CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, July 8, 1963

At 12 m., the Assembly met pursuant to the provisions of the Proclamation of His Excellency, Edmund G. Brown, Governor of the State of California, dated July 5, 1963, convening the Legislature of the State of California on this day in extraordinary session.

Arthur A. Ohnimus, Chief Clerk of the Assembly for the 1963 Regular (General) Session, presiding.

ANNOUNCEMENT

Arthur A. Ohnimus, 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 1963 Regular (General) Session of the Legislature were present, and in their respective positions:

Arthur A. Ohnimus, Chief Clerk; Eleanor K. Donoghue, Minute Clerk; and Tony Beard, Sergeant at Arms.

Chief Assistant Clerk James D. Driscoll Reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Miller, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Unruh, Veneman, Vorsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Zberg, and Zenovich—78

Quorum present.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by Rev Robert R Ferguson, Chaplain of the Assembly for the 1963 Regular (General) Session

Eternal God Our Father, At the opening of this special session give to Thy servants special abilities for facing the decisions before them May they have physical health to face the rigors of their position, mental acumen to see clearly the issues, and ability to judge wisely, the moral fibre to give strength and objectivity, and wisdom beyond their own

Bless our Governor and each Member of this Assembly Guide them through the labyrinthian corridors to the door which opens for the maximum benefit for the people of our State

In our Master's name we pray —AMEN

REQUEST FOR UNANIMOUS CONSENT

Mr Bane was granted unanimous consent that the taking of pictures for a documentary film be permitted during the prayer and pledge of allegiance to the Flag this morning

Mr Bane then directed the seating of the members for the taking of these pictures

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Chief Clerk Arthur A Ohnimus, Mr Unruh then led the Assembly in the pledge of allegiance to the Flag.

LEAVES OF ABSENCE FOR THE DAY

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

Mr Monagan, on motion of Mr Conrad

Mr Young, on request of Speaker Unruh

Assistant Clerk Charles Winner Reading

PROCLAMATION OF THE GOVERNOR

The Chief Clerk directed that the Proclamation of the Governor convening the Legislature in extraordinary session be read.

Whereupon the following Proclamation was read

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, EDMUND G BROWN, 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 eighth day of July, 1963, at 12 o'clock noon of said day to legislate upon the following subjects

Item 1 To consider and act upon proposals to amend and supplement the Budget Bill for the 1963-64 fiscal year, (enacted as the Budget Act of 1963), and revenue acts

Item 2 To consider and act upon legislation relating to the support of the public school system and revenue acts necessary therefor

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed hereto this fifth day of July, 1963

EDMUND G BROWN
Governor of California

[SEAL]

FRANK M JORDAN
Secretary of State

REQUEST FOR UNANIMOUS CONSENT

Mr Bane was granted unanimous consent that press and TV photographers be permitted to take pictures of the Assembly in session and during the proceedings of the Joint Convention today

ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1963 First Extraordinary Session of the Assembly, and declared that nominations for officers of the Assembly were now in order

RESOLUTIONS

The following resolution was offered

By Assemblyman Waldie·

House Resolution No 1

Relative to election of Assembly officers

Resolved by the Assembly of the State of California, That the following-named persons constitute the officers of the Assembly for the 1963 First Extraordinary Session, with per diem as fixed by statute or resolution, to wit

Hon Jesse M Unruh ---------- *Speaker*
Hon Carlos Bee---------- *Speaker pro Tempore*
Arthur A Ohnimus---------- *Chief Clerk*
Eleanor K Donoghue---------- *Minute Clerk*
Tony Beard---------- *Sergeant at Arms*
Rev Robert R Ferguson---------- *Chaplain*

Resolution read

Mr Waldie moved the adoption of the resolution

Chief Assistant Clerk James D. Driscoll Reading

The question being on the adoption of the resolution

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

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Bettenson, Belotti, Booth, Buttschgi, Burgener, Burton Carrell, Casey, Chapel, Collier Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney Garrigus Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman Lunardi, Marks, McMillan, Meyers, Mihas, Mills Moreno Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Z'berg, and Zenovich—77

NOES—None

Whereupon the Chief Clerk announced the vote of the Assembly, and declared the above resolution adopted, and the following officers elected as the choice of the Assembly for the 1963 First Extraordinary Session of the Legislature

Hon Jesse M Unruh, Speaker, Hon Carlos Bee, Speaker pro Tempore, Arthur A Ohnimus, Chief Clerk, Eleanor K Donoghue, Minute Clerk, Tony Beard, Sergeant at Arms, and Rev Robert R Ferguson, Chaplain

APPOINTMENT OF SELECT COMMITTEES

Chief Clerk Arthur A. Ohnimus appointed the following Select Committee to escort Speaker-elect Jesse M Unruh to the bar of the Assembly · Messrs Waldie, Bane, and Crown.

Chief Clerk Arthur A Ohnimus appointed the following Select Committee to escort Speaker pro Tempore-elect Carlos Bee to the bar of the Assembly Mr Casey, Mrs Davis, and Mr Frew

OATHS OF OFFICE ADMINISTERED

Hon Jesse M Unruh, Speaker-elect; Hon. Carlos Bee, Speaker pro Tempore-elect; Arthur A Ohnimus, Chief Clerk-elect, Eleanor K. Donoghue, Minute Clerk-elect, Tony Beard, Sergeant at Arms-elect, and Rev. Robert R Ferguson, Chaplain-elect, appeared at the bar of the Assembly, and took and subscribed to the constitutional oath of office administered by Hon Andrew R Schottky, Justice of the Third District Court of Appeal

Speaker Presiding

Hon Jesse M Unruh, Speaker of the Assembly, presiding
Time, 12 22 p m
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

RESOLUTIONS

The following resolution was offered

By Assemblyman Waldie

House Resolution No. 2

Relative to informing the Senate that the Assembly has organized

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a Select Committee of three to inform the Senate that the Assembly is in session pursuant to the Proclamation of His Excellency, the Governor, dated the 5th day of July, 1963, and ready for the transaction of legislative business, with the following officers, to wit

Hon Jesse M Unruh ..... *Speaker*
Hon Carlos Bee ..... *Speaker pro Tempore*
Arthur A Ohnimus ..... *Chief Clerk*
Eleanor K Donoghue ..... *Minute Clerk*
Tony Beard ..... *Sergeant at Arms*
Rev Robert R Ferguson ..... *Chaplain*

Resolution read, and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No 2, the Speaker appointed Messrs Lunardi, Veysey, and Zenovich as such Select Committee to wait upon the Senate

By Assemblyman Waldie

House Resolution No. 3

Relative to informing the Governor that the Assembly has organized

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 this House

Resolution read, and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No 3, the Speaker appointed Messrs Meyers, Dills, Kennick, Belotti, and Barnes as such Select Committee to wait upon the Governor

By Assemblyman Bane

House Resolution No. 4

Relative to constituting the Assembly Interim Committee on Rules a standing committee

Resolved by the Assembly of the State of California, That notwithstanding the provisions of Assembly Rule No 10 relating to the selection of members of the Standing Committee on Rules, the members of the Standing Committee on Rules for the 1963 First Extraordinary Session shall be the same as those on the Assembly Interim Committee on Rules immediately prior to the convening of this session

Resolution read, and adopted by the following vote·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Vrgsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Z'berg Zenovich, and Mr Speaker—78

NOES—None

By Assemblyman Bane:

House Resolution No. 5

Relative to adopting Temporary Rules

Resolved by the Assembly of the State of California, That the Permanent Standing Rules of the 1963 Regular Session, as printed in the Assembly Daily Journal of March 25, 1963, and as amended on May 30, 1963, by House Resolution No 345 (Assembly Journal, page 4179) and as amended on June 20, 1963, by House Resolution No 487 (Assembly Journal page 5885) be, and the same are hereby adopted as the Temporary Rules for the 1963 First Extraordinary Session.

Resolution read, and adopted by the following vote.

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks McMillan, Meyers, Milias, Mills, Moreno, Mulford, Pattee, Petris, Porter, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin Thomas, Veneman, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Z berg, Zenovich, and Mr Speaker—74

NOES—None

By Assemblyman Waldie.

House Resolution No. 6

Relative to receipts for warrants

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

Request for Unanimous Consent

Mr Waldie was granted unanimous consent to take up House Resolution No 6 without reference to committee or file

Resolution read, and adopted

By Assemblyman Waldie

House Resolution No. 7

Relative to mailing lists

Resolved by the Assembly of the State of California, That the Chief Clerk be authorized to receive from the Members of the Assembly, a mailing list of Histories and Legislative Digests, to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection This list is to be limited to five (5) names each, and shall be forwarded to the Legislative Bill Room for regular mailing No member shall include on the list any state department or employee thereof except state colleges and universities The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as the Attorney General, the Office of the Legislative Counsel, and the Governor's Office, and be it further

Resolved, That no additional mailing list shall be allowed or authorized unless the sum of fifteen dollars ($15) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Waldie

House Resolution No. 8

Relative to mileage for Members and Officers of the Assembly

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 amounts set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Pauline L Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Leroy F Greene	Sacramento, Sacramento County	--	--	--	--	--	--
4	Harold E Booth	Orland, Glenn County	88	16	--	104	208	10 40
5	Pearce Young	Napa, Napa County	61	--	--	61	122	6 10
6	Paul J Lunardi	Roseville, Placer County	37	--	18	19	38	1 90
7	William T Bagley	San Rafael, Marin County	105	--	--	105	210	10 50
8	Walter W Powers	North Sacramento, Sacramento County	--	4	--	4	8	40
9	Edwin L Zberg	Sacramento, Sacramento County	--	--	--	--	--	--
10	Jerome R Waldie	Antioch, Contra Costa County	62	--	21	41	82	4 10
11	John T Knox	Richmond, Contra Costa County	62	21	--	83	166	8 30
12	Robert T Monagan	Tracy, San Joaquin County	48	18	--	66	132	6 60
13	Carlos Bee	Hayward, Alameda County	84	16	--	100	200	10 00
14	Robert W Crown	Alameda, Alameda County	84	5	--	89	178	8 90
15	Nicholas Petris	Oakland, Alameda County	84	--	--	84	168	8 40
16	Don Mulford	Piedmont, Alameda County	84	--	--	84	168	--
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
19	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Philip Burton	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Milton Marks	San Francisco, San Francisco County	90	--	--	90	180	9 00
22	George W Milias	Gilroy, Santa Clara County	128	28	--	156	312	15 60

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
23	John Francis Foran	San Francisco, San Francisco County	90	--	--	90	180	$9 00
24	Alfred E Alquist	San Jose, Santa Clara County	128	--	--	128	256	12 80
25	William F Stanton	San Jose, Santa Clara County	128	--	--	128	256	12 80
26	Carl A Britschgi	Redwood City, San Mateo County	119	--	--	119	238	20 40
27	Leo J Ryan	South San Francisco San Mateo County	119	--	18	101	202	10 10
28	Jack T Casey	Bakersfield, Kern County	278	--	--	278	556	27 80
29	John C Williamson	Bakersfield, Kern County	278	--	--	278	556	27 80
30	John G Veneman	Modesto Stanislaus County	77	--	--	77	154	7 70
31	Gordon H Winton	Merced Merced County	114	--	--	114	228	11 40
32	George N Zenovich	Fresno Fresno County	169	--	--	169	338	16 90
33	Charles B Garrigus	Reedley Fresno County	169	28	--	197	394	19 70
34	Alan G Pattee	Salinas Monterey County	208	--	--	208	416	20 80
35	Myron H Fiew	Dinuba Tulare County	206	--	14	192	384	--
36	James L Holmes	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
37	Burt M Henson	Ventura Ventura County	490	--	--	490	980	49 00
38	Carley V Porter	Compton Los Angeles County	447	18	--	465	930	46 50
39	George Deukmejian	Long Beach Los Angeles County	447	22	--	469	938	46 90
40	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Tom C Carrell	San Fernando Los Angeles County	447	--	21	426	852	42 60
42	Tom Bane	North Hollywood, Los Angeles County	447	--	13	434	868	43 40
43	Howard J Thelin	Glendale Los Angeles County	447	--	10	437	874	43 70
44	Joseph M Kennick	Long Beach Los Angeles County	447	22	--	469	938	46 90
45	Alfred H Song	Monterey Park Los Angeles County	447	8	--	455	910	45 50
46	Charles Edward Chapel	Palos Verdes Estates, Los Angeles Co	447	21	--	468	936	46 80
47	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
48	George E Danielson	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
49	Houston I Flournoy	Claremont Los Angeles County	447	26	--	473	946	47 30
50	Philip L Soto	La Puente Los Angeles County	447	19	--	466	932	46 60
51	John Moreno	Santa Fe Springs, Los Angeles County	447	14	--	461	922	46 10
52	George A Willson	Huntington Park Los Angeles County	447	6	--	453	906	45 30
53	Mervyn M Dymally	Los Angeles Los Angeles County	447	--	--	447	894	44 70
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	F Douglas Ferrell	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Charles Warren	Los Angeles Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Sherman Oaks Los Angeles County	447	--	2	445	890	44 50
58	Harvey Johnson	El Monte Los Angeles County	447	14	--	461	922	46 10
59	Anthony C Beilenson	Beverly Hills Los Angeles County	447	8	--	455	910	45 50
60	Robert S Stevens	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	Tom Waite	Topanga Los Angeles County	447	--	17	430	860	43 00
63	Don A Allen	Los Angeles Los Angeles County	447	--	--	447	894	44 70
64	Lou Cusanovich	Van Nuys, Los Angeles County	447	--	--	447	894	44 70
65	Jesse M Unruh	Inglewood Los Angeles County	447	10	--	457	914	45 70
66	Joe A Gonsalves	Artesia, Los Angeles County	447	22	--	469	938	46 90
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	William E Danielson	Fullerton Orange County	481	--	9	472	944	47 20
70	James E Whetmore	Los Alamitos, Orange County	481	--	2	479	958	47 90
71	Robert E Badham	Costa Mesa Orange County	481	9	--	490	980	49 00
72	John P Quimby	San Bernardino San Bernardino County	508	--	--	508	1016	50 80
73	Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1034	51 70
74	Gordon Cologne	Indio Riverside County	512	73	--	585	1170	--
75	Victor V Veysey	Brawley Imperial County	661	--	14	647	1294	64 70
76	Clair W Burgener	San Diego San Diego County	573	--	--	573	1146	57 30
77	Richard J Dunnigan	Chula Vista San Diego County	573	7	--	580	1160	58 00
78	E Richard Barnes	San Diego, San Diego County	573	--	--	573	1146	57 30
79	James R Mills	San Diego, San Diego County	573	--	--	573	1146	57 30
80	Hale Ashcraft	Rancho Santa Fe, San Diego County	573	--	23	550	1100	55 00

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	Sacramento, Sacramento County	--	--	--	--	--	--
Eleanor K Donoghue	Sacramento, Sacramento County	--	--	--	--	--	--
Tony Beard	Broderick, Yolo County	--	--	--	--	--	--

Speaker Unruh ordered House Resolution No 8 printed in the Journal, and held at the desk pending the receipt of waivers of mileage, or any necessary corrections in the mileage resolution

MILEAGE WAIVERS

July 8, 1963

MR ARTHUR OHNIMUS Would you please record the fact that I am waiving my mileage to the legislative session for the present extraordinary session

GORDON COLOGNE

July 8, 1963

ARTHUR Please arrange to eliminate my constitutional mileage for the special session

MYRON H FREW

July 8, 1963

Hon Arthur A Ohnimus
Chief Clerk of the Assembly
California Legislature

DEAR ARTHUR I hereby waive my round-trip transportation expense to and from Sacramento for the 1963 First Extraordinary Session

Sincerely,

DON MULFORD

COMMITTEE FROM THE SENATE

Senators Backstrand, Nisbet, and Rees appeared before the bar of the Assembly, and announced that the Senate had organized and was now ready to proceed with the regular business

NAME PLACED UPON ROLL CALL ON HOUSE RESOLUTION NO. 1

Mr Stanton was granted unanimous consent that he be recorded as voting "Aye" on House Resolution No 1

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Bane:

House Resolution No. 9

Resolved by the Assembly of the State of California, That the State 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 eight thousand dollars ($8,000), 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 eight thousand dollars ($8,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail, and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of one hundred dollars ($100)

Request for Unanimous Consent

Mr Bane was granted unanimous consent to take up House Resolution No 9 without reference to committee or file.

Resolution read, and adopted by the following vote ·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Z'berg, Zenovich, and Mr Speaker—78

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time

Assembly Bill No. 1: By Assemblyman Bane—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

Resolution to Dispense With Constitutional Provision

The following resolution was offered ·

By Mr. Bane.

Resolved, That Assembly Bill No 1 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the 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 time at this time

Resolution read

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

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Z'berg, Zenovich, and Mr Speaker—76

NOES—None

Article IV, Section 15 of the Constitution was declared dispensed with

CONSIDERATION OF ASSEMBLY BILL NO. 1

Assembly Bill No. 1—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

Bill read second time, and ordered printed, and engrossed

RESOLUTIONS

The following resolution was offered:

By Assemblyman Porter:

House Resolution No. 10

Relative to a legislative study of the effect of the decision in *Arizona v. California* on state water planning

WHEREAS, On June 3, 1963, the United States Supreme Court delivered its decision in *Arizona v. California*, relating to the division of the waters of the Colorado River, and

WHEREAS, The Colorado River is a vital source of municipal, industrial and agricultural water to a large area of California, and

WHEREAS, Widespread concern has been expressed over the far-reaching effects and impact of this decision on California's future economy; and

WHEREAS, Said decision may necessitate future steps to maintain sufficient water supplies to California users of Colorado River water, and

WHEREAS, The state government may be required to take major action as a result of the decision, now, therefore, be it

Resolved by the Assembly of the State of California, That it is appropriate at this time that the Legislature undertake a study of the effect of the decision, including an analysis of any state action which may be required as a result of the decision, and be it further

Resolved, That the Assembly Committee on Rules is requested to refer to an appropriate interim committee for study the subject of the United States Supreme Court decision in *Arizona v. California*, and to direct such committee to report its findings and recommendations to the Legislature not later than the fifth calendar day of the 1965 Regular Session

Resolution read, and referred by the Speaker to the Committee on Rules

REPORTS OF SELECT COMMITTEES

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

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

RESOLUTIONS

The following resolution was offered

By Assemblyman Waldie:

House Resolution No. 11

Relative to inviting the Senate to meet in Joint Convention

Resolved by the Assembly of the State of California, That the Speaker appoint a Select Committee of Three to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 12:40 p.m. for the purpose of hearing the Governor's message

Request for Unanimous Consent

Mr. Waldie was granted unanimous consent to take up House Resolution No. 11 without reference to committee or file.

Resolution read, and adopted

Appointment of Select Committee

Pursuant to the provisions of House Resolution No 11 the Speaker appointed Mrs Davis, and Messrs Dymally and Hinckley as such Select Committee to wait upon the Senate and invite the Members of the Senate to meet with the Members of the Assembly in Joint Convention at 12 40 p m today for the purpose of hearing the Governor's message to the Legislature.

MOTION TO APPOINT SELECT COMMITTEE

Mr Waldie moved that the Speaker appoint a Select Committee of Five to wait upon the Governor, to inform him that the Senate and Assembly will meet in Joint Convention at 12 40 p m today

Motion carried

Appointment of Select Committee

Pursuant to the above motion, the Speaker appointed Messrs Danielson, Warren, Moreno, Ashcraft, and Veneman as such Select Committee to wait upon the Governor

LEAVES OF ABSENCE FOR THE BALANCE OF THE DAY

At 12 35 p m , the following members were granted leaves of absence for the balance of the day, because of legislative business elsewhere

Mr Willson, on request of Speaker Unruh

Mr Marks, on request of Speaker Unruh

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
MANNED SPACECRAFT CENTER
HOUSTON, TEXAS, June 18, 1963

Hon Jesse M Unruh
Speaker of the California Assembly
State Capitol, Sacramento, California

DEAR MR UNRUH I wish to thank you and the Members of the California Assembly for the consideration given to my recent 22-orbit flight in House Resolution No 329

The response has been overwhelming and is, needless to say, truly gratifying On behalf of everyone associated with our National Space Program, I wish to express our gratitude for your recognition of our space efforts

Sincerely,

GORDON COOPER, Major, USAF
Mercury Astronaut

The following letters of transmittal were presented by the Chief Clerk, and ordered printed in the Journal

Letter of Transmittal

Bulletin No. 66-59—Quality of Ground Waters in California, 1959—Part II

THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, July 2, 1963

Hon Arthur A. Ohnimus
Clerk of the Assembly
State Capitol, Sacramento

DEAR MR OHNIMUS Transmitted herewith for the information of the California State Assembly is a copy of Bulletin 66-59, "Quality of Ground Waters in California, 1959, Part II—Southern California," dated November 1962 This report presents data concerning the quality of ground waters in Southern California for the year

1959 This is the latest in a series of annual reports providing this information to interested persons and agencies The bulletin appears in a new format with this issue, and supplements Part I of Bulletin 66-59 which covered Northern California, and was published in July 1961

The interest you have expressed in the quality of California's water resources is appreciated. We trust that Bulletin No 66-59, Part II, will be of value to you

Sincerely yours,

WILLIAM E. WARNE, Director

Above transmitted bulletin referred by the Speaker to the Assembly Interim Committee on Water

Letter of Transmittal

Bulletin No. 101—Desert Areas of Southeastern California Land and Water Use Survey, 1958

THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, July 2, 1963

Hon Arthur A Ohnimus
Clerk of the Assembly
State Capitol, Sacramento

DEAR MR OHNIMUS Transmitted herewith for the information of the California State Assembly is a copy of Bulletin No 101 "Desert Areas of Southeastern California Land and Water Use Survey, 1958" dated December 1962

This report treats those areas of Kern, Los Angeles, San Bernardino, Riverside, San Diego and Imperial Counties that drain internally into lakes or dry lake beds, and the easterly portions of San Bernardino, Riverside, and Imperial Counties tributary to the Colorado River It presents land use and estimates of water use thereon as of 1958, and evaluates the changes in land and water use since the last survey of the area was made in 1950

The interest you have expressed in the conservation and development of California's water resources is appreciated We trust that Bulletin No 101 will be of value to you

Sincerely yours,

WILLIAM E WARNE, Director

Above transmitted bulletin referred by the Speaker to the Assembly Interim Committee on Water

The following communications were presented by the Chief Clerk from:

D Walstrom of Placentia, relative to capital punishment. Referred by the Speaker to the Assembly Interim Committee on Criminal Procedure.

Mrs Itasca Woodfox of Los Angeles, relative to taxation Referred by the Speaker to the Committee on Revenue and Taxation

C B Haire of San Francisco, relative to Assembly Bill No. 2288 of the 1963 Regular Session Referred by the Speaker to the Committee on Rules.

Speaker pro Tempore Presiding

At 12 36 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee announced the procedure to be followed for the new Centrex telephone dialing system, and stated that the only change in the instructions previously placed in the offices of the members was that, after dialing "9" on outside calls, there would be no interruption of the dial tone until the full number has been

dialed Full revised instructions relative to the operation of the new system have been placed in each member's office

Speaker Presiding

At 12.38 p m , Hon Jesse M Unruh, Speaker of the Assembly, presiding.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Senate and invite the Members of the Senate to meet with the Members of the Assembly in Joint Convention reported that it had performed its duties

The Select Committee appointed to wait upon the Governor to inform him that the Senate and Assembly would meet in Joint Convention at 12 40 p m , reported that it had performed its duties

ANNOUNCEMENT

Senate Sergeant at Arms Percy H. Kenealy announced the presence in the Assembly Chamber of the Honorable Glenn M Anderson, Lieutenant Governor of the State of California and President of the Senate; the Honorable Hugh M Burns, President pro Tempore of the Senate; and the Members of the Senate

RECESS

At 12 39 p m , on motion of Mr Waldie, the Assembly recessed for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER
Monday, July 8, 1963

At 12 40 p m , the Senate and Assembly met in Joint Convention
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

INTRODUCTION OF PRESIDENT AND PRESIDENT PRO TEMPORE OF THE SENATE

Hon Carlos Bee, Speaker pro Tempore of the Assembly, then introduced Lieutenant Governor Glenn M Anderson, President of the Senate; and Senator Hugh M Burns, President pro Tempore of the Senate; to the Joint Convention

PRESENTATION OF SPEAKER OF THE ASSEMBLY

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, then presented the Honorable Jesse M Unruh, Speaker of the Assembly, to the Joint Convention.

Speaker Presiding

At 12 42 p m , Hon Jesse M Unruh, Speaker of the Assembly, presiding.

PRESENCE OF QUORUM

Hon Hugh M Burns, President pro Tempore of the Senate, declared a quorum of the Senate present

Hon Jesse M Unruh, Speaker of the Assembly, declared a quorum of the Assembly present

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon Glenn M Anderson, President of the Senate, appointed Senators Begovich, Sedgwick, and Nisbet as the Senate Committee to escort His Excellency, Edmund G Brown, Governor of the State of California, to the bar of the Assembly

Hon Jesse M Unruh, Speaker of the Assembly, appointed Messrs Danielson, Warren, Moreno, Ashcraft, and Veneman as the Assembly Committee to escort His Excellency, Edmund G Brown, 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, Edmund G Brown, Governor of the State of California

PRESENTATION OF PRESIDENT OF THE SENATE

Hon Jesse M Unruh, Speaker of the Assembly, then presented Lieutenant Governor Glenn M. Anderson, President of the Senate, to the Joint Convention

PRESENTATION OF THE GOVERNOR

Hon Glenn M Anderson, Lieutenant Governor of the State of California, then presented His Excellency Edmund G Brown, Governor of the State of California, to the Joint Convention

ADDRESS BY GOVERNOR EDMUND G. BROWN

The Governor then proceeded to address the Joint Convention as follows

MESSAGE TO THE CALIFORNIA STATE LEGISLATURE

First Extraordinary Session, 1963

By EDMUND G. BROWN, Governor

Delivered to the Senate and Assembly in Joint Session, July 8, 1963

Mr President, Mr Speaker, Members of the Legislature, my fellow Californians:

This is, in all respects, an extraordinary session of the 1963 Legislature Its origins are unusual, its purposes are compelling and its outcome will be decisive for the modern history of California

We are here because it is my constitutional duty to call you into special session whenever I believe the welfare of the people of California makes such action necessary I stand before you to carry out a second constitutional obligation—to set forth the specific problems

which I regard as of such urgency and importance as to require your immediate attention

I will recommend solutions to the problems before us, doing so in the full knowledge that you also have constitutional responsibilities and that yours are both distinct and different

It is my duty to propose It is yours to dispose

This difference alone invariably leads to conflict between the executive and the legislative process But where this conflict is based on issues and not on abstract partisanship, it has always provided a crucible in which ideas are tested and tempered

It is my hope that this session will prove to be such a crucible of issues and that we will work together with as little partisanship as possible I ask only mutual understanding and tolerance, and a mutual acceptance of the highest duty imposed on each of us—to act for the well-being of nearly 18,000,000 Californians

It was recently said—and mistakenly—that I have insufficient regard for the legislative process I have great respect both for the process and for those involved in it But my respect for the legislative process is in no way incompatible with my conviction that a Governor has a duty to lead Moreover, he has a responsibility to exercise all the powers of his office to secure affirmative action on proposals he believes to be crucial to the welfare of his state

I will continue to press for what I believe to be right

I will also continue to respect your privilege to arrive at your own decisions according to your collective conscience

Let us, then, approach this session in the same spirit of collaboration which has produced such great achievements in service to our people in the past four years

I will now turn to the specific issues before us

In my proclamation, I call for action on additional state aid to local school districts, on substantial augmentation of the inadequate budget now in effect, and on revenue measures to finance the necessary new fiscal commitments

Each of these issues was before you at the regular session and we were close to agreement on all of them when time ran out

A compromise report of your conference committee, calling for additional school aid of $40 million this year and $60 million next year, was ready for action by both the Senate and Assembly if supporting revenue had been available

A compromise budget from your conference committee also was apparently acceptable—both to you and to me—if the revenues to finance it had been available through enactment of my recommendations for revenue reform

Unlike the skeleton, emergency budget which finally came to my desk, the compromise budget was a realistic and sincere effort to cope with the State's most urgent requirements

The revenue reform proposals themselves had the support of a majority of both the Senate and the Assembly Only the special privilege requiring that certain changes in our bank and corporation franchise

tax laws must have a two-thirds majority forces us to have this extraordinary session at all I might point out at this time that, by contrast, a change in tax laws covering individuals and consumers needs only a a simple majority

Were it not for the special privilege accorded banks and corporations, we would now have an adequate budget We would now have adequate assistance to local school districts And, perhaps most important of all, we would now have adequate revenues to finance state services not only through this year but at a minimum through next year as well

To sum it up, a handful of votes against inclusion of banks and corporations in a pay-as-you-go revenue collection plan was all that kept the 1963 Legislature from capping a session of great achievement with a sound approach to California's fiscal future

I will take up with you first the question of revenue which—because of its impact on public education this year and next—must be the keystone of all progress at this special session

In the general session, I came before you with a series of revenue reforms which would fund our current requirements from current income They would meet our peoples' needs without recourse to new or higher taxes and would bring our collection procedures into line with the more modern practices of other states and the federal government

I have, since the adjournment of that session, re-examined my recommendations both in the light of general principle and of specific provisions I still believe the principle is correct and the provisions are fair

But in weighing alternatives to my recommendations, I was limited to two suggestions which have been brought forth in the interim between sessions

The first is that we "learn to live" with the skeleton budget now in effect—that we mark time for a year to gauge the exact detriment to our State which would result from under-financing

The second is that we impose new or higher taxes at this special session

Neither alternative seems satisfactory to me nor, I am certain, to most of you

Apart from the obvious injustice to many millions of our citizens —ranging from the child in school to the retired teacher living on $70 a month—under-financing of state government can only set off a chain reaction that will damage California for long years into the future

A state whose population grows by 600,000 a year can no more stand still than it can retreat It must accept its new obligations It must give its people not pauper government but the best possible government

As for the suggestion that we raise taxes or expand the tax base at this session, that also fails to recognize the obvious fiscal realties

There is absolutely no need for new or higher taxes

But there is a need for more efficient collection of the taxes we now levy If, as I propose, we bring tax payments more current with the services they finance, this—in combination with our expanding economy—will enable us to hold the tax line for at least two years and perhaps as long as four years.

I would still wish that my original recommendations might come to my desk in the form of legislation But I recognize that present circumstances indicate certain changes in approach may be helpful

I am ready to take the initiative in altering certain provisions of my original program

I am also ready—as I have been in the past—to accept any workable alternative which you may devise in your deliberations

I am still convinced that the revenue needs of California can be met for the present without new or higher taxes, but meeting those needs is more important than the methods we employ

If the Legislature can work out a different—but fair and equitable—method of meeting the needs of California, it will not concern me that it differs from my own recommendations.

Like most Californians, I want above all to see the job done

My revenue recommendations are these:

(1) Approve the insurance acceleration tax as it was amended in the Senate in the general session

(2) Approve a revised bank and corporation tax measure which ends the installment payment privilege and provides for future pay-as-you-go features

The legislation I presented to you has been amended

In its new form, it will require only a simple majority in both houses and will provide a new set of procedures, including a three-year transition period to a system of fully current payments The net revenue effect would be the same in 1963-64 as my original proposal but would vary in succeeding years

(3) Approve a set of revised personal income tax bills which would

(a) End the present system of installment payments for individuals

(b) Put personal income taxes on a pay-as-you-go basis on January 1, 1965, with a 50 percent forgiveness of the 1964 taxes due April 15, 1965.

(c) Exempt from income tax liability all single persons whose tax would be less than $5 and all couples whose tax would be less than $10

This pay-as-you-go plan for personal income taxes would mean absolutely no windfall to the State and would result in no additional revenue for the next two fiscal years, but it would provide substantial continuing revenues for state services thereafter. Beginning in 1965-66, we would achieve this larger return of more than $50 million a year by eliminating tax evasion, which now costs us many millions a year, and by bringing our revenues current with our incomes and our fiscal obligations to schools and other service programs

Under this new proposal, taxpayers would begin paying taxes in current installments on January 1, 1965, for that year On April 15, 1965—when his 1964 tax came due—the taxpayer would be forgiven half of the amount—that is, the equivalent of six months' taxes

Having paid installments for only three months, he would actually be three months ahead By July 1, 1965, he would be exactly even and paying on a current basis, with no penalty at all in the transition

Financing of the issues before you during the next year is not contingent on approval of the pay-as-you-go plan We can complete our

business in this special session without it Let me caution you, however, that I believe you could make no greater mistake than to defer action

If you approve this plan, we have a chance of holding the line on taxes in 1965-66 If you do not, there can be no question that we will face new revenue requirements in that year

The pay-as-you-go plan payment of tax collection is good, sound business We should and will come to it eventually The federal government has it New York has it under Republican Governor Rockefeller. Oregon has it under Republican Governor Hatfield And both have told me it is popular both with employees and employers who would not go back to the old system if they could

Consider, too, that 27 of the 32 states with a general personal income tax already collect it in this manner and all have found it a great improvement over the old system

Objections to current payment of taxes in California have been both partisan and groundless, and are raised by the same forces of reaction which oppose almost everything most of you believe in

Support for the plan, on the other hand, has come from nearly every organization and group which helped elect the majority of members in both houses of the Legislature

The self-serving use of the issue of withholding by the State Chamber of Commerce and by the banks and corporations which set policy for the Chamber has been a deep disappointment to me

During the past four years, I have worked closely with these corporate interests under the impression we shared a concern for the future of California and the needs of its people I was persuaded that their approach was one of enlightened self-interest I thought they saw the advantage to themselves and to their customers in public investments in schools, scholarships, mental health programs and humane, progressive government

I now find that they are willing to forego those programs if it means they must join everybody else in California in a program which requires a pay-as-you-earn approach to taxation

Let us examine some of the needs which cannot be met with the skeleton budget now in effect but which can be met if favorable action is given to my revenue recommendations

Of overriding importance, of course, is the necessity to provide more assistance to local school districts This will at once improve the quality of public education in California and ease the heavy burden that now falls on all local property taxpayers

I base my recommendations for school aid legislation on the report of your conference committee It would increase state aid by $40 million in fiscal 1963-64, and by $60 million in fiscal 1964-65

It would also impose new and useful standards for expenditure and a formula for equalizing the property taxes for school purposes on a countywide basis

The school aid recommendation contains one major new feature, however It provides that the second-year program will not take effect unless the special session provides adequate revenues for the entire two-year span of the legislation

Although additional assistance to local schools is the most important matter before you, it is also urgent that we remedy other deficiencies in the temporary budget under which we are now operating

In general, I propose that you follow the lines of the budget report prepared by your conference committee just prior to the failure of the revenue reforms at the general session I also propose that you add other important items

I believe you should restore the original budget amounts for care of crippled children Without additional funds, this all-important program of hospitalization and rehabilitation will falter before the year is out The Department of Public Health estimates that 6,000 youngsters will be turned away from clinics around this State because the funds are exhausted These are youngsters for whom help must be given now or never

This program better than any other sets the terms of the choice which has brought us back to Sacramento

Do we save the children or do we save the money?

I attach high priority also to an appropriation for more books for local libraries And we must, to keep faith, restore funds for 760 scholarships already awarded to outstanding students in our State

These are scholars with special ability—young men and women we count on to lead the State forward in the next generation Each of them made plans for entering school on the basis of scholarships the State of California officially awarded early this year For most, the withdrawal of the scholarship means drifting for a year because it is too late now to make other plans for the fall semester

I believe, too, that you should augment the budget with funds for minimal salary increases for many of our state employees There is already too great a gap between state salaries and those in private industry and competing public jurisdictions

This inequity is resulting not only in large-scale resignations from state service among such professional classes as engineers and auditors, but is making it increasingly difficult to recruit replacements

Finally, I would place special emphasis on an appropriation for additional Fair Employment Practices Commission staff to administer our new Fair Housing Law

This important legislation, which places California in the forefront of states striving toward equal human rights, is without real force or effect if we fail to provide funds for its proper administration

I am also asking $125,000 for an executive tax study Among the items of legislation which failed at the last moment because of the revenue problem was a bill creating a Tax Study Commission, a measure which had bipartisan support The task of appraising the local-state tax relationship is an urgent one Under the Constitution, the Governor has a mandate to propose a budget with detailed revenue proposals to support it Without this tax study, that mandate cannot be properly fulfilled

I have also included in this budget those items which I struck because they committed the State to projects which were out of place in a

skeleton budget. or because they committed us to long-term expenditures without any revenues in sight to support them

Approval of the revenue program would clearly justify them as augmentations

Certain persons have ascribed political motives to my actions in further reducing the skeleton budget To them, I would say this

Four and one-half years ago, I stood before a Legislature as Governor for the first time I spelled out the facts of a fiscal crisis, handed over to me by an administration which had not been able to persuade members of its own party to meet its obligations

On that day. I asked for new taxes Men of conscience of both parties displayed great political courage in meeting the challenge and in voting to approve new taxes

It was their courage that put California in the black, that enabled us to proceed with six new state colleges and three new University of California campuses, that enabled California once again to become the most progressive and prosperous state in the Nation.

Many of them are here today, and I salute them once more

I salute them because they rejected the easy expedient of voting tens of millions of dollars for worthy projects in their districts and then voting against the new taxes needed to pay for those projects

I can respect the honest conservative who votes against both taxes and appropriations or the honest newspaper which fights both

But I cannot respect people who ask for public money for public purposes—and usually good public purposes—but who refuse to help pay for them or support those who do help.

They did not help build this Country and they do not help build California

The California Legislature is now back in session

Approach the task before you with confidence in the future of our great State and confidence in our people to sustain a system of government that looks to the future and not to the past

Accept my pledge that this administration will continue to exercise all possible economies in the administration of the funds you appropriate We came to the end of the fiscal year just eight days ago with a $30 million surplus in our Treasury, despite the greatest demands for services in the long history of our State I will continue to demand new economies of the departments in the year ahead

In weighing dollars against human needs, consider also that our economy is moving toward new high ground. Employment is shattering all records Per capita income and sales are constantly rising And corporate profits, too, are at an all-time high

All indications point to the most profitable year for business since World War II And California, which leads the Nation in so many other respects, is also leading in the expansion of its economic base—the bedrock on which your fiscal deliberations must rest

One cannot look at California today without hope—without certainty that here we are building the best of all human societies

This surge toward the future, which you and I have the responsibility of directing, requires of us courage, not timidity—the broad view of statesmanship, not the narrow view of partisanship.

Chief Justice Earl Warren says it well Speaking of California last week, he said:

"It's a state that has guts People back there go out and do things They don't stand still That's what makes California great Whenever there is a chance for improvement—whenever something new or modern is needed, people back there aren't afraid to spend They get the job done—and it has always paid off They're terrific!"

I agree, and I know you agree

Let's get the job done

EDMUND G BROWN, Governor

GOVERNOR ESCORTED FROM JOINT CONVENTION

Speaker Jesse M Unruh then directed that the Joint Committee on Escort escort the Honorable Edmund G Brown, Governor of the State of California, from the Joint Convention

APPOINTMENT OF SELECT COMMITTEE

Speaker Unruh then appointed Messrs Petris, Kennick, and Conrad as a Select Committee to escort the Honorable Glenn M Anderson, Lieutenant Governor of the State of California, from the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 1 19 p m , there being no further business, the Speaker declared the Joint Convention adjourned sine die

IN ASSEMBLY

At 1 20 p m , the Assembly reconvened

Hon Jesse M Unruh, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

Assistant Clerk Charles Winner reading

APPOINTMENT OF STANDING COMMITTEES

Speaker Unruh announced that the members of the Standing Committee on Revenue and Taxation and the Standing Committee on Ways and Means shall be the same as those of the Interim Committee on Revenue and Taxation and the Interim Committee on Ways and Means, respectively, immediately prior to the convening of the 1963 First Extraordinary Session of the Legislature

MOTION TO ADJOURN IN MEMORY OF LORAINE GEDDES

Mr. Meyers moved that when the Assembly does this day adjourn it do so out of respect to the memory of the late Loraine Geddes, wife of Senator Samuel R Geddes

Motion carried unanimously

ANNOUNCEMENTS

Mr Mulford announced a Republican Caucus, on adjournment, in Room 4168

Mr Bane announced a meeting of the Committee on Rules, on adjournment, in the Rules Committee Room

Mr Mills announced a Democratic Caucus, on adjournment, in the Assembly Lounge

INTRODUCTION OF GUESTS

Speaker Unruh introduced Mr and Mrs Al Winner of Los Angeles, the mother and father of Assembly Assistant Clerk Charles Winner, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber

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

The following bill was introduced, and read the first time

Assembly Bill No. 2: By Assemblymen Winton, Crown, Flournoy, Ryan, Bee and Unruh (Senators Grunsky, Rodda, and Stiern, co-authors)—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955 1, 17261, 17262, 17263, 17263 1, 17301, 17301 3 17303, 17303 5, 17352, 17353, 17402, 17405, 17411, 17456, 17601, 17602, 17607, 17611, 17653, 17654, 17655, 17655 5 17662, 17664, 17665, 17666 2, 17667, 17702, 17703, 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18455, and 18460, of, to amend the heading of Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17604, 17612, 17613, 17656, 17660, 17666, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to add Sections 17401, 17404, 17407, 17601 1, 17603, 17603 3, 17603 5, 17603 7, 17652, 17656, 17660, 17665 5, 17702 1, 17702 2, and 17706 to, to add Article 2 5 (commencing with Section 17680) and Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of, and to add Chapter 3 5 (commencing with Section 20910) to Division 16 of, the Education Code, relating to the public school system and making an appropriation

Held at desk by order of the Speaker

RESOLUTIONS

The following resolutions were offered

By Assemblyman Quimby

House Resolution No 12

Relative to congratulating Mr Earl S Reynolds on his selection as President of the 1964 National Orange Show

WHEREAS, The governing body of the third largest fair or exposition in the Golden State recently selected Mr Earl S Reynolds as President of the 1964 National Orange Show to be held in San Bernardino, March 12-22; and

WHEREAS, Largely because of the wise and energetic efforts of Mr Reynolds as first vice president the show attracted an all-time record of attendance in 1963, and

WHEREAS, This grand gentleman has intensively engaged in many civic enterprises in addition to his position as Director of Public Relations of the Kaiser Steel Corporation; and

WHEREAS, Mr Reynolds, together with his wife, Naomi, reside in San Bernardino, now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend Mr Reynolds for his past accomplishments, heartily congratulate him upon being named President of the 1964 Orange Show, and sincerely wish him the finest of success in the forthcoming citrus exposition, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr Earl S Reynolds

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblyman Quimby

House Resolution No. 13

Relative to commending Mr Charles D Warner, Senior, for service to the San Bernardino County Fair

WHEREAS, The members learned that Mr Charles D Warner, Senior, of Chino will be the first director of the 28th District Agricultural Association to be honored by having the 1963 San Bernardino County Fair dedicated to him, and

WHEREAS, "Mr County Fair" has served as president of the association since 1948 and currently is President of the Western Fairs Association composed of 300 member fairs and allied industries in 18 states, and

WHEREAS, He has provided the inspired leadership and unflagging zeal necessary for the growth and development of the fair facilities and its wide acceptance by the public, and

WHEREAS, Upon hearing of the dedication, Mr Warner selflessly acclaimed the fair committees for their diligence and hard work in connection with the fairs and acknowledged their indispensability, and

WHEREAS, Mr Warner has been city attorney for Chino for many years and has practiced law for over 25 years after receiving his formal training at Colgate and Western Reserve Universities, and

WHEREAS, He is a director of the First National Bank and Trust Company of Ontario, President of the Chino Rancho Ride Association, and a member of the American Legion, Masonic Lodge, Elks Lodge, Rotary Club, Presbyterian Church, and the California, San Bernardino County and Western San Bernardino County Bar Associations, and

WHEREAS, This former naval officer's wife, Marjorie, has displayed a considerable talent in flower arrangement and home beautification and has generously utilized this expertness in the Warner residence for the enjoyment of her husband and their son, Charles D Warner, Junior, now; therefore, be it

Resolved by the Assembly of the State of California, That the Members extend to Mr Warner the most profound congratulations and well wishes on his long, exemplary record of civic and personal accomplishments, hail the dedication of the forthcoming San Bernardino County Fair to him as salutatory, and wish "Mr County Fair" continued outstanding success in all of his worthwhile endeavors, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr Charles D Warner, Senior

Resolution read, and referred by the Speaker to the Committee on Rules

ANNOUNCEMENT BY SPEAKER RELATIVE TO REFERENCE OF AND HEARING ON ASSEMBLY BILL NO. 2

Speaker Unruh announced that it was his intention to refer Assembly Bill No 2 to the Committee on Ways and Means, and that the bill would be set for hearing on Wednesday, July 10, 1963, at 2 p m in Room 4202

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day.

On request of Speaker Unruh of Inglewood to Mr and Mrs. Al Winner of Los Angeles

On request of Speaker Unruh of Inglewood to Bert DeLotto, of Fresno, former Member of the Assembly

On request of Mr Z'berg of Sacramento to Miss Mary Ellen Lupton of Williamsport, Pennsylvania

ADJOURNMENT

At 1 28 p m , on motion of Mr Waldie, the Speaker declared the Assembly adjourned until 11 a m , Tuesday, July 9, 1963, out of respect to the memory of the late Loraine Geddes of Napa, wife of Senator Samuel R Geddes

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, July 9, 1963

The Assembly met at 11 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Timothy Lenucchi reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan Meyers, Milias, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Vessey, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, the Rev Robert R Ferguson·

Almighty God, Whose essence is love, may we have the qualities of strength without a dominating spirit We pray for reinforcement for our inner lives and our highest ideals May our integrity not be weakened by undue stress or alluring promises, may we be too tall to stoop to low motives, too strong to yield to misguided pressure, too honest not to be willing to have elasticity of mind and the ability to change our mind as new evidence is presented
We pray in our Master's name —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Alquist then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Belotti, seconded by Mr Garrigus

LEAVES OF ABSENCE FOR THE DAY

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

Mr Knox, on motion of Mr Waldie

Mr Willson, on motion of Mr Waldie

Mr Ryan, on motion of Mr Waldie

Mr Monagan, on motion of Mr Conrad

COMMUNICATIONS

The following letters of transmittal were presented by the Chief Clerk, and ordered printed in the Journal

Letter of Transmittal
Bulletin No. 116-1—Crustal Strain and Fault Movement Investigation

THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, July 8, 1963

Hon Arthur A Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento

DEAR MR OHNIMUS Transmitted for the information of the California State Assembly is a copy of Bulletin No 116-1, "Crustal Strain and Fault Movement Investigation—Progress Report" The report briefly discusses some of the potential earthquake and crustal movement problems which may confront the department in building and operating the State Water Facilities, earthquake studies conducted by other agencies, and the need for solutions to these potential earthquake and crustal movement problems The report also summarizes the objectives and present accomplishments of the department's Crustal Strain Investigation and the specialized technical studies, soon to be implemented, which will provide data required by the department in designing its hydraulic structures so as to preclude or minimize future earthquake damage

The interest you have expressed in the problems we face in the conservation and development of California's water resources is appreciated We trust that Bulletin No 116-1 will be of interest to you

Sincerely yours,

WILLIAM E WARNE, Director

Above transmitted report referred by the Speaker pro Tempore to the Assembly Interim Committee on Water

Letter of Transmittal
Bulletin No. 74-2—Recommended Minimum Water Well Construction and Sealing Standards for Protection of Ground Water Quality—Alameda County

THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, July 8, 1963

Hon Arthur A Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento

DEAR MR OHNIMUS Transmitted herewith for the information of the California State Assembly is a copy of Department of Water Resources Bulletin No 74-2, titled "Recommended Minimum Water Well Construction and Sealing Standards

for the Protection of Ground Water Quality, Alameda County," dated December 1962

Since much of the material presented may be criticized constructively by members of the drilling industry, as well as those agencies in Alameda County responsible for enforcing well construction standards, the report is issued as a preliminary edition If you desire to comment upon the contents of this bulletin, you are requested to do so no later than September 10, 1963, at which time the report will be readied for final publication

Sincerely yours,

WILLIAM E WARNE, Director

Above transmitted report referred by the Speaker pro Tempore to the Assembly Committee on Water

The following communication was presented by the Chief Clerk from

Claudia Walker of San Francisco, relative to grievances Ordered filed with the Secretary of State

REPORT ORDERED PRINTED IN JOURNAL

Mr Britschgi was granted unanimous consent that the following Progress Report of the Special Assembly Committee on Legislative Representation be ordered printed in the Journal

PROGRESS REPORT OF SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE

July 8, 1963

Hon Jesse M Unruh
Speaker of the Assembly
State Capitol, Sacramento

DEAR MR UNRUH New registrations were received yesterday from the Legislative Budget Committee for legislative advocates filing after the last meeting of the committee The list is herewith submitted for the approval of the Members of the Assembly

If there are no questions concerning any of the advocates listed within five days after the printing of this list, the advocates' cards will be issued to those named

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal

Respectfully submitted,

CARL A BRITSCHGI, Chairman
Legislative Representation

Legislative Advocates Registrations Received July 8, 1963

BARLETTA, ROY N 6-5-63
El Mirador, Sacramento
Santa Ana Board of Education
1405 French Street, Santa Ana

HARDIN, MRS MAURINE S. 6-3-63
No Sacramento Address
School Library Association of California
4351 Broadway, Oakland 11

HUTCHINS, J BARTON 6-4-63
Senator Hotel, Sacramento
Edwin W. Pauley and Associates
10000 Santa Monica Blvd, Los Angeles 67

OTTOSON, PAUL 6-14-63
No Sacramento Address
Signal Oil and Gas Company
1010 Wilshire Blvd., Los Angeles

VOSS, HENRY J. 6-12-63
No Sacramento Address
Santa Clara County Farm Bureau
1092 No First Street, San Jose

WANVIG, JAMES L 6-14-63
El Mirador Hotel, Sacramento
Standard Oil Company of California
225 Bush Street, San Francisco 4

WARWICH, SCOTT 6-11-63
No Sacramento Address
National Automatic Sprinkler & Fire Control Association, Inc.
211 East Las Tunas Drive, San Gabriel
Home Office 60 East 42nd Street, New York 17, N Y

WILHELM, R KEN 6-12-63
Capitol Inn, Sacramento
Santa Clara County Farm Bureau
1092 No First Street, San Jose

New Registrations for Advocates Already Listed for Other Associations

DAHL, WALTER 6-3-63
El Mirador, Sacramento
California Electric Sign Association
1415 Financial Center Building, Oakland 12

McGILVRAY, KENNETH G 6-3-63
714 Forum Building, Sacramento
General Motors Corporation
Home Office General Motors Building, Detroit 2, Mich

APPOINTMENT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT

Speaker pro Tempore Bee announced the appointment of Messrs Powers (Chairman), Bee, and Unruh as the Standing Committee on Engrossment and Enrollment.

REFERENCE OF ASSEMBLY BILL NO. 2

Speaker pro Tempore Bee referred **Assembly Bill No. 2** to the Committee on Ways and Means

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 3: By Messrs Collier, Holmes, and Cusanovich—An act to add Part 1 8 (commencