, Almost two years ago the Honorable Edward Elliott, by fortuitous circumstance, while "under the stars" at the Hollywood Bowl Concert Theatre, made the acquaintance of the woman destined to become the most important person in his life Miss Carol Milman of Inglewood, and

WHEREAS, Miss Carol Milman, a most graciously beautiful young lady, was not only delightfully comely but also possessed an intelligence which matched her beauty; and

WHEREAS, Miss Milman had developed this intelligence by attending the University of Southern California and upon graduating in 1946 went on to serve her community by teaching school in Los Angeles County, and

WHEREAS, The Honorable Edward Elliott was elected to the Assembly of the State of California on April 1, 1947, and re-elected in 1948 and was educated at Woodbury College and the University of California at Los Angeles, and served as an enlisted man in the Army for over three years with two years' service in the Pacific-Asiatic Theatre, and is of sterling character and capable of deeply rooted devotion which makes him especially well fitted to enter into the bonds of holy matrimony, and

WHEREAS, These two wonderful persons, on July 3, 1952, in the small but wonderfully picturesque capitol of Carson City, Nevada, did bind their lives irrevocably together with the golden twine of love, the sanctity of the marriage vow and with the blessings of God, now, therefore, be it

Resolved by the Assembly of the State of California That the Assembly expresses its sincere best wishes for a long and happy married life to Mrs. Carol Milman Elliott and congratulates Mr. Edward Elliott on his embarkation on the sea of holy matrimony, and be it further

Resolved That the Chief Clerk of the Assembly be hereby directed to transmit a suitably engrossed copy of this resolution to Mr. and Mrs. Elliott

Request for Unanimous Consent

Mr. Hawkins asked for, and was granted, unanimous consent to take up House Resolution No. 37 at this time, without reference to committee or file

Resolution read, and adopted unanimously

RE-REFERENCE OF BILL

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows.

Assembly Bill No. 26 re-referred to Committee on Ways and Means

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

The following resolution was offered

Assembly Joint Resolution No. 6: By Messrs Lowrey and Caldecott—Relative to construction of the Solano County Project

Referred to Committee on Rules

Hon. Arthur B. Connolly, Jr., Presiding

At 3 10 p m., Hon. Arthur B. Connolly, Jr., Member of the Assembly from the Twenty-first District, presiding

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted unanimous consent to take up House Resolution No. 33, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 33

By Messrs Maloney, Meyers, Belotti, Connolly, George D. Collins, Brady, McCarthy, Berry, and Caldecott

House Resolution No. 33

Re retirement of the Honorable Edward M. Gaffney

WHEREAS, After 12 years of honest, efficient and diligent service as a Member of the State Assembly of the California State Legislature, representing the Twenty-sixth District, San Francisco, the Honorable Edward M. Gaffney will retire from public service at Sacramento; and

WHEREAS, During his years of service to his constituency and the people of California, he gave faithful service and stewardship that will always redound with credit upon him for a job well done, and

WHEREAS, As Ed Gaffney leaves this august body, he leaves behind him many cherished friends who have learned to respect and love him, not only as a member but as a colleague whose big heart and humanitarian acts have endeared him to the hearts of those who served with him as Members of the California State Legislature, now, therefore, be it

Resolved, That the Members of the Assembly of the State of California do hereby extend to the Honorable Edward M. Gaffney their best wishes and good luck in all his future endeavors, and bid him "a million tons of luck" in his everyday walk of life; and be it further

Resolved, That a suitably engrossed copy of this resolution be forwarded to the Honorable Edward M. Gaffney

Resolution read, and adopted unanimously

Speaker pro Tempore Presiding

At 3 28 p m, Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings

Today at 1 30 p m

Revenue and Taxation, in Room 3184

Rules, in Room 3186

Today Upon Recess--

Ways and Means, in Room 4202.

RECESS

At 3 30 p m on motion of Mr Silliman, the Assembly recessed until 5 p m

REASSEMBLED

At 5 p m, the Assembly reconvened

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

Chief Clerk Arthur A. Ohnumus at the desk

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 4—Relative to the death of the Honorable Robert B. Fry,

Assembly Concurrent Resolution No. 19—Relative to the passing of Aubrey A. Douglass,

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eleventh day of August, 1952, at 4 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 50

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

RESOLUTIONS

The following resolution was offered

By Messrs. Berry, Hagen, Meyers, Belotti, Gaffney, Hollibaugh, Dills, Henderson, Rumford, Thomas, Clarke, Connolly, Diekey, Smith, Brady, Lyon, McMillan, Kelly, and Chapel

House Resolution No. 38

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be, and he is hereby, authorized and directed to purchase eighty-one (81) copies of the 1953 "California Attorneys Guide and Day Book", and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby, authorized to deliver one (1) copy of the 1953 "California Attorneys Guide and Day Book" to each Member of the Assembly at the 1953 General Session with the name of the member appearing on the cover, and be it further

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly in a sum not to exceed nine hundred dollars (\$900) in payment for the above mentioned eighty-one (81) copies of the 1953 "California Attorneys Guide and Day Book"

Resolution read, and ordered referred to the Committee on Rules

UNANIMOUS CONSENT GRANTED TO REQUEST THE GOVERNOR TO RETURN ASSEMBLY BILLS NOS. 15, 16, AND 20

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Governor to return Assembly Bills Nos. 15, 16, and 20, for further consideration.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 23: By Messrs. Lyon and Levering—Relative to assurance of continued financial support of the public schools.

Referred to Committee on Rules.

**REQUEST FOR UNANIMOUS CONSENT TO HOLD
SPECIAL MEETING OF COMMITTEE**

At 5 30 p.m., Mr. Brown asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Judiciary in the Post Office, at this time.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

SENATE CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 8

Assembly Bill No. 51

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 8 re-referred to the Committee on Ways and Means.
Senate Bill No. 17 re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 14

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

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER. Your Committee on Judiciary, to which was referred

Senate Bill No. 21

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

RESOLUTIONS

The following resolution was offered:

By Mr. Geddes:

House Resolution No. 39

Relative to the Reverend Robert Richards

WHEREAS, The XV Olympiad track and field games have recently been held in Helsinki, Finland; and

WHEREAS, The Reverend Robert Richards, a member of the faculty of LaVerne College, LaVerne, California, at the Olympic Games proved himself one of the world's greatest athletes by vaulting 14 feet, 11 1/4 inches for the Olympic Games record, and had previously vaulted 15 feet in this Country to climax a record of having been third in the 1948 Olympics and having won the 1951 National Decathlon Championship; and

WHEREAS, The Reverend Robert Richards, affectionately known as the "Jumping Preacher" to his many friends and admirers, has, in his life as a minister, a teacher and an athlete, demonstrated the development, in perfect union, of spirit, mind and body in the best American tradition and is an inspiration to our youth; now, therefore, be it

Resolved by the Assembly of the State of California, That the Reverend Robert Richards, by this resolution be congratulated on his achievement, and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, instructed to transmit a suitably engrossed copy of this resolution to the Reverend Robert Richards and an additional copy to the President of LaVerne College for presentation to the faculty and students that they may be reminded that from their number has come one who has brought honor and distinction to them and to our State of California

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

**REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 20
BE WITHDRAWN FROM COMMITTEE, AND RE-REFERRED**

Mr. Dunn asked for, and was granted, unanimous consent that Senate Bill No. 20 be withdrawn from the Committee on Education, and be re-referred to the Committee on Ways and Means

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting.

Today at 9 15 p m

Ways and Means, in Room 4202.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Rules, to which was referred

House Resolution No. 39

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

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Geddes asked for, and was granted, unanimous consent to take up House Resolution No. 39, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 39

By Mr. Geddes.

House Resolution No. 39

Relative to the Reverend Robert Richards

WHEREAS, The XV Olympiad track and field games have recently been held in Helsinki, Finland, and

WHEREAS, The Reverend Robert Richards, a member of the faculty of LaVerne College, LaVerne, California, at the Olympic Games proved himself one of the world's greatest athletes by vaulting 14 feet, 11 14 inches for the Olympic Games record, and had previously vaulted 15 feet in this Country to climax a record of having been third in the 1948 Olympics and having won the 1951 National Decathlon Championship; and

WHEREAS, The Reverend Robert Richards, affectionately known as the "Jumping Preacher" to his many friends and admirers, has, in his life as a minister, a teacher and an athlete, demonstrated the development, in perfect union, of spirit, mind and body in the best American tradition and is an inspiration to our youth, now, therefore be it

Resolved by the Assembly of the State of California, That the Reverend Robert Richards, by this resolution be congratulated on his achievement, and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, instructed to transmit a suitably engrossed copy of this resolution to the Reverend Robert Richards and an additional copy to the President of LaVerne College for presentation to the faculty and students that they may be reminded that from their number has come one who has brought honor and distinction to them and to our State of California

Resolution read, and adopted unanimously

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR SPEAKER Your Committee on Ways and Means, to which was referred

Assembly Bill No. 8

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

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 8—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of

public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof

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 3, lines 14 and 15, of the printed bill, as amended in the Assembly on August 9, 1952, strike out "but no interest or other charge shall be required", and insert "of principal and interest"

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

**Request for Unanimous Consent That Rush Order Be Placed Upon
Printing of Assembly Bill No. 8**

Mr. Sherwin asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 8

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 19—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

Bill read third time

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Condon, Connolly, Conrad, Cooke, Diekey, Dills, Dolwig, Doyle, Dunn, Elliott, Drwm, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kalpatrick, Klocksiem, Landsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Potter, Rufford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—59

NOES—Kirkwood, Lanterman, Levering, and McGee—4

Bill ordered transmitted to the Senate

**Request for Unanimous Consent That Names Be Placed Upon
Roll Call on Senate Bill No. 19**

Messrs Dills and Smith asked for, and were granted, unanimous consent that their names be placed upon the roll call on Senate Bill No. 19, and that they be recorded as voting, "Aye."

RECESS

At 6 27 p m , on motion of Mr. Silliman, the Assembly recessed until 8 30 p m

REASSEMBLED

At 8 30 p m , the Assembly reconvened

Hon Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohmhus at the desk

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, Sacramento, August 11, 1952

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

DEAR MR. OHNIMUS. Governor Warren has instructed me to return to you here-
with Assembly Bills Nos. 15, 16, and 20 in accordance with the request of the Assembly.
Sincerely,

BEACH VASEY, Legislative Secretary

**UNANIMOUS CONSENT GRANTED TO RECALL
ASSEMBLY BILLS NOS. 15, 16, AND 20 FROM ENROLLMENT**

Mr. Maloney asked for, and was granted, unanimous consent that the
Chief Clerk be instructed to recall Assembly Bills Nos. 15, 16, and 20
from enrollment.

COMMUNICATIONS

The following communication was received, and read:

By Speaker Collins:

August 11, 1952

MR. SPEAKER: Pursuant to your request, Assembly Bills Nos. 15, 16, and 20 are being
returned to the Assembly.

CHARLES W. ROBBINS
Engrossing-Enrolling Clerk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER: I am directed to request your honorable body to return to the Senate
Assembly Bill No. 15
Assembly Bill No. 16
Assembly Bill No. 20

For further action by the Senate.

J. A. BECK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

**ASSEMBLY BILLS NOS. 15, 16, AND 20 TRANSMITTED TO SENATE
BY UNANIMOUS CONSENT**

By unanimous consent, Speaker Sam L. Collins ordered Assembly Bills
Nos. 15, 16, and 20 transmitted to the Senate.

Speaker pro Tempore Presiding

At 8:45 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the
Assembly, presiding.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 8
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

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

The following resolution was offered

Assembly Concurrent Resolution No. 24: By Messrs Caldecott, Levering, Maloney, Collier, Sam L Collins, Kirkwood, Lowrey, Luckel, Rumford, Thomas, and Tomlinson—Relative to Brutus Hamilton

Referred to Committee on Rules

Speaker Presiding

At 9 05 p m , Hon Sam L Collins, Speaker of the Assembly, presiding

**REQUEST FOR UNANIMOUS CONSENT TO HOLD
SPECIAL MEETING OF COMMITTEE**

At 9 15 p m , Mr Sherwin asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Ways and Means, in Room 4202, at this time.

Hon. Randal F Dickey Presiding

At 9 35 p m , Hon Randal F Dickey, Member of the Assembly from the Fourteenth District, presiding

Speaker Presiding

At 9 54 p m ; Hon Sam L Collins, Speaker of the Assembly, presiding.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Arthur C Anderson, Victor Rae, Donna A Gilbert A , and Richard C Anderson of Eureka.

On request of Messrs Lyon and Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Harold Bell, and James and Barbara Bell of West Hollywood

On request of Mr Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Roy Gargano of Bakersfield, Mr and Mrs Squire, and Don Carroll of Tehachapi

On request of Mr Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Joyce Tannehill of Citrus Heights

On request of Mr Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Brigadier General and Mrs George W Fisher, California National Guard, and Mr and Mrs John Clare of San Diego

On request of Mr Fleury the usual courtesies of the Assembly for this day were unanimously extended to Mrs Mildred Baker of Sacramento

ADJOURNMENT

At 9 55 p m , on motion of Mr Lyon, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, August 12, 1952

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE
1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, August 12, 1952

The Assembly met at 10 a m

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

Chief Clerk Arthur A Ohninus at the desk

ROLL CALL

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

Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, 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, Lowrey, Luekel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Raymond A. Graber

God of the Universe, Lord of Life,

It is fitting that we should bow before Thee in gratitude as we take up anew the direction of the affairs of Thy people

We thank Thee for the endowment of an ability to respond to the good impulses. Incline us to answer wholeheartedly the noble tendencies which draw us to the larger life

We thank Thee for the capacity of fellowship which marks our work together, for by such common labors we become kin one to another, and also to Thee

May the remembrance of Thy guardianship through all our yesterdays give us confidence to face the future and the doing of Thy will—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Silliman, 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. Munnell

Mrs. Nichouse, on motion of Mr. Munnell.

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

Mr. Lipscomb, on motion of Mr. Smith.

Mr. Beck, on motion of Mr. Stewart.

The following members were granted leaves of absence for the day, and desired to waive their per diems.

Mr. Babbage, on motion of Mr. Smith.

Mr. Rosenthal, on motion of Mr. Smith.

STATEMENT RELATIVE TO ABSENCE

Mr. Erwin, who was granted a leave of absence on Saturday, August 9, 1952, because of legislative business elsewhere, has stated that he desires to waive his per diem for that day.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred Senate Bill No. 20

Has had the same under consideration, and respectfully reports the same back without recommendation

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 20—An act to add Chapter 20 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 administration 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

Bill read second time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on August 9, 1952, after "add", insert "Article 3 to Chapter 19 of Division 3 and"

Amendment No. 2

In line 4 of the title of said bill, after the semicolon, insert "to provide for the expenditure thereof on school district public works,"

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

Amendment No. 3

On page 8 of said bill, after line 30, insert

"SEC. 2 Article 3 is added to Chapter 19, Division 3 of the Education Code to read

Article 3 State School Aid for Exceptional Pupils

7800 Not to exceed $3\frac{1}{2}$ percent of any sum appropriated by the Legislature at the 1952 Second Extraordinary Session and not to exceed $3\frac{1}{2}$ percent of the proceeds of the sale of any state bonds for state school building aid may be expended pursuant to this article for assistance to school districts in providing necessary housing and equipment for the education of exceptional children as determined by the State Allocation Board. The provisions of Article 1 and 2 of this chapter do not apply to this article unless express provision therefor is made in this article.

7801 As used in this article, "exceptional children" means physically handicapped minors or mentally retarded minors required or allowed to be educated pursuant to Chapters 9 and 11 of Division 4 of this code.

7802 The sum made available by this article shall be allocated by the State Allocation Board under the Local Agency Allocation Act to school districts in such amounts as it deems necessary, subject to the provisions of this article.

Allocations under this article shall be made in such manner as to distribute the available funds equitably among school districts, giving consideration to the needs of each district and the number of children within each district who are blind, partially seeing, deaf, hard of hearing, mentally retarded, orthopedically handicapped or cerebral pained.

No allocation shall be made to a district for any housing or equipment which has not been approved by the Department of Education.

7803 In making an allocation the board shall determine whether the applicant district is financially able to repay the full cost of the project. A district is financially unable to repay such full cost:

(a) If the total amount of outstanding bonds of the district exceeds 95 percent of the maximum amount of bonds which the district could have had outstanding under any law on the date the apportionment is approved or

(b) In case the total amount of bonds of the district outstanding and unpaid is less than 95 percent of the amount of the bonds permitted to be issued by the district, if the amount of district bonds outstanding is within twenty-five thousand dollars (\$25,000) of the total bond limit permitted.

7804 If the board approves an application of a district, it shall allocate to the district the full cost of the project.

7805 If a district receives an allocation, such allocation shall not become effective unless, at an election called by the governing board of the district, two-thirds of the qualified electors of the district voting thereat have authorized the governing board of the district to accept, expend, and repay, as provided in this article, an allocation under the provisions of this article. Such election shall be called, held, and conducted in the same manner as are elections to authorize the issuance of school district bonds, except that the ballot shall contain substantially the following words:

"Shall the governing board of the _____ school district be authorized to accept and expend an allocation in an amount not to exceed _____ dollars (\$_____) from the State of California under subject to the provisions of Article 3, Chapter 19 of Division 3 of the Education Code which amount is subject to repayment as provided by said article? Yes _____ No _____"

Immediately after the result of the election has been determined, the county superintendent of schools shall make a certificate in duplicate stating whether the school district has authorized the acceptance and expenditure of the allocation. One copy of the certificate shall be sent to the board and one copy to the State Controller. Upon the receipt by the board of the certificate, the allocation shall become effective.

7806 If the board determines that a district receiving an allocation is financially able to repay the full cost of the project, such district shall repay such full cost, and the interest thereon, in a period not to exceed 20 years from January 1 of the fiscal year next succeeding the fiscal year in which the allocation becomes effective. When the board makes an allocation it shall determine the interest on the allocation pursuant to Section 7722. The repayment of the allocation and interest thereon shall be made in equal installments pursuant to Section 7731.

7807 If the board determines that a district receiving an allocation is financially unable to repay the full cost of the project, such district shall repay one-half of such amount, with interest, to the extent in the manner and at the times provided by Sections 7725 to 7736, inclusive. The interest on such one-half of the cost of the project shall be determined pursuant to Section 7722.

7808. *When an allocation for the full cost of a project becomes effective pursuant to Section 7805, the Controller shall draw his warrant on the State Treasury in favor*

of the county treasurer of the county having jurisdiction over the district in accordance with the terms of such allocation. Such warrant shall be paid from the funds made available by Section 7800 for construction of facilities for exceptional children.

7809 *The Department of Education shall make such surveys as may be necessary to insure that any allocation made pursuant to this article is expended for the purpose for which it was allocated and that the housing and equipment acquired pursuant to such allocation is used for the education of exceptional children. If at any time within five years after the allocation becomes effective, the Department of Education certifies to the Controller that such housing or equipment is not being used for the education of exceptional children, the Controller shall deduct and withhold the total amount of the allocation less the amount repaid by reason of such allocation from any other funds which are due, or may become due to the district.*

[7808] 7810 The board shall prescribe in such detail as it deems necessary, the purposes for which moneys allocated by it to a school district under this article may be expended and such prescription shall be binding upon the governing board of such district except as it may be, for good cause, modified by the board.

[7810] 7811 Section 7736 and Sections 7744 to 7747, inclusive, apply to allocations made pursuant to this article."

Amendments read, and ordered temporarily passed on file

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER. Your Committee on Ways and Means, to which was referred:

Assembly 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 third reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

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

Assembly Concurrent Resolution No. 24

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 Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER. Your Committee on Ways and Means, to which was referred.

Senate Bill No. 16

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

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 16—An act to appropriate twenty million dollars (\$20,000,000) to be expended pursuant to Chapter 19 of Division 3 of the Education Code, relating to school district public works.

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 of the printed bill, between lines 7 and 8, insert

"At the time the board makes an apportionment to a school district from the sum appropriated by this act, it shall, with the approval of the Director of Finance, fix the

interest to be paid by the district on the sum apportioned to it at a rate equal to the rate which the board fixed pursuant to Section 5051 on the last apportionment made by the board under Chapter 16 of this division before the apportionment for which the board fixes interest pursuant to this act."

Amendment read, and adopted

Bill ordered reprinted, and to third reading

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER Your Committee on Ways and Means, to which were referred

Senate Bill No. 26

Senate Bill No. 27

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 SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 26—An act to add Section 36 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, making an appropriation to be allocated to cities incorporated on or after June 15, 1952, and before the effective date of this 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 add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 19—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

And appointed Senators Donnelly, Dilworth, and Williams, as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 19

The Speaker, by unanimous consent, announced the appointment of Messrs. Kirkwood, Moss, and Geddes as a Committee on Conference concerning Senate Bill No. 19.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 11, 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. 16

Assembly Bill No. 20

J. A. BEEK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 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 amendments with the recommendation Amend, and re-refer to the committee

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

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 adding Section 8a to Article XIII thereof, relating to property taxation

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 August 9, 1952, strike out line 1, and insert

"WHEREAS, Legislation has been pending at this session of the Legislature to provide relief from damage caused by earthquake in order to provide for necessary public services and in order to provide for the assessment and reassessment of property for property tax purposes at its value after the earthquake, and

WHEREAS, Certain constitutional questions have been raised with respect to such legislation, and

WHEREAS, The Legislature reaffirms its belief in its power to provide for the assessment and reassessment of such property for property tax purposes even though the effect thereof may be to reduce the tax lien on the ground that such action would be for the public purpose of rehabilitating earthquake stricken communities and the retention of such property on the tax rolls; and

WHEREAS, This constitutional amendment, if adopted, will settle all possible questions with respect to such legislation providing for the assessment and reassessment of property, as well as other legislation providing for relief from damage caused by earthquakes, and avoid any litigation that might possibly result therefrom, now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That"

Amendment read, and adopted

Resolution ordered reprinted, and to be re-referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 24

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 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 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. 5**—Relative to memorializing Congress to enact H. R. 4574 and to select Beale Air Force Base as the site for the Air Force Academy

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, between lines 14 and 15, insert

“WHEREAS, The Academy Site Selection Committee of that department, after intensive study, has recommended to the Committee on Armed Services a number of sites, of which Beale Air Force Base is the only one located in California; and”

Amendment read, and adopted

Resolution ordered reprinted, and engrossed

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS****Senate Bill No. 14**—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted.

Bill read second time, and ordered to third reading

Senate Bill No. 21—An act to amend Section 1 of an act entitled “An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof”, approved July 16, 1951, relating to the municipal court in a district embracing the City of Richmond.

Bill read second time, and ordered to third reading

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Condon

Resolved, That Senate Bill No. 21 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hunkeler, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksriem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silberman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 21

Senate Bill No. 21—An act to amend Section 1 of an act entitled “An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof”, approved July 16, 1951, relating to the municipal court in a district embracing the City of Richmond

Bill read third time

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkeler, Hollibaugh, Kelly, Kilpatrick, Klocksriem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 11, 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. 24

Assembly Bill No. 33

Assembly Bill No. 35

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 bills ordered to unfinished business file

**UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS**

Assembly Bill No. 24—An act to amend Section 2160 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 24?

Amendment No. 1

On page 2, line 40, of the printed bill, as amended in the Assembly on August 7, 1952, strike out "fifteen dollars (\$15)", and insert "ten dollars (\$10)"

Amendment No. 2

On page 2, line 41, of said bill, after the semicolon, insert "provided further that during such time as the additional federal funds made available for that purpose by federal legislation enacted in 1952 remain available, all persons cared for under a contract mentioned in the last preceding clause of this subdivision may be granted assistance for their personal and incidental expenses not to exceed fifteen dollars (\$15) per month in lieu of the ten dollar (\$10) grant authorized by said last preceding clause, if the contract does not specifically provide for this need,

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 24 by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rutherford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—Dunn—1.

Assembly Bill No. 24 ordered enrolled.

Assembly Bill No. 33—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 33?

Amendment No. 1

In line 4 of the title of the printed bill, after "adopted", insert ", declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 10, inclusive, and insert "district which has adopted a budget for the 1952-1953 Fiscal Year may revise, add to, or otherwise increase such budget during the fiscal year if within that fiscal year, and prior to the fixing of the tax rate for such city, county, or district, an earthquake occurs after July 1, 1952 and prior to August 1, 1952, that substantially damages the property of the city, county, or district or otherwise substantially impairs the ability of the city, county, or district to perform its functions. The procedure for carrying out such budget change shall be as provided in this act

SEC. 2. The governing body of the city, county, or district shall adopt a resolution of intention to change the budget. The resolution of intention shall

- (a) Specify the purpose of the proposed change
- (b) Specify the amount or amounts of the change
- (c) Set a date for hearing, which shall not be more than one week after the date of passage of the resolution of intention

The governing body shall cause the resolution of intention to be published once in a newspaper of general circulation within the territorial unit involved before the date set for hearing. If no such newspaper is published within the unit the notice shall be published in any newspaper of general circulation that is published in the county, as determined by the governing body

SEC 3 At the time for hearing, all interested persons may protest the proposed budget change. The hearing may be continued from time to time, but shall be concluded not later than five days after the date set for hearing.

After the protests have been heard the governing body may reject any or all of the protests and may by resolution adopt the proposed budget changes by a four-fifths vote of its members.

The budget as so revised shall be effective for all purposes from and after the date of its adoption as if it were the original budget for the fiscal year of the city, county, or district.

The governing body shall cause the resolution adopting the budget change to be published once in a newspaper of general circulation in the territorial unit involved within 30 days after the adoption of the resolution. If no such newspaper is published within the unit the notice shall be published in any newspaper of general circulation that is published in the county, as determined by the governing body.

SEC 4 In any county in which the board of supervisors or the governing body of any district proceeds to change its budget as provided in this act and in which the hearing provided for by Section 3 is not concluded prior to September 1st, the rates of county and district taxes shall be fixed as provided in Section 29120 of the Government Code, except that the board of supervisors may fix the rate subsequent to September 1st but not later than thirty (30) days after the completion of all hearings held under this act by the governing body of the county or of any district in the county. The governing body of any district proceeding under this act shall forthwith notify the board of supervisors of the budget change made by it following the adoption of the resolution provided for in Section 3.

SEC 5 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A series of severe earthquakes has resulted in substantial damage to property of local governmental agencies and has impaired their ability to perform their governmental functions. In order to provide for the welfare of the residents therein and to prevent a serious disruption of the administration of public affairs it is essential to provide for a revision of the budgets these agencies have adopted for the current fiscal year.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 33 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klockiem, Lauterman, Lincoln, Landsay, Luckel, Maloney, McCarthy, McColister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rummold, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63

NOES—None

Assembly Bill No. 33 ordered enrolled

Assembly Bill No. 35—An act making an appropriation to be apportioned to school districts pursuant to Chapter 16 of Division 3 of the Education Code for the replacement and repair of school buildings damaged by earthquakes, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 35?

Amendment No. 1

On page 2, line 4, of the printed bill as amended in the Assembly on August 8, 1952, strike out "shall", and insert "may".

Amendment No. 2

On page 2, line 11, of said bill, strike out "shall", and insert "may".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 35 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klockslem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63
 NOES—None

Assembly Bill No 35 ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Constitutional Amendment No. 2 Be Passed on File and Hold Place on File

Mr. Kelly asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 2 be passed on file and that it hold its place on file.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 31, on motion of Mr. Kelly

Request for Unanimous Consent That Assembly Bill No. 51 Be Passed on File and Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 51 be passed on file, and that it hold its place on file

Assembly Bill No. 50—An act to add Chapter 20 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 administration 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

Bill read third time, and ordered passed on file

Assembly Bill No. 8—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote—

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Comad, Cooke, Dieck, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckle, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68
 NOES—None

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Comad, Cooke, Dieck, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckle, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68
 Nots—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No 23

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, August 11, 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 17

Assembly Bill No 18

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 bills ordered to unfinished business file

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 17—An act to provide for the emergency use of prison labor in earthquake areas, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being : Shall the Assembly concur in the following Senate amendment to Assembly Bill No 17?

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly August 5, 1952, in line 21, after "Corrections", insert ", with the approval of the Director of Finance,"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 17 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldercott, Chapel, Clarke, Cloyd, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dickev, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.
 Nots—None

Assembly Bill No 17 ordered enrolled

Assembly Bill No. 18—An act to call a special election to be consolidated with the General Election of 1952 and to provide for the submission to the electors of the State at such consolidated election -----

Constitutional Amendment No. _____ of the 1952 Second Extraordinary Session, to take effect immediately

The question being Shall the Assembly concur in the following Senate Amendments to Assembly Bill No 18?

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out "----- Constitutional Amendment No. ----- of", and insert "of constitutional amendments proposed by the Legislature at"

Amendment No. 2

On page 1, line 7, of said bill, strike out "measure", and insert "measures"

Amendment No. 3

On page 1 of said bill, strike out lines 13 to 17, inclusive, and insert "the electors all constitutional amendments proposed by the Legislature at the 1952 Second Extraordinary Session"

Amendment No. 4

On page 2, lines 9 and 10, of said bill, strike out "amendment", and insert "amendments"

Amendment No. 5

On page 2, line 26, of said bill, strike out "measure", and insert "measures"

Amendment No. 6

On page 2, line 28, of said bill, strike out "measure", and insert "measures"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 18 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloksiem, Janteman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Assembly Bill No 18 ordered enrolled

RESOLUTIONS

The following resolutions were offered

By Messrs. Collier and Erwin:

House Resolution No. 40

Relative to commending Major Samuel Lee, Jr.

WHEREAS, The 1952 Olympiad revealed that Dr. Samuel Lee, Jr., in competition with the best amateur athletes from all over the world, is continuing his winning ways to maintain his eminence in the demanding sport of tower diving; and

WHEREAS, Dr. Lee, who is currently Major Lee of the United States Army, has added his second gold medal to his ever growing collection of victories by again taking first place in the 1952 Olympic Games tower diving event as he did in 1948; and

WHEREAS, Some of the many other titles Dr. Lee has won include the Pacific Coast Diving Championship (1940), All-Conference Diving Championship (1941, 1942, 1943), National Intercollegiate Championship (1942), and the National A. A. U. Diving title (1942); and

WHEREAS, Dr. "Sammie" Lee, as he is known to his friends, has served as a wonderful inspiration to the youth of America and has brought much honor to his home State of California and to the city of his birth, Fresno; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their heartiest congratulations to the king of tower diving, Dr. Samuel Lee, and express the sincere belief that Dr. Lee will continue to bring glory to himself and to the State of California, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Dr. Samuel Lee, Jr.

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

By Messrs. Collier and Erwin:

House Resolution No. 41

Relating to congratulating Robert McMillen upon his achievement at the 1952 Olympic Games

WHEREAS, One of the greatest races in the history of the Olympic Games was the 1500 meter run at the 1952 Olympic Games in Helsinki, in which Robert McMillen, although placed second, was so close to the winner that he was credited with the same winning time, a new Olympic record of 3 45 2, and

WHEREAS, Bob McMillen, the son of William Harrison McMillen and Beulah Ellis McMillen, has had an extraordinary career as a track star, winning the California State Title in the mile run in 1946 while attending Cathedral High School in Los Angeles, and

WHEREAS, Bob McMillen entered Occidental College in 1950 and continued his great career in the field of sports, placing second in the NCAA mile run in 1951 and winning that event in 1952, setting a new meet record, and

WHEREAS, Bob McMillen qualified for the United States Olympic Team by winning the 1500 meter run at the Olympic trials held in Los Angeles and went on to bring glory to himself and to his Country at Helsinki, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate Robert McMillen on his outstanding achievements in the field of sports and his magnificent effort at the 1952 Olympic Games; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Robert McMillen and to his coach, Payton Jordan

Resolution read, and ordered referred to the Committee on Rules

By Messrs. Collier and Erwin:

House Resolution No. 42

Relating to congratulating John Barnes upon his participation in the 1952 Olympic Games

WHEREAS, John Baird Barnes was born on October 12, 1929, in Tulsa, Oklahoma, the son of Charles William Barnes and Mary Groves Barnes, and

WHEREAS, As a youth, John Barnes moved to Southern California, attending Woodrow Wilson High School in Long Beach, where he was a track star, competing in both the 880 and the mile run, and

WHEREAS, John Barnes entered Occidental College in 1948 and, in addition to maintaining a high scholastic standing, graduating in June of 1952 with a 'B' average, he developed further as a great track star, winning the NCAA 880 title in 1951 as a junior, and the NCAA 880 title in 1952 as a senior, setting a new meet record of 1 49 6, and

WHEREAS, John Barnes qualified for the Olympic team in 1952 by placing second in the 800 meter run at the Helsinki trials held in Los Angeles, and

WHEREAS, Although John Barnes failed to qualify for the finals in the 800 meter run at the Olympic Games held in Helsinki, Finland, his spirit of competition and sportsmanship was an inspiration to fellow members of the United States Olympic Team and his record as one of the outstanding athletes of our time is deserving of credit, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend their heartiest congratulations to Robert Barnes upon his outstanding record as an athlete and his fine efforts as a member of the United States Olympic Team, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to John Barnes and to his coach, Payton Jordan

Resolution read, and ordered referred to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT

Mr Caldecott asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 24, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 24

Assembly Concurrent Resolution No. 24—Relative to Brutus Hamilton

Resolution read.

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

AYES—Belotti, Betry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Landerman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McColister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None

Resolution ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 11 05 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

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

House Resolution No. 40

House Resolution No. 41

House Resolution No. 42

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

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Collier asked for, and was granted, unanimous consent to take up House Resolutions Nos. 40, 41, and 42, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Messrs. Collier and Erwin

House Resolution No. 40

Relative to commending Major Samuel Lee, Jr.

WHEREAS, The 1952 Olympiad revealed that Dr. Samuel Lee, Jr., in competition with the best amateur athletes from all over the world, is continuing his winning ways to maintain his eminence in the demanding sport of tower diving; and

WHEREAS, Dr. Lee, who is currently Major Lee of the United States Army, has added his second gold medal to his ever growing collection of victories by again taking first place in the 1952 Olympic Games tower diving event as he did in 1948; and

WHEREAS, Some of the many other titles Dr. Lee has won include the Pacific Coast Diving Championship (1940), All-Conference Diving Championship (1941, 1942, 1943), National Intercollegiate Championship (1942), and the National A. A. U. Diving title (1942); and

WHEREAS, Dr. "Sammie" Lee, as he is known to his friends, has served as a wonderful inspiration to the youth of America and has brought much honor to his home State of California and to the city of his birth, Fresno, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their heartiest congratulations to the king of tower diving, Dr. Samuel Lee, and express the sincere belief that Dr. Lee will continue to bring glory to himself and to the State of California, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Dr. Samuel Lee, Jr.

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 41

By Messrs Collier and Erwin

House Resolution No. 41

Relating to congratulating Robert McMillen upon his achievement at the 1952 Olympic Games

WHEREAS, One of the greatest races in the history of the Olympic Games was the 1500 meter run at the 1952 Olympic Games in Helsinki, in which Robert McMillen although placed second, was so close to the winner that he was credited with the same winning time, a new Olympic record of 3 45 2, and

WHEREAS, Bob McMillen, the son of William Harrison McMillen and Beulah Ellis McMillen, has had an extraordinary career as a track star, winning the California State Title in the mile run in 1946 while attending Cathedral High School in Los Angeles, and

WHEREAS, Bob McMillen entered Occidental College in 1950 and continued his great career in the field of sports, placing second in the NCAA mile run in 1951 and winning that event in 1952, setting a new meet record, and

WHEREAS, Bob McMillen qualified for the United States Olympic Team by winning the 1500 meter run at the Olympic trials held in Los Angeles and went on to bring glory to himself and to his Country at Helsinki, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate Robert McMillen on his outstanding achievements in the field of sports and his magnificent effort at the 1952 Olympic Games, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Robert McMillen and to his coach, Payton Jordan

Resolution read and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 42

By Messrs Collier and Erwin

House Resolution No. 42

Relating to congratulating John Barnes upon his participation in the 1952 Olympic Games

WHEREAS, John Band Barnes was born on October 12, 1929, in Tulsa, Oklahoma the son of Charles William Barnes and Mary Groves Barnes, and

WHEREAS, As a youth, John Barnes moved to Southern California, attending Woodrow Wilson High School in Long Beach, where he was a track star, competing in both the 880 and the mile run, and

WHEREAS, John Barnes entered Occidental College in 1948 and, in addition to maintaining a high scholastic standing, graduating in June of 1952 with a 'B' average, he developed further as a great track star, winning the NCAA 880 title in 1951 as a junior, and the NCAA 880 title in 1952 as a senior, setting a new meet record of 1 49 6, and

WHEREAS, John Barnes qualified for the Olympic Team in 1952 by placing second in the 800 meter run at the Helsinki trials held in Los Angeles, and

WHEREAS, Although John Barnes failed to qualify for the finals in the 800 meter run at the Olympic Games held in Helsinki, Finland, his spirit of competition and sportsmanship was an inspiration to fellow members of the United States Olympic Team and his record as one of the outstanding athletes of our time is deserving of credit, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend their heartiest congratulations to Robert Barnes upon his outstanding record as an athlete and his fine efforts as a member of the United States Olympic Team, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to John Barnes and to his coach, Payton Jordan

Resolution read and adopted

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No 23

And reports the same correctly engrossed

BURKE, Chairman

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 23, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23

Assembly Concurrent Resolution No. 23—Relative to assurance of continued financial support of the public schools

Resolution read

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kirkwood, Klocksriem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69

NOES—None

Resolution ordered transmitted to the Senate

Speaker Presiding

At 11 10 a m. Hon Sam L Collins, Speaker of the Assembly, presiding

RE-REFERENCE OF BILLS

By order of the Speaker, the following resolution was withdrawn from the file, and re-referred as follows

Senate Constitutional Amendment No 2 re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES**Committee on Ways and Means**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Ways and Means, to which was referred

Senate Bill No 17

Has had the same under consideration, and respectfully reports the same back with amendment but without recommendation

SHERWIN, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 17—An act to add Chapter 19 5 to Division 3 of the Education Code, relating to school district public works

Bill read third time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on August 11, 1952, strike out "The Controller shall set aside"

Amendment No. 2

On page 1, line 10, of said bill, strike out "The amount set aside"

Amendment No. 3

On page 1 of said bill, strike out all of line 13, and insert "then All the provisions of Articles 1 and 2 of this chapter, except Sections 7705, 7705 1, and 7717, shall"

Amendment No. 4

On page 1, lines 14 and 15, of said bill, strike out "express provision therefor is made in this article", and insert "otherwise provided herein"

Amendment No. 5

On page 1 of said bill, strike out lines 20 and 21; and on page 2, strike out lines 1 and 2, and insert
"7802."

Amendment No. 6

On page 2 of said bill, strike out lines 9 to 50; and on page 3, strike out lines 1 to 43, and insert

"7803 Notwithstanding the provisions of Article 1 and 2 of this chapter, the obligation of any district receiving an apportionment under this article to repay such apportionment shall not extend to more than one-half of the amount of the apportionment."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

**Request for Unanimous Consent That Rush Order Be Placed
Upon Printing of Senate Bill No. 17**

Mr. Cooke asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 17.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 1—An act to amend Section 2025 of the Welfare and Institutions Code, and to add Sections 2020.001 and 2020.003 thereto, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2—An act to amend Section 2025 of the Welfare and Institutions Code, relating to aid to the aged, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 12—An act to validate the organization of the San Marino Unified School District and the South Pasadena Unified School District, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 21—An act to amend Section 1 of an act entitled "An act providing for the constitution of the municipal court in a district embracing the Cities of Fullerton, Anaheim, La Habra, Brea, and Placentia, and prescribing the number and compensation of the judges, officers and attaches thereof" approved July 24, 1951, relating to municipal court salaries in Orange County;

Assembly Bill No. 22—An act to amend Section 1 and repeal Section 2 of an act entitled "An act providing for the constitution of the municipal court in a district embracing the Cities of Orange, Tustin, and Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof." approved July 24, 1951, relating to municipal court salaries in Orange County;

Assembly Bill No. 23—An act to amend Section 1 of, to repeal Sections 2, 3, and 4 of, and to add Sections 2, 3, 4, 5, 6 and 7 to an act entitled "An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 28, 1951, relating to the number and compensation of officers and attaches of the municipal court in the Fresno Judicial District;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 25—An act making an appropriation in augmentation of Item 38 of the Budget Act of 1952, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 39—An act to amend Section 1 of an act entitled "An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof," approved July 16, 1951, relating to municipal courts in districts in Riverside County;

Assembly Bill No. 41—An act to amend Section 1 of an act entitled "An act providing for the constitution of municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof," approved June 22, 1951, relating to municipal courts in districts in Santa Cruz County; And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 43—An act relating to the acquisition of properties for state highway purposes, and making an appropriation therefor;

Assembly Bill No. 44—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,

Assembly Bill No. 47—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, making an appropriation therefor, 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 twelfth day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 48—An act to add Section 36 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, making an appropriation to be allocated to cities incorporated on or after June 15, 1952, and before the effective date of this act, and declaring the urgency thereof, to take effect immediately,

And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of August, 1952, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 14—Relative to congratulating Cy Young upon his record-breaking Olympic Games victory;

Assembly Concurrent Resolution No. 15—Relative to commending Sam Innis; And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twelfth day of August, 1952, at 11 a m

BURKE, Chairman

Speaker pro Tempore Presiding

At 11.15 a m., Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hagen asked for, and was granted, unanimous consent to take up Assembly Bill No. 26, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 26

Assembly Bill No. 26—An act to provide for the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof

Bill read third time

Urgency Clause

Urgency clause read.

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Hagen moved a call of the Assembly.

Motion carried Time, 11 35 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and bring in the following absent members:

Brady, Caldecott, Sam L. Collins, Conrad, Erwin, Evans, Gubser, Kilpatrick, Kirkwood, Lincoln, Porter, Rumsford, Sillman, Thomas, and Tomlinson—15

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hagen 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

Speaker Presiding

At 11.37 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

COMMUNICATIONS

By Speaker Sam L. Collins.

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

(TELEGRAM)

SAN FRANCISCO, CALIFORNIA, August 12, 1952

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

As President of the National Conference of Commissioners on Uniform State Laws and Chairman of the California Commission on Uniform State Laws I extend to you and to all Members of the Assembly an invitation to visit and attend the annual meeting of the National Conference of Commissioners on Uniform State Laws at the Palace Hotel, San Francisco, the week of September 8th. Many proposed uniform acts of extreme interest to Members of the Legislature will be under consideration including proposed acts against organized crime at the state level. Will you please extend this invitation to all Members of the Assembly on my behalf

Sincerely,

MARTIN J. DINKELSPIEL

**REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND
RESCIND ACTION ON REPORTS OF COMMITTEES ON CONFERENCE
CONCERNING ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3 AND
SENATE BILL NO. 19**

Messrs. Kirkwood and Dunn asked for, and were granted, unanimous consent to expunge the record, and rescind the action whereby the

Assembly, on this day adopted the reports of the Committee on Conference concerning Assembly Constitutional Amendment No. 3 and Senate Bill No. 19.

Request for Unanimous Consent That Committees on Conference Concerning Assembly Constitutional Amendment No. 3 and Senate Bill No. 19 Be Permitted to Print Statement

Mr Kirkwood asked for, and was granted, unanimous consent that the Assembly Committees on Conference concerning Assembly Constitutional Amendment No. 3 and Senate Bill No. 19 be permitted to print a statement in the Journal relative to reasons for disagreement.

**STATEMENT OF COMMITTEES ON CONFERENCE CONCERNING
ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3
AND SENATE BILL NO. 19**

The Conference Committee which was appointed to act on Assembly Constitutional Amendment No. 3 and Senate Bill No. 19, has had to report back that it failed to reach agreement with the Senate conferees. Actually the three Assembly members of the committee and Senator Donnelly were in agreement on the following program

1. That Assembly Constitutional Amendment No. 3 should be amended to propose a bond issue of \$200,000,000

2. That Senate Bill No. 19 should be amended to add provisions that in the case of those districts desiring multi-use rooms that the repayment period be extended from 30 to 40 years and that it be further amended to delete the provisions which changed the present bonding capacities of school districts.

- 3 That Senate Bill No. 16 be passed with technical amendments relating to interest.

- 4 That Senate Bill No. 20 be amended to make \$55,000,000 available on May 5, 1953, without reference to the \$5,000,000 a month limitation

A further amendment was proposed which would read as follows:

“On page 6, between lines 40 and 41, insert

7910 1. Of the fifty-five million dollars (\$55,000,000) made available on May 5, 1953, the amount of twenty million dollars (\$20,000,000), which was made available for school district public works, by an act entitled “An act to appropriate twenty million dollars (\$20,000,000) to be expended pursuant to Chapter 19 of Division 3 of the Education Code, relating to school district public works,” shall be repaid as provided in this section from the first proceeds of the bonds sold pursuant to this chapter.

On June 15, 1953 the Controller shall make an estimate of the surplus which will exist in the General Fund on June 30, 1953 and in connection with making such estimate he may adopt regulations establishing the basis upon which such surplus is to be calculated. If such estimated surplus exceeds the sum of twenty million dollars (\$20,000,000), the repayment provided in this section shall be made on June 30, 1953 to the School Bond Retirement Fund, created by Item 114 1 of the Budget Act of 1952. If the estimated surplus is less than twenty million dollars (\$20,000,000), that portion of the repayment provided in this section which is required to raise the estimated surplus to twenty million dollars (\$20,000,000) shall be made on

June 30, 1953 to the General Fund, and the repayment of the remainder, if any, shall be made to the School Bond Retirement Fund.

If the Controller's estimate shows that no surplus will exist in the General Fund on June 30, 1953 the entire repayment provided in this section shall be made on June 30, 1953 to the General Fund."

ROBERT C KIRKWOOD
JOHNE MOSS, JR.
ERNEST GEDDES

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER I am directed to inform your honorable body that the First Conference Committee failed to agree and the Senate appointed Senators Hulse, Watson, and Erhart as a Second Committee on Conference concerning

Assembly Constitutional Amendment No. 3—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

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER I am directed to inform your honorable body that the First Conference Committee failed to agree and the Senate appointed Senators Hulse, Watson, and Erhart as a Second Committee on Conference concerning

Senate Bill No. 19—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF COMMITTEES ON CONFERENCE

The following reports of Committees on Conference were received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER The Committee on Conference concerning

Senate Bill No. 19—An act to add Chapter 19 to Division 3 and to amend Sections 4714 and 7431 of the Education Code, providing for school district public works and financing,

consisting of the undersigned members, has met, and reports that it has failed to agree

DONNELLY
WILLIAMS
DILWORTH

Senate Committee on Conference

KIRKWOOD
GEDDES
MOSS

Assembly Committee on Conference

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER The Committee on Conference concerning

Assembly Constitutional Amendment No. 3—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,

consisting of the undersigned members, has met, and reports that it has failed to agree

DONNELLY
WILLIAMS
DILWORTH

Senate Committee on Conference

KIRKWOOD
GEDDES
MOSS

Assembly Committee on Conference

APPOINTMENT OF SECOND COMMITTEES ON CONFERENCE CONCERNING ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3 AND SENATE BILL NO. 19

The Speaker announced the appointment of Messrs Dunn, Lincoln, and Fleury as Second Committees on Conference concerning Assembly Constitutional Amendment No. 3 and Senate Bill No. 19

ANNOUNCEMENT

Speaker Sam L. Collins announced that every member is to leave shipping address and instructions in his desk in order to assist the Sergeant-at-Arms in properly mailing the belongings, books, and files of members, at the close of the session.

Speaker pro Tempore Presiding

At 11 55 a m , Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Speaker Presiding

At 12 07 p m , Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO ASK THE LEGISLATIVE COUNSEL TO COMPILE DIGEST

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Legislative Counsel to compile a Legislative Digest of measures enacted at this session, to be combined with the Legislative Summary.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 26

At 12 15 p m , on motion of Mr. Hagen, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Assembly Bill No. 26 refused adoption by the following vote:

AYES—Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Cooke, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—39

NOES—Belotti, Burke, Clarke, Cloved, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Klockslem, Lanterman, Levering, Lyon, McCarthy, McGee, Morris, Sillman, Smith, Stewart, Tomlinson, and Waters—29

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

AYES—Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Cooke, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—39

NOES—Belotti, Burke, Clarke, Cloved, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Klockslem, Lanterman, Levering, Lyon, McCarthy, McGee, Morris, Sillman, Smith, Stewart, Tomlinson, and Waters—29

RECESS

At 12 20 p m , on motion of Mr. Sherwin, the Assembly recessed until 2 30 p m

REASSEMBLED

At 2 30 p m , the Assembly reconvened

Hon Sam L Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohninus at the desk

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 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, August 12, 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

**REQUEST FOR UNANIMOUS CONSENT THAT OPINION BE
PRINTED IN JOURNAL**

Mr. Levering asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to the School Support Initiative, 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, August 12, 1952

*Hon Harold K Levering
Assembly Chamber*

School Support Initiative—No 2605

DEAR MR LEVERING: You have asked our opinion on how much is required to be used for teachers' salaries from the apportionment of \$180 per pupil in average daily attendance as proposed by the initiative measure amending Section 6 of Article IX of the State Constitution that will appear on the ballot at the November general election as Proposition No 2, and particularly whether a percentage of this amount is specified for that purpose

While the adoption of the proposed amendment obviously will make more money available to the schools for their support, including the salaries of the teachers, we find nothing either in the amendment or in other provisions of the State Constitution requiring either a percentage or any other specified portion of the apportionment to be used for that purpose

The constitutional amendment would make two changes in the amounts required to be provided by the State for the support of the Public School System.

It would require the Legislature to increase the total amount in the State School Fund for apportionment from \$120 to \$180 per pupil in average daily attendance in the schools of the system during the preceding fiscal year

It would increase the minimum amount required to be apportioned to each school district from \$90 to \$120 per pupil in average daily attendance in the district during the preceding fiscal year

The only provision in the Constitution relating to the salaries of teachers is contained in Section 6 of Article XVI and is not amended by the initiative measure. That is the provision requiring that teachers' salaries be not less than \$2,400 a year for persons serving full time.

Education Code Section 6703 requires that 85 percent of all money apportioned to a school district as basic state aid and state equalization aid shall be expended for teachers' salaries. The proposed constitutional amendment does not alter this, but leaves with the Legislature the control of the amount of money to be paid as salaries.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Principal Deputy

**REQUEST FOR UNANIMOUS CONSENT THAT SUPPLEMENT TO
OPINION BE PRINTED IN JOURNAL**

Mr. Levering asked for, and was granted, unanimous consent that a supplement to the above opinion of the Legislative Counsel be ordered printed in the Journal, in 10-point type, as follows.

SUPPLEMENT TO OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, August 12, 1952

Honorable Harold K. Levering
Assembly Chamber

School Support Initiative—No. 2605

DEAR MR. LEVERING: This supplements our earlier opinion on this subject.

In answer to your further question regarding the \$2,400 minimum salary provision required for school teachers by Section 6 of Article XI of the Constitution, Section 13842 of the Education Code, as amended in 1951, prescribes a minimum annual salary of \$3,000.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Principal Deputy

REQUEST FOR UNANIMOUS CONSENT

Mr. Coats asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5

Assembly Joint Resolution No. 5—Relative to memorializing Congress to enact H. R. 4574 and to select Beale Air Force Base as the site for the Air Force Academy

Resolution read.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksniem, Lanterman, Levering, Landsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 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.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

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

Assembly Concurrent Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled

COMMUNICATIONS

By Speaker Sam L. Collins:

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

Resolution of the Board of Supervisors of Orange County, California, August 5, 1952

On motion of Supervisor Featherly, duly seconded and carried, the following resolution was adopted:

WHEREAS, In the program of the Federal Civil Defense Administration for the support of the local Civil Defense Organizations in Southern California, a warehouse was established at Tustin, Orange County, for stockpile storage of antibiotics, medical and hospital supplies, as well as some basic engineering supplies; and

WHEREAS, The function of this warehouse was to back up with a large reservoir of medical supplies the stocks furnished by the state and local governments in the Southern California area; and

WHEREAS, The establishment of a warehouse outside of the critical area in Southern California is essential since these supplies in stockpile by the state and local governments would be exhausted in from four to six hours in the case of a major disaster or an atomic strike in the area; and

WHEREAS, The General Services Administration has notified the Office of Civil Defense and Disaster Relief of the County of Orange that the Federal Civil Defense Administration has instructed it to close immediately the federal warehouse in Tustin, California, because of a drastic reduction in the appropriation for Federal Civil Defense by Congress; and

WHEREAS, The General Services Administration advises that the medical supplies now in storage at the federal warehouse in Tustin, California, are to be transferred to the smaller federal warehouse in San Jose, California, and

WHEREAS, The supplies from the federal warehouse in San Jose, California, could not be transported to Southern California in the event of a major disaster under 10 hours; and

WHEREAS, This loss of time in receiving these vital medical supplies could create a tragic situation for the largest population of the State now residing in Southern California; and

WHEREAS, The Federal Civil Defense Administration recognized the necessity and advisability of locating the largest of its warehouses for storage of medical supplies in Southern California, in order to serve its citizens during a major disaster within four hours or less; and

WHEREAS, The annual budget cost of maintenance of the Federal Warehouse in Tustin, California has been estimated at approximately \$45,000 00; now, therefore, be it

Resolved, That the Board of Supervisors of the County of Orange California do protest the closing of said warehouse and the removal of medical supplies now stored and to be stored in it, and be it further

Resolved, That the Board of Supervisors of the County of Orange California requests the President of the United States of America to make an immediate allocation of money from his Emergency Fund to maintain and continue the operation of the Federal Civil Defense Administration warehouse in Tustin, California, as it was originally intended, until Congress can and does appropriate money directly for its maintenance and operation; and be it further

Resolved, That copies of this resolution be distributed to the United States Senators from California, to the Congressmen from Southern California, Bakersfield south to the Mexican Border, and to the State Legislature with a request that they do all in their power to save the removal of this essential warehouse from Southern California.

AYES—SUPERVISORS C. M. FEATHERLY, HEINZ KAISER, RALPH J. MCFADDEN and WILLIS H. WARNER

NOES—SUPERVISORS—NONE

ABSENT—SUPERVISOR WILLARD SMITH

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss

I, B. J. SMITH, County Clerk and ex officio Clerk of the Board of Supervisors of Orange County, California, hereby certify that the above and foregoing resolution was duly and regularly adopted by the said board at a regular meeting thereof held on the fifth day of August, 1952, and passed by a unanimous vote of said board members present.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of August, 1952

B. J. SMITH

County Clerk and ex-officio Clerk of the Board
of Supervisors of Orange County, California

Subject matter of above resolution ordered referred to the Committee on Municipal and County Government

REQUEST FOR UNANIMOUS CONSENT

Mr Lowrey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 6, at this time, without reference to file

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 6

Assembly Joint Resolution No. 6—Relative to construction of the Solano County Project.

Resolution read

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkley, Hollibaugh, Kelly, Kilpatrick, Klocksien, Lanterman, Levering,

Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—59.
 NORS—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate
 By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (BY UNANIMOUS CONSENT)

The following resolution was read

Senate Concurrent Resolution No. 19—Relative to the passing of Mrs Edith McChesney Crittenden
 Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Rules, to which was referred

Senate Concurrent Resolution No. 19

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.

REQUEST FOR UNANIMOUS CONSENT

Mr Moss asked for, and was granted, unanimous consent to take up Senate Bill No. 17, at this time, without reference to file.

CONSIDERATION OF SENATE BILL NO. 17

Senate Bill No. 17—An act to add Chapter 19.5 to Division 3 of the Education Code, relating to school district public works.

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, Cloyd, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—67
 NORS—None

Bill ordered transmitted to the Senate.

Speaker pro Tempore Presiding

At 3 14 p m, Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that today is the Twenty-fifth Wedding Anniversary of Mr and Mrs A I Stewart, and extended to them suitable wishes of the day on behalf of the Members of the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 19, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 19

Senate Concurrent Resolution No. 19—Relative to the passing of Mrs. Edith McChesney Crittenden.

Resolution read.

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

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Landsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63

NOES—None

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 3 25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 43

Relative to investigation of additional water supply for Antelope Valley

WHEREAS, The tremendous growth of population and influx of new industries have brought about a serious water shortage in Antelope Valley; and

WHEREAS, A solution to this problem can be obtained only through the acquisition of a supplemental water supply to meet the greatly increased needs of that valley; and

WHEREAS, The water shortage threatens to destroy a highly developed agricultural area of more than 1,000 square miles which maintains a population of over 20,000 residents and many industries; and

WHEREAS, The severity of the situation is so great that immediate steps must be taken to relieve the water shortage; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Water Resources Board is urged, in making plans for the full development of the water resources of this State, to investigate possible high elevation sources of water supply, including the upper reaches of the Kern River, from which water may be secured to supplement the inadequate water supply of Antelope Valley, and to report thereon at the earliest possible date; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the State Water Resources Board and to the State Engineer

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

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 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

Request for Unanimous Consent

Mr. Kelly asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 2, at this time, without reference to file.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 2

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 adding Section 8a to Article XIII thereof, relating to property taxation

Resolution read

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

AYES—Burkhalter, Clarke, Coats, Condon, Hagen, Henderson, Kelly, Lincoln, McFall, McMillan, Moss, and Stanley—12

NOES—Belotti, Brady, Brown, Burke, Caldecott, Chapel, Cloved, Collier, George D. Collins, Conrad, Diekev, Dolwig, Doyle, Elliott, Erwin, Evans, Fleurv, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Klockslem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McGee, Morris, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—42

Resolution ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Joint Resolution No. 3

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled

**BILLS WITHDRAWN FROM ACTIVE FILE, AND
PLACED ON THE INACTIVE FILE****Assembly Constitutional Amendment No. 2**, on motion of Mr. Kelly**Assembly Bill No. 50**, on motion of Mr. Dunn.**RESOLUTIONS**

The following resolutions were offered

By Mr. Maloney

House Resolution No. 44

Relative to congratulating Assemblyman James W. Silliman on his birthday

WHEREAS, Many memorable events have occurred in the month of August, some of the more noted ones being the first practical trip in a steamboat made by Robert Fulton in August of 1807; "Wild Bill" Hickok was shot to death in Deadwood, South Dakota,

in August of 1876; Carranza occupied Mexico City in August of 1911; and the insurgents gained control of Cadiz, Seville and Cordoba in August of 1936; but, the most memorable event that has occurred in August was the birth of a small boy on August 12, 1905, in Castroville, California; and

WHEREAS, This small boy grew to manhood in the State of California, attending Salinas public schools, going on to become active in civic, fraternal and service organizations, and finally becoming a Member of the Assembly of California in 1946; and

WHEREAS, Since becoming a Member of the Assembly, this man has served the people of California well, and has endeared himself into the hearts of the Members of the Legislature because of his outstanding ability and sincere efforts on behalf of his district and the State of California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby extend to the Honorable James Willys Silliman their heartiest congratulations on the anniversary of his birthday, and wish him many happy returns and all the best of luck for the future, and be it further

Resolved, That the Chief Clerk of the Assembly prepare a suitable engrossed copy of this resolution and forward it to the Honorable James W Silliman

Request for Unanimous Consent

Messrs Coats and Maloney asked for, and were granted, unanimous consent to take up House Resolution No. 44, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr Levering:

House Resolution No. 45

Relative to commending Parry O'Brien

WHEREAS, The greatest competition between the best amateur athletes from all over the world was recently held in Helsinki, Finland, when the XV Olympiad track and field games for 1952 were conducted; and

WHEREAS, The United States scored a clean sweep in the shot put event by winning first, second and third places; and

WHEREAS, A 20-year old junior from the University of Southern California, Parry O'Brien, led the American Team of shot putters to take the gold medal for winning first place, and

WHEREAS, In making in his prize winning heave of 57 feet 1 75 inches, Parry O'Brien set a new Olympic record, thus establishing himself permanently as one of the world's greatest athletes; and

WHEREAS, By adding this victory to his already impressive list of triumphs, which include a national collegiate championship and the American national championship in 1951 and 1952, Parry has brought great honor to his home town of Santa Monica, California, and to the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly by this resolution do hereby extend their sincere congratulations to Parry O'Brien for his successful efforts in the 1952 Olympic Games, and express their belief that he will continue his winning ways to bring greater glory to the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Parry O'Brien

Request for Unanimous Consent

Mr Levering asked for, and was granted, unanimous consent to take up House Resolution No 45, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Doyle:

House Resolution No. 46

Relating to the thirty-third anniversary of the marriage of Speaker and Mrs. Samuel LaFort Collins

WHEREAS, On August 11, 1919, Marjorie D. Reynolds and Samuel LaFort Collins were joined in marriage; and

WHEREAS, Marjorie and Samuel Collins, together with their son, Samuel E. Collins, and daughter, Jodeane LaFort Collins, have enjoyed the riches of a complete, happy family life; and

WHEREAS, Their daughter Jodeane will soon marry, thus to follow the fine example set by her illustrious parents; now, therefore, be it

Resolved by the Assembly of the State of California, That this body congratulates its Honorable Speaker Samuel LaFort Collins and his wife, Marjorie Collins, on the thirty-third anniversary of their wedding day and hopes that they will enjoy many more years of marriage; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Speaker and Mrs. Samuel LaFort Collins, Samuel E. Collins, and Jodeane LaFort Collins.

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

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered.

By Mr. Gubser:

Resolved, That Senate Bill No. 26 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lantierman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 26

Senate Bill No. 26—An act to add Section 36 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, making an appropriation to be allocated to cities incorporated on or after June 15, 1952, and before the effective date of this act, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinchley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lantierman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None

Senate Bill No. 26—An act to add Section 36 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, making an appropriation to be allocated to cities incorporated on or after June 15, 1952, and before the effective date of this act, and 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockstein, Lantierman, Leving, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumpf, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Gubser:

Resolved, That Senate Bill No. 27 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockstein, Lantierman, Leving, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumpf, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66
NOES—None

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

CONSIDERATION OF SENATE BILL NO. 27

Senate Bill No. 27—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66
NOES—None

Senate Bill No. 27—An act to add Sections 41 and 42 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor, and 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 15—An act to amend Section 3420 of, and to add Section 3472 1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 16—An act to amend Sections 3025 and 3084 1 of the Welfare and Institutions Code, relating to aid to the needy blind, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 20—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, 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 twelfth day of August, 1952, at 4 p m

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

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

Assembly Concurrent Resolution No. 22

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

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

Assembly Concurrent Resolution No. 22—Relative to adjournment sine die of the 1952 Second Extraordinary Session of the Legislature of the State of California

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 4, of the printed measure, after "at", strike out the balance of the line; and strike out all of line 5, and insert "9 o'clock a m on Wednesday, the thirteenth day of August, 1952 "

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No 22

And reports the same correctly engrossed

BURKE, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

Assembly Concurrent Resolution No. 22—Relative to adjournment sine die of the 1952 Second Extraordinary Session of the Legislature of the State of California.

Resolution read, as amended

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elhott, Evans, Fleury, Gaffney, Geddes, Grant, Grunski, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klockslem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—59

NOES—None

Resolution ordered transmitted to the Senate.

RECESS

At 4 20 p m , on motion of Mr Brown, the Assembly recessed until 7 p m

REASSEMBLED

At 7 p m . the Assembly reconvened

Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

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

House Resolution No. 46

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

MALONEY, Vice Chairman

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 46, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 46

By Mr. Doyle:

House Resolution No. 46

Relating to the Thirty-third Anniversary of the marriage of
Speaker and Mrs. Samuel LaFort Collins

WHEREAS, On August 11, 1919, Marjorie D. Reynolds and Samuel LaFort Collins were joined in marriage; and

WHEREAS, Marjorie and Samuel Collins, together with their son, Samuel E. Collins, and daughter, Jodeane LaFort Collins, have enjoyed the riches of a complete, happy family life; and

WHEREAS, Their daughter Jodeane will soon marry, thus to follow the fine example set by her illustrious parents, now, therefore, be it

Resolved by the Assembly of the State of California, That this body congratulates its Honorable Speaker Samuel LaFort Collins and his wife, Marjorie Collins, on the thirty-third anniversary of their wedding day and hopes that they will enjoy many more years of marriage, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Speaker and Mrs. Samuel LaFort Collins, Samuel E. Collins, and Jodeane LaFort Collins

Resolution read, and adopted

Speaker Presiding

At 7 12 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT

Mr. Dunn asked for, and was granted, unanimous consent to take up Senate Bill No. 20, at this time, without reference to file, for purpose of amendment

CONSIDERATION OF SENATE BILL NO. 20

Senate Bill No. 20—An act to add Chapter 20 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 administration 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.

Bill read second time.

Motion to Amend

Messrs Dunn, Fleury, and Lincoln moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, as amended in the Senate on August 9, 1952, strike out "one hundred thirty million dollars (\$130,000,000)", and insert one hundred eighty-five million dollars (\$185,000,000)"

Amendment No. 2

On page 6, line 31, of said bill, strike out "five million dollars (\$5,000,000)", and insert "twenty million dollars (\$20,000,000)"

Amendment No. 3

On page 6, line 36, of said bill, strike out "to and including June 5, 1955", and insert "until a total amount of one hundred sixty-five million dollars (\$165,000,000) has become available for apportionment. The remainder of the bonds, or so many thereof as may be necessary shall be issued and sold as provided in Section 7910 1"

Amendment No. 4

On page 6 of said bill, between lines 40 and 41, insert
 "7910 1 The Director of Finance shall define and determine the surplus which exists in the General Fund as of June 30, 1953. If the estimated surplus so determined is less than five million dollars (\$5,000,000), the School Building Finance Committee shall issue and sell sufficient bonds, in an amount to the nearest one thousand dollars (\$1,000) but not in excess of twenty million dollars (\$20,000,000), to provide a surplus of five million dollars (\$5,000,000) in the General Fund, and the proceeds of the bonds so issued and sold shall be deposited in the General Fund."

Amendments read, and adopted

Bill ordered reprinted, and to third reading

**Request for Unanimous Consent That Rush Order Be Placed
 Upon Printing of Senate Bill No. 20**

Mr. Dunn asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 20

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

Senate Bill No. 17—An act to add Chapter 19 5 to Division 3 of the Education Code, relating to school district public works.

And appointed Senators McBride, Dorsey, and Donnelly as a Committee on Conference to meet a like committee from the Assembly

J. A. BIECK, Secretary of the Senate
 By C. V. TAYLOR, Assistant Secretary

**APPOINTMENT OF COMMITTEE ON CONFERENCE
 CONCERNING SENATE BILL NO. 17**

The Speaker announced the appointment of Messrs McGee, Sherwin, and Kirkwood as a Committee on Conference concerning Senate Bill No. 17.

Speaker pro Tempore Presiding

At 7 20 p. m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs Moss and Fleury:

House Resolution No. 47

Relative to commending Tommy Kono

WHEREAS, Recently in Helsinki, Finland, the best amateur athletes from all over the world gathered to participate in various track and field events in the XV Olympiad competition, and

WHEREAS, The American Team of athletes scored wins in many different sports to attain a cumulative total score greater than any other nation, and

WHEREAS, One of the primary reasons for the American Team's success was a first place win in the weightlifting division by a Sacramento, California, boy who upset many highly touted foreign favorites to secure this victory; and

WHEREAS, This young man, "Tommy" Kono, established a new Olympic record for weightlifting in the lightweight division by lifting a total weight of 797.5 pounds in the three standards lifts, thereby bringing great credit to himself and his home State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby congratulate Tommy Kono for his magnificent effort in winning first place in weightlifting for the United States; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send suitably prepared copies of this resolution to Tommy Kono and to his parents

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

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

House Resolution No 47

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

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr Moss asked for, and was granted, unanimous consent to take up House Resolution No. 47, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 47

By Messrs Moss and Fleury:

House Resolution No. 47

Relative to commending Tommy Kono

WHEREAS, Recently in Helsinki, Finland, the best amateur athletes from all over the world gathered to participate in various track and fields events in the XV Olympiad competition; and

WHEREAS, The American Team of athletes scored wins in many different sports to attain a cumulative total score greater than any other nation, and

WHEREAS, One of the primary reasons for the American Team's success was a first place win in the weightlifting division by a Sacramento, California, boy who upset many highly touted foreign favorites to secure this victory, and

WHEREAS, This young man, "Tommy" Kono, established a new Olympic record for weightlifting in the lightweight division by lifting a total weight of 797.5 pounds in the three standards lifts, thereby bringing great credit to himself and his home State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby congratulate Tommy Kono for his magnificent effort in winning first place in weightlifting for the United States; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send suitably prepared copies of this resolution to Tommy Kono and to his parents

Resolution read, and adopted unanimously

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

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

House Resolution No 38

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

Request for Unanimous Consent

Mr Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No 38, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 38

By Messrs Berry, Hagen, Meyers, Belotti, Gaffney, Hollibaugh, Dills, Henderson, Rumford, Thomas, Clarke, Connolly, Dickey, Smith, Brady, Lyon, McMillan, Kelly, and Chapel:

House Resolution No. 38

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be, and he is hereby, authorized and directed to purchase eight-one (81) copies of the 1953 "California Attorneys Guide and Day Book", and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby, authorized to deliver one (1) copy of the 1953 "California Attorneys Guide and Day Book" to each Member of the Assembly at the 1953 General Session with the name of the member appearing on the cover; and be it further

Resolved, That the Controller is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly in a sum not to exceed nine hundred dollars (\$900) in payment for the above mentioned eight-one (81) copies of the 1953 "California Attorneys Guide and Day Book"

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In House Resolution No 38, as it appears in the Assembly Journal of August 11, 1952, at page 235, strike out the second and third "Resolved" clauses, and insert:

Resolved, That the Chief Clerk is instructed to supply the publisher of the "California Attorneys Guide and Day Book" with a list of the Members of the Assembly who have requested that said publication be supplied to them, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit to the State Controller a list of the Members of the Assembly who have requested the purchase of the "California Attorneys Guide and Day Book" and the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in a sum not to exceed nine hundred dollars (\$900) in payment for the above mentioned copies of the 1953 "California Attorneys Guide and Day Book"

Amendment read, and adopted.

Resolution ordered reprinted, and on file

House Resolution No. 38, As Amended

By Messrs Berry, Hagen, Meyers, Belotti, Gaffney, Hollibaugh, Dills, Henderson, Rumford, Thomas, Clarke, Connolly, Dickey, Smith, Brady, Lyon, McMillan, Kelly, and Chapel:

House Resolution No. 38

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be, and he is hereby, authorized and directed to purchase eighty-one (81) copies of the 1953 "California Attorneys Guide and Day Book"; and be it further

Resolved, That the Chief Clerk is instructed to supply the publisher of the "California Attorneys Guide and Day Book" with a list of the Members of the Assembly who have requested that said publication be supplied to them; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit to the State Controller a list of the Members of the Assembly who have requested the purchase of the "California Attorneys Guide and Day Book" and the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in a sum not to exceed nine hundred dollars (\$900) in payment for the above mentioned copies of the 1953 "California Attorneys Guide and Day Book"

Speaker Presiding

At 8.25 p m , Hon Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered.

By Messrs. McGee, Morris, Burkhalter, Grant, Klockslem, Levering, Lanterman, Chapel, Burke, McMillan, Evans, Kilpatrick, Hollibaugh, Smith, Elliott, Hawkins, Conrad, Doyle, Thomas, and Stanley:

House Resolution No. 48

Relating to the relocation of high voltage power transmission lines
in the City of Los Angeles

WHEREAS, The Department of Water and Power of the City of Los Angeles has proposed the construction of high voltage power transmission lines through the San Fernando Valley in the City of Los Angeles; and

WHEREAS, The department has requested the City Council of the City of Los Angeles by resolution to determine the public interest and necessity for such project pursuant to Section 1241 of the Code of Civil Procedure; and

WHEREAS, All citizens of the area are desirous of having the benefits resulting from such proposed project, now, therefore, be it

Resolved by the Assembly of the State of California, That the Los Angeles Department of Water and Power and the Los Angeles City Council, in considering the location and relocation of the proposed high voltage power transmission lines, are urged to do so in the manner which will be most compatible with the greatest public good and the least private injury, and be it further

Resolved, That the Chief Clerk is directed to transmit copies of this resolution to the members of the Los Angeles City Council and to the Los Angeles Department of Water and Power.

Request for Unanimous Consent

Mr McGee asked for, and was granted, unanimous consent to take up House Resolution No. 48, at this time, without reference to committee or file

Resolution read, and adopted

ANNOUNCEMENT

Speaker Sam L. Collins announced, on behalf of Mr. Luckel, Chairman of the Committee on Transportation and Commerce, the appointment of a subcommittee, composed of Mr. Belotti, Chairman, and Messrs. Meyers, Lindsay, and Parker to investigate the overloading of logging trucks; that a sum of \$1,200 has been appropriated for said investigation; and that the above mentioned subcommittee will present a report not later than January 3, 1953.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dunn:

Resolved, That Senate Bill No. 16 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

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

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Connolly, Cooke, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay,

Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60
 NAYS—None.

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

CONSIDERATION OF SENATE BILL NO. 16

Senate Bill No. 16—An act to appropriate twenty million dollars (\$20,000,000) to be expended pursuant to Chapter 19 of Division 3 of the Education Code, relating to school district public works

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Diekey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68
 NAYS—None

Request for Unanimous Consent That Names Be Placed Upon Roll Call on Urgency Clause to Senate Bill No. 16

Messrs. McCollister, Tomlinson, Dolwig, and Brady asked for, and were granted, unanimous consent that their names be placed upon the roll call on the urgency clause to Senate Bill No. 16, and that they be recorded as voting, "Aye."

Senate Bill No. 16—An act to appropriate twenty million dollars (\$20,000,000) to be expended pursuant to Chapter 19 of Division 3 of the Education Code, relating to school district public works

Bill read third time

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Diekey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinekley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68
 NAYS—None

Bill ordered transmitted to the Senate

REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER: The Second Committee on Conference concerning

Senate Bill No. 19—An act to add Chapter 19 to Division 3 and to amend Sections 4714 and 7131 of the Education Code, providing for school district public works and financing,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill, as amended in the Assembly on August 11, 1952, be further amended as follows

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on August 11, 1952, strike out "and to amend Sections 4714 and 7431"

Amendment No. 2

In line 3 of the title of said bill, strike out "and financing"

Amendment No. 3

On page 15 of said bill, between lines 14 and 15, insert

7729 1 If an apportionment is made for a project which includes a multipurpose room the board shall determine and specify the portion of the apportionment that is allocated to the cost of the multipurpose room

If a district receives an apportionment a portion of which is for a multipurpose room it shall repay the principal amount of such portion of the apportionment as an additional payment as provided by this section Interest on the total apportionment shall be paid as provided in Section 7732 Such repayment is in addition to the repayments required on the total of all apportionments to the district, which shall be repaid as otherwise provided in this chapter

Notwithstanding the provisions of Sections 7732 and 7733 for cancellation of the principal amount of apportionments the State Controller shall continue to make the deduction provided by Section 7731 during each fiscal year thereafter until the principal amount of the portion of the apportionment that was allocated to the cost of the multipurpose room and was made and disbursed to the district has been withheld, or for an additional period of 10 years, whichever first occurs At the expiration of 40 years from the first day of January of the fiscal year next succeeding the fiscal year in which such apportionment became final, the unpaid balance of the principal amount of such portion of the apportionment shall be cancelled on the books of the State Controller and the provisions of Section 7732 shall thereupon become applicable thereto and the board shall execute a conveyance to the district as provided in Section 7733

Amendment No. 4

On page 26 of said bill, strike out lines 1 to 42, inclusive

HULSE
WATSON
ERLIART

Senate Second Committee
on Conference

FLEURY
DUNN
LINCOLN

Assembly Second Committee
on Conference

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Diekey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineklev, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksniem, Lauterman, Levering, Lincoln, Landsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munneil, Parker, Potter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69

NOES—None

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr Dunn.

Resolved, That Senate Bill No. 20 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Diekey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70
 NOES—None

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

CONSIDERATION OF SENATE BILL NO. 20

Senate Bill No. 20—An act to add Chapter 20 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 administration 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

Bill read third time

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

AYES—Belotti, Berry, Biady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Dicke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70
 NOES—None

Bill ordered transmitted to the Senate

REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received, and read

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER The Second Committee on Conference concerning

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 165 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State,

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 constitutional amendment, as amended August 9, 1952, be further amended as follows

Amendment No. 1

On page 1, lines 11 and 12, of the printed measure, as amended in the Senate on August 9, 1952, strike out "one hundred thirty million dollars (\$130,000,000)" and insert "one hundred eighty-five million dollars (\$185,000,000)"

Amendment No. 2

On page 2 of said measure, between lines 4 and 5, insert
 "(c) To repay, as provided by law, the money appropriated from the General Fund at the 1952 Second Extraordinary Session for state school building and"

HULSE
 WATSON
 ERHART

Senate Second Committee
 on Conference

FLEURY
 DUNN
 LINCOLN

Assembly Second Committee
 on Conference

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Leveing, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumfoid, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70
NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ANALYSIS OF AMENDMENTS CONCERNING ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3 BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that an analysis of amendments concerning Assembly Constitutional Amendment No. 3 be ordered printed in the Journal, in 10 point type, as follows:

ANALYSIS OF AMENDMENTS PROPOSED BY THE SECOND CONFERENCE COMMITTEE TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3, SENATE BILL NO. 19, AND SENATE BILL NO. 20

Assembly Constitutional Amendment No. 3

The Conference Committee amendments provide a bond issue of \$185,000,000 and authorize the use of the bonds so issued for the repayment of the General Fund in addition to the present authorization for apportionments to school districts and the payment of expenses incurred in preparing and selling the bonds.

The amendment authorizing repayment of the General Fund must be read in connection with Senate Bill No. 16 which appropriates \$20,000,000 from the General Fund for school apportionments and with the proposed amendments to Senate Bill No. 20 which specify terms and conditions of the repayment of the General Fund

Senate Bill No. 19

The amendments proposed by the committee extend the period of repayment from 30 years to 40 years as to that portion of an apportionment attributable to a multipurpose room. The amendment terminates interest upon the apportionment after the first 25 years so that the extended period will require a repayment of principal only. If the total amount of the apportionment which is attributable to the multipurpose room is paid prior to the end of the 40-year period, the repayment provisions cease when the total is paid. In no event will additional repayments continue for more than 40 years.

In addition, the proposed amendments remove from the bill the Assembly amendment which increased the bond limitation for elementary school districts to 6 percent and decreased the bond limitation for junior colleges to 4 percent.

Senate Bill No. 20

The proposed amendments to Senate Bill No. 20 provide for the issuance and sale of \$20,000,000 of bonds on May 5, 1953, said amount to become immediately available for apportionment to school districts. They further provide that the sum of \$5,000,000 for apportionments shall be available from the bond moneys on the fifth of each month thereafter until a total of \$165,000,000 in bonds has been issued. In no event is more than \$165,000,000 in bonds to be issued for apportionment to school districts.

The amendments then provide that the Director of Finance shall determine the surplus in the General Fund as of June 30, 1953, as soon as feasible thereafter. They further provide that if the surplus in the General Fund on June 30, 1953, is less than \$5,000,000, bonds shall be issued and sold and the proceeds deposited in the General Fund in such amount as is necessary to increase the General Fund surplus to \$5,000,000. In no event is the amount of bonds issued and sold for the replenishing of the General Fund to exceed \$20,000,000.

Resolution to Suspend Constitutional Provision

The following resolution was offered.

By Mr. Kelly

Resolved, That Senate Bill No. 14 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Landsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rufford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—None

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

CONSIDERATION OF SENATE BILL NO. 14

Senate Bill No. 14—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Landsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rufford, Sherwin, 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—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Landsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rufford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER The Committee on Conference concerning

Senate Bill No. 17—An act to add Article 3 to Chapter 19, Division 3 of the Education Code, relating to school district public works, consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended August 12, 1952, be further amended as follows

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on August 12, 1952, strike out "shall", and insert "may".

Amendment No. 2

On page 2, lines 3 and 4 of said bill, strike out "shall be made in such manner", and insert "may be made in such amount as may be necessary, and in such manner".

MCBRIDE

DORSEY

DONNELLY

Senate Committee on Conference

McGEE

KIRKWOOD

SHERWIN

Assembly Committee on Conference

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dill, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hunkley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockum, Linterman, Loring, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

COMMENDATIONS EXTENDED

Mr. Dunn commended Mr. Fleury for his fine leadership and commented on the excellent work of Messrs. Kirkwood, Moss, and Geddes as Members of the first Committees on Conference concerning Senate Bill No. 19 and Assembly Constitutional Amendment No. 3. Mr. Dunn further pointed out, particularly, the contribution of Mr. Lincoln in his labors on behalf of the second Committees on Conference concerning Senate Bill No. 19 and Assembly Constitutional Amendment No. 3.

Mr. Geddes extended commendation to Mr. Dunn, Chairman of the Committee on Education, and to his committee, for the leadership and hard work responsible for the passage of constructive, key legislation, at this present session.

Mr. Dunn expressed appreciation to Speaker Sam L. Collins for appointing him Chairman of the Committee on Education and according him the opportunity to serve the people of California in the field of educational legislation.

Speaker Sam L. Collins complimented Mr. Dunn on the able manner in which he has conducted his duties as Chairman of the Committee on Education.

**TRIBUTE PAID TO SPEAKER SAM L. COLLINS
BY MR. MALONEY**

On behalf of the Members of the Assembly, Mr. Maloney paid tribute to Speaker Sam L. Collins upon his abilities and outstanding leadership as Speaker of the Assembly. By an ovation and a rising vote, that was unanimous, appreciation was expressed for his many courtesies extended to all, during the several sessions he has served as Speaker.

**MOTION THAT REMARKS RELATIVE TO SPEAKER SAM L. COLLINS
BY MR. MALONEY BE PRINTED IN JOURNAL**

Mr. Levering moved that the remarks by Mr. Maloney, relative to Speaker Sam L. Collins, be reduced to writing, and be ordered printed in the Journal.

Mr. Brady seconded the motion.
Motion carried unanimously.

REMARKS BY SPEAKER PRO TEMPORE THOMAS A. MALONEY

August 12, 1952

Mr. Speaker and Members of the Assembly:

Tonight and tomorrow morning, Mr. Collins, you are presiding over this Assembly for the last time.

On behalf of the entire membership of the Assembly I desire to extend to you, Mr. Speaker, our sincere thanks and appreciation for all of the courtesies you have extended to each and every one of us. You have been fair, honest, and diligent in all of your deliberations. You have treated each and every member with dignity.

You have proved yourself an able leader, a scholarly presiding officer, and a marvelous parliamentarian. Your rulings have been in accord with all manuals that provide parliamentary procedure.

You have been tolerant when the going was rough, and patient in our troubled hours of debate.

Also may I express to you, on behalf of those at the desk, and the attaches, their thanks for all of the kindnesses you have shown them.

As you leave this Assembly, Sam L. Collins, and these words not only come from myself, but from the hearts of all of the Members of the Assembly, we wish you God speed and good luck in all of your future endeavors.

May God bless you, and your family, and may you all be blessed with all of the good things in life for many, many years to come.

THOMAS A. MALONEY, Speaker pro Tempore

RESOLUTIONS

The following resolutions were offered.

By Mr. Hawkins.

House Resolution No. 49

Resolved, That Arthur A. Ohmhus, 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 Hawkins asked for, and was granted, unanimously went to take up House Resolution No 49, at this time, without reference to committee or file

Resolution read, and adopted.

By Mr Kirkwood

House Resolution No. 50

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Wednesday, August 13, 1952, save and except Arthur A. Ohnumus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk

Request for Unanimous Consent

Mr Kirkwood asked for, and was granted, unanimous consent to take up House Resolution No 50, at this time, without reference to committee or file

Resolution read, and adopted.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Albert J. Fink and Wesley Bilson of Los Angeles.

On request of Mr Rumford, the usual courtesies of the Assembly for this day were unanimously extended to H. Espinosa of Panama

On request of Mr Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Jack Maloney of San Francisco.

On request of Mr Porter, the usual courtesies of the Assembly for this day were unanimously extended to Jack C. Cleland of Lynwood

On request of Mr Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Sister Carlanne of Sacramento and Sister Mary Joyce of Santa Cruz.

On request of Mr McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Samuel Tolch of Hollywood.

ADJOURNMENT

At 9 25 p m. on motion of Mr. Stewart, the Speaker declared the Assembly adjourned until 8 50 a m. Wednesday, August 13, 1952.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1952 SECOND EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, August 13, 1952

The Assembly met at 8.50 a m

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

Chief Clerk Arthur A. Ohninus at the desk.

ROLL CALL

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

Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyd, Coats, Collier, George D Collins, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockslem, Lauterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morus, Moss, Parker, Porter, Rufford, Shaw, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Raymond A. Graber:

O Lord God

Thou has committed unto us the daily responsibilities of being servants in the ongoing task of Thy people

May that which we say and do, the spirit of our lives and the considerations of our minds be acceptable to the Divine Will

We are grateful for the abundance of Thy love In the beauty of the earth Thou has shown us the beauty of life In the light of the world we have seen that the gloom of darkness can be dispelled

For the tasks accomplished we thank Thee. For the work yet to be done do Thou be our guide To this end grant Thy eternal wisdom—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Thomas, 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, on motion of Mr. Hahn.

Mr. Crowley, on motion of Mr. Hahn.

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

Mr. Munnell, on motion of Mr. Hahn.

Mr. Lipsecomb, on motion of Mr. Hahn.

Mr. Beck, on motion of Mr. Hahn.

Mr. Lyon, on motion of Mr. Hahn.

Mr. Condon, on motion of Mr. Hahn.

Mr. Grunsky, on motion of Mr. Hahn.

Mr. Connolly, on motion of Mr. Hahn.

Mr. Sherwin, on motion of Mr. Hahn.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Rosenthal, on motion of Mr. Hahn.

Mr. Babbage, on motion of Mr. Hahn.

**REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS
ADJOURN WITH PRAYERS FOR ILL MEMBERS**

Mr. Doyle asked for, and was granted, unanimous consent that when the Assembly does this day adjourn, that the members do so with prayers in their hearts for the two members who are ill: Mrs. Niehouse and Mr. Crowley.

COMMUNICATIONS

By the Chief Clerk:

A communication from Orman E. Hupp of Long Beach, relative to school bond legislation, was received, and ordered referred to the Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Assembly Constitutional Amendment No. 3—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.

J. A. BECK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Constitutional Amendment No. 3 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Senate Bill No. 19—An act to add Chapter 18 to Division 3 of the Education Code, providing for school district public works.

J. A. BECK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, August 12, 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

Senate Bill No. 17—An act to add Chapter 195 to Division 3 of the Education Code relating to school district public works

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO August 12 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 22

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER SACRAMENTO August 12, 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. 16
Senate Bill No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO August 13 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 17—An act to provide for the emergency use of prison labor in earthquake areas making an appropriation therefor, and declaring the urgency thereof to take effect immediately.

Assembly Bill No. 18—An act to call a special election to be consolidated with the General Election of 1952 and to provide for the submission to the electors of the State at such consolidated election of constitutional amendments proposed by the Legislature at the 1952 Second Extraordinary Session, to take effect immediately.

Assembly Bill No. 24—An act to amend Section 2160 of the Welfare and Institutions Code relating to old age security to inmates of private institutions, 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 thirteenth day of August, 1952, at 8 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 13, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 33—An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted, declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 35—An act to add Section 7705.4 to the Education Code relating to aid to school districts for the repair and replacement of school buildings damaged by earthquakes, to take effect immediately.

And reports the same have been correctly enrolled, and presented to the Governor on the thirteenth day of August 1952, at 8 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 13, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 24—Relative to Brutus Hamilton.

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirteenth day of August, 1952, at 8 a.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 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. 8

And respectfully requests your honorable body to concur in said amendments

J. A. BEEBE, 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. 8—An act to add Article 4.5 to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to the allocation of state funds to local agencies for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 8?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on August 11, 1952, strike out "the allocation of state funds to local agencies", and insert "state assistance".

Amendment No. 2

On page 1, line 11, of said bill, after "board" insert "may loan funds to a local agency for the replacement, repair, or reconstruction of any public building or any public facility of such local agency which has been damaged or destroyed by earthquake after July 1, 1952, as provided in Sections 54129 and 54130, or the board"

Amendment No. 3

On page 1, line 11 of said bill, after "replace", insert "repair,

Amendment No. 4

On page 1, line 13, of said bill after "1952" insert "as provided in Sections 54127 and 54128"

Amendment No. 5

On page 2, lines 2 and 3, of said bill, strike out "of principal and interest", and insert "of rentals, which shall be fixed at an amount which will return to the State within the period agreed by the board and the local agency the sums which the State, through the board, has expended for the local agency, plus an amount to be specified by the board to be in lieu of the interest which the State would receive if the money were to be invested by the State"

Amendment No. 6

On page 2, line 4, of said bill, strike out "40", and insert "20"

Amendment No. 7

On page 2, of said bill, between lines 5 and 6, insert "54129 In the event that the board loans funds to a local agency, the board and the local agency may agree upon the terms and conditions of the payment of the principal and interest. The maximum term of an agreement shall be 20 years. The board may require a shorter repayment period."

54130 A loan provided for in Sections 54126 and 54129 shall not be made if it would provide for an indebtedness or liability contrary to the provisions of Section 18 of Article XI of the Constitution unless, at an election called by the governing body of the local agency two-thirds of the qualified electors of the local agency voting thereat have authorized the governing body of the local agency to accept, expend, and repay the amount of the loan under this article. Such election shall be held in accordance with

provisions of law for the incurring of bonded indebtedness by the local agency, as near as the same may be applicable."

The roll was called and the Assembly concurred in Senate amendments to Assembly Bill No. 8 by the following vote

AYES—Belotti, Berry, Burke, Chapel, Clarke, Cloyd, Coats, Collier, George D. Collins, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klockslem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rufford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—56
NOES—None

Assembly Bill No. 8 ordered enrolled

RESOLUTIONS

The following resolutions were offered

By Mr. Lowrey

House Resolution No. 51

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. Lowrey 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 and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 51, Speaker Sam L. Collins announced the appointment of Messrs. Gubser, Evans, Lowrey, Grant and Coats as such Select Committee to wait upon the Governor

By Mr. Geddes

House Resolution No. 52

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. Geddes asked for, and was granted, unanimous consent to take up House Resolution No. 52, 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. 52, Speaker Sam L. Collins announced the appointment of Messrs. Geddes, Burke, and Dills as such Select Committee to wait upon the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER—I am directed to request your honorable body to return to the Senate.

Assembly Joint Resolution No. 6

For further consideration by the Senate

J. A. BEEK, Secretary of the Senate
 By C. V. TAYLOR, Assistant Secretary

**REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY JOINT
RESOLUTION NO. 6 BE RETURNED TO THE SENATE**

Pursuant to the request of the Senate, Speaker Sam L. Collins asked for unanimous consent that Assembly Joint Resolution No. 6 be returned to the Senate.

Mr. Lowrey withheld unanimous consent.

Motion

Mr. Dolwig moved that Assembly Joint Resolution No. 6 be returned to the Senate.

Mr. Erwin seconded the motion.

Roll Call Demanded

Messrs. Henderson, McFall, and Lowrey demanded a roll call.

The roll was called and the motion lost by the following vote:

AYES—Dolwig—1
 NOES—Belotti, Berry, Burkhalter, Caldercott, Chapel, Clarke, Cloyd, Collier, George, D. Collins, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Henry, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lindsay, Lowrey, Luckel, Malonev, McCarthy, McCollister, McFall, McGee, Morris, Moss, Parker, Porter, Runtford, Shaw, Silliman, and Stanley—48.

COMMITTEE FROM THE SENATE

Senators Watson, Donnelly, and Ed C. Johnson, acting as a Select Committee from the Senate, appeared before the bar of the Assembly, and reported that the Senate had concluded its labors and was ready to adjourn sine die.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO August 13, 1952

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 3—Relative to requesting the Federal Communications Commission to expedite the licensing of television stations in California.

Assembly Joint Resolution No. 5—Relating to memorializing Congress to enact H. R. 4574 and to select Beale Air Force Base as the site for the Air Force Academy.

Assembly Joint Resolution No. 6—Relative to construction of the Solano County Project.

And reports that the same have been correctly enrolled and presented to the Secretary of State on the thirteenth day of August, 1952, at 9 a. m.

BURKE, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO August 12, 1952

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

Senate Bill No. 18.

Respectfully reports the same back without further action.

BROWN, Chairman

* Above reported bill ordered transmitted to the Senate.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO August 12, 1952

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

Assembly Bill No. 45.

Respectfully reports the same back without further action.

CONNOLLY, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO August 12, 1952

MR. SPEAKER Your Committee on Ways and Means, to which was referred
Senate Bill No. 6

Respectfully reports the same back without further action

SHERWIN, Chairman

Above reported bill ordered transmitted to the Senate

ASSEMBLY CHAMBER, SACRAMENTO, August 12, 1952

MR. SPEAKER Your Committee on Ways and Means, to which were referred

Assembly Bill No. 9 Assembly Bill No. 42

Assembly Bill No. 19 Assembly Bill No. 49

Assembly Bill No. 32

Respectfully reports the same back without further action

SHERWIN, Chairman

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO August 13, 1952

MR. SPEAKER Your Committee on Social Welfare, to which were referred

Assembly Bill No. 30 Assembly Bill No. 37

Assembly Bill No. 36 Assembly Bill No. 46

Respectfully reports the same back without further action

KILPATRICK, Vice Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO August 12, 1952

MR. SPEAKER Your Committee on Revenue and Taxation to which were referred

Assembly Bill No. 27

Assembly Bill No. 28

Assembly Bill No. 34

Respectfully reports the same back without further action

HOLLIBAUGH, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, August 11, 1952

MR. SPEAKER Your Committee on Education to which were referred

Assembly Bill No. 13

Assembly Bill No. 40

Respectfully reports the same back without further action

DUNN, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO August 13, 1952

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No. 29

Respectfully reports the same back without further action

STEWART, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO August 13, 1952

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

House Resolution No. 18

House Resolution No. 28

House Resolution No. 19

House Resolution No. 43

House Resolution No. 21

House Resolution No. 30

House Resolution No. 22

House Resolution No. 31

House Resolution No. 25

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 13, 1952

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

Assembly Joint Resolution No. 1

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 4

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, August 13, 1952

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

Assembly Constitutional Amendment No. 5

Assembly Constitutional Amendment No. 4

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER SACRAMENTO August 13, 1952

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

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 21

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER SACRAMENTO August 13, 1952

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

Assembly Bill No. 5

Assembly Bill No. 6

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER SACRAMENTO August 13, 1952

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

Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 11

Senate Concurrent Resolution No. 18

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

Above reported resolutions ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER SACRAMENTO, August 13, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day returned without further action

Assembly Concurrent Resolution No. 10

Assembly Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 23

J. A. BELK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER SACRAMENTO August 13, 1952

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day returned without further action

Assembly Bill No. 10

Assembly Bill No. 14

Assembly Bill No. 38

J. A. BELK, Secretary of the Senate

By C. V. TAYLOR, Assistant Secretary

**REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION FROM
LEGISLATIVE BUDGET COMMITTEE BE PRINTED IN JOURNAL**

Mr. Levering asked for, and was granted, unanimous consent that a communication from the Legislative Budget Committee be ordered printed in the Journal in 10-point type, as follows:

LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
STATE CAPITOL, SACRAMENTO August 13 1952

Hon. Harold K. Levering
Assemblyman, 60th District
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN LEVERING: In accordance with your request we have taken 1952-53 public school apportionments and attempted to determine that portion of the total which comprises additions made by the Legislature since the constitutional amendment was passed in 1946 increasing school support, and compared this with the amount which resulted solely from the larger grants provided by the 1946 constitutional amendment.

The total amount budgeted for apportionment to school districts for school support in 1952-1953 is \$289,998,300. Of this total, \$64,500,000 represents the amount which has been added by the 1946 constitutional amendment increasing the apportionment per child in average daily attendance from \$90 to \$120. Although this increase in apportionments was voted upon by the people to bring state support more nearly in line with then current school costs, the Legislature continued to add to this a number of amounts designed to provide a better and more enriched school program. By comparison with the \$64,500,000 which was provided in 1952-1953 as the increased amount resulting from the 1946 constitutional amendment, the Legislature provided \$77,500,000 in 1952-1953 beyond the constitutional provisions of \$120 per pupil in average daily attendance. These expenditures authorized by the Legislature provide for the excess cost of physically handicapped children, liberalization of average daily attendance resulting from absence due to illness, and increased equalization aid. It provides excess cost for the mentally retarded, additional support for unusual growth, added teachers' retirement contributions, transportation costs, current attendance and other special programs.

In addition to the \$77,500,000 which was added for school support by the Legislature for 1952-1953 beyond 1947 constitutional requirements, the Legislature directly appropriated \$55,000,000 and placed on the ballot for vote of the people authorization for the sale of \$250,000,000 in state bonds to provide for construction of school buildings. The action of the Legislature last evening was to appropriate \$20,000,000 immediately and also, if approved by the people, to provide authorization for an additional \$165,000,000 for school building purposes, bringing the total which the Legislature has acted to make available for school construction to \$490,000,000.

Sincerely,

A. ALAN POST, Legislative Auditor

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that it had performed its duties.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that it had performed its duties.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Geddes, the Journals for Monday, August 4, 1952, Tuesday, August 5, 1952, Wednesday, August 6, 1952, Thursday, August 7, 1952, Friday, August 8, 1952, Saturday, August 9, 1952, Monday, August 11, 1952, Tuesday, August 12, 1952, and Wednesday, August 13, 1952, were approved, as corrected by the Minute Clerk.

TEXT OF PROPOSED CONSTITUTIONAL AMENDMENT WHICH HAS BEEN APPROVED BY BOTH HOUSES OF THE LEGISLATURE, TOGETHER WITH THE YEAS AND NAYS TAKEN THEREON

Pursuant to the provisions of Article XVIII, Section 1 of the Constitution of the State of California, the following proposed constitutional amendment, two-thirds of all members elected to each of the two houses of the Legislature having voted in favor thereof, is hereby entered on the Journal, together with the yeas and nays taken on the final adoption thereof.

Assembly Constitutional Amendment No. 3

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.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1952 Second Extraordinary Session commencing on the fourth day of August, 1952, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 16.5 to Article XVI thereof, to read:

Sec. 16.5. Bonds of the State of California shall be prepared, issued, and sold in the amount of one hundred eighty-five million dollars (\$185,000,000), 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) To provide loans and grants to the several school districts of the State, subject to such legislation, rules, or regulations as the Legislature may from time to time determine.

(b) 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.

(c) To repay, as provided by law, the money appropriated from the General Fund at the 1952 Second Extraordinary Session for state school building aid.

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. 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.

The Legislature shall require each district receiving an allocation of money from the sale of bonds pursuant to this section to repay such money to the State on such terms and in such amounts as may be within the ability of the district to repay.

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 and adequate 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

Yeas and Nays on Adoption of Second Conference Committee Report Concerning Assembly Constitutional Amendment No. 3

Except From Assembly Journal for August 12, 1952, page 284

The roll was called and the report adopted by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Drills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hineckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Miloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silberman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

Except From Senate Journal for August 12, 1952, page 168

Report read, and adopted by the following vote

AYES—Senators Abshire, Brown, Busch, Byrne, Coombs, James D. Cunningham, Roy Cunningham, Desmond Dillinger, Dilworth, Donnelly, Dorsey, Ebert, Hatfield, Hoffman, Hulse, Ed C. Johnson, Harold T. Johnson, Judah, Kratt, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybreit, and Williams—35

NOES—None

ADJOURNMENT SINE DIE

The hour of 9 o'clock a.m. having arrived, pursuant to the provisions of Assembly Concurrent Resolution No. 22, the Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for final adjournment of the 1952 Second Extraordinary Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

APPENDIX TO ASSEMBLY JOURNAL-1952
SECOND EXTRAORDINARY SESSION
AND
RECAPITULATION OF ASSEMBLY
MEASURES

APPENDIX TO ASSEMBLY JOURNAL

1952 Second Extraordinary Session

APPOINTMENT OF MEMBERS TO WRITE ARGUMENTS FOR AND AGAINST ASSEMBLY CONSTITU- TIONAL AMENDMENT NO. 3

Pursuant to the provisions of Sections 1500 and 1501 of the Elections Code the Speaker announced the appointment of the following Members of the Legislature to write arguments for and against Assembly Constitutional Amendment No. 3

Affirmative Messrs. Dunn and Kirkwood and Senator Donnelly

Negative Mr. Sam L. Collins

ASSEMBLY BILLS ENROLLED AND PRESENTED TO THE GOVERNOR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, August 25, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 8—An act to add Article 45 to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to state assistance for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor and declaring the urgency thereof.

And reports that the same has been correctly enrolled and presented to the Governor on the twenty-fifth day of August, 1952, at 9 a.m.

CHARLES W. ROBBINS

Engrossing and Enrolling Clerk

ASSEMBLY CHAMBER, SACRAMENTO, August 25, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 22—Relative to adjournment sine die of the 1952 Second Extraordinary Session of the Legislature of the State of California.

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fifth day of August, 1952, at 9 a.m.

CHARLES W. ROBBINS

Engrossing and Enrolling Clerk

ASSEMBLY CHAMBER, SACRAMENTO, August 25, 1952

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Constitutional Amendment No. 3—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.

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fifth day of August, 1952, at 9 a.m.

CHARLES W. ROBBINS

Engrossing and Enrolling Clerk

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 November 12, 1952.

Number	Chapter	Author	Subject of Title	Approved by Governor
2	16	Maloney et al	Amending Section 2025 of the Welfare and Institutions Code, relating to aid to the aged	Aug 24
3	3	Sam L. Collins	Appropriation of payment of the expenses of Members of the Assembly	Aug 18
4	3	Sam L. Collins	Appropriation for the mileage of the members and officers of the Assembly	Aug 18
2	21	Kelly et al	State assistance for the restoration, repair and reconstruction of public works damaged or destroyed by earthquakes and making an appropriation	Aug 29
11	23	Condou	Validating acts, proceedings and elections in connection with bonds of school districts	Aug 29
12	30	Burke and Geddes	Validating organization of the San Marino Unified School District and the South Pasadena Unified School District	Sept 3
15	24	Maloney	Aid to partially self-supporting blind residents, and making an appropriation	Sept 3
16	25	Maloney	Aid to needy blind and making an appropriation	Sept 3
17	14	Kelly et al	Emergency use of prison labor in earthquake areas and making an appropriation	Aug 24
18	19	Dunn et al	An act to call a special election to be consolidated with the General Election of 1952, for the submission of constitutional amendments proposed by the Legislature at the 1952 Second Extraordinary Session	Aug 24
20	5	Shurwin	Appropriation to carry out the provisions of California Disaster Act for the relief and alleviation of a state of extreme emergency	Aug 18
21	6	Sam L. Collins	Municipal court salaries in Orange County	Aug 18
22	7	Sam L. Collins	Municipal court salaries in Orange County	Aug 18
23	8	Henderson	Municipal court salaries in Fresno Judicial District	Aug 18
24	17	Lincoln	Old age security to inmates of private institutions	Aug 24
25	9	Shurwin	Appropriation in augmentation of Item 38 of the Budget Act of 1952	Aug 18
33	15	Kelly et al	An act for the revision of budgets of cities, counties, and districts when an earthquake has occurred subsequent to the beginning of the fiscal year with respect to which the budget is adopted	Aug 24
35	22	Kelly et al	Aid to school districts for the repair and replacement of school buildings damaged by earthquakes	Aug 29
39	10	Balbagh	Municipal court salaries in districts in Riverside County	Aug 18
43	20	Waters	Acquisition of properties for state highway purposes and making an appropriation	Aug 24
44	31	Lauterman	Validating the organization boundaries, acts, proceedings and bonds of public bodies	Sept 3
48	34	Shaw and Cleveland	Appropriation for public works programs cities incorporated on or after June 15, 1952	Sept 3
Total				22

ASSEMBLY BILLS POCKET VETOED BY THE GOVERNOR

Number	Author	Subject of Title
1	Nichouse et al	Aid to aged
11	Grunsky	Municipal Court salaries, Santa Cruz County
17	Shaw and Choyed	Allocation of funds, newly incorporated cities for construction of projects, and making appropriation
Total		3

ASSEMBLY BILLS DIED ON FILE IN ASSEMBLY

7	31	50,	51	
Total				4

**ASSEMBLY CONTITUTIONAL AMENDMENTS CHAPTERED,
AND FILED WITH THE SECRETARY OF STATE**

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	69	Dunn et al	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	Aug 25
Total				1

**ASSEMBLY CONSTITUTIONAL AMENDMENTS DIED
ON FILE IN ASSEMBLY**

1,	2	
Total		2

HOUSE RESOLUTIONS DIED ON FILE IN ASSEMBLY

27,	38	
Total		2

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	3	Klocksien and Grant	Approving certain amendments to the charter of the City of Long Beach	Aug 7
2	6	Sam L. Collins et al	Relative to the death of Honorable Lester T. Davis	Aug 7
3	7	Sam L. Collins et al	Relative to the death of the Honorable C. Don Field	Aug 7
4	29	Sam L. Collins et al	Relative to the death of the Honorable Robert B. Fry	Aug 11
5	8	Hawkins et al	Relative to the death of the Honorable Frederick M. Roberts	Aug 7
6	4	Caldecott	Approving charter amendments to the charter of the City of Albany	Aug 7
8	5	Berry et al	Approving amendments to the charter of the City and County of San Francisco	Aug 7
9	16	Burke	Approving certain amendments to the charter of the City of Alhambra	Aug 8
11	9	Maloney et al	Relative to the death of the Honorable Matthew Brady	Aug 8
12	22	Burke	Relative to the death of the Honorable P. Val Latham	Aug 11
13	23	Gulser	Approving amendments to the charter of the City of San Jose	Aug 11
14	31	Brown and Sam L. Collins	Congratulating C. Young	Aug 12
15	32	Hagen and Kelly	Commending Sam Jones	Aug 12
16	24	Duke and Dunn	Approving certain amendments to the charter of the City of San Leandro	Aug 11
17	27	McMillan	Approving certain amendments to the charter of the City of Culver City	Aug 11
19	30	Grant	Relative to the death of Aubrey V. Douglass	Aug 11
20	28	Belotti	Relative to the death of Arthur W. Hill, Sr.	Aug 11
22	40	Sam L. Collins	Relative to adjournment sine die of the 1952 Second Extraordinary Session of the Legislature of the State of California	Aug 25
24	34	Caldecott et al	Commending Brutus Hamilton	Aug 13
Total				19

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
3	37	Henderson et al	Requesting the Federal Communications Commission to expedite the licensing of television stations in California	Aug 13
5	35	Coats et al	Memorizing Congress to enact H. R. 4574 and to select Beale Air Force Base as the site for the Air Force Academy	Aug 13
6	36	Lowry and Caldecott	Relative to construction of the Solano County Project	Aug 13
Total				3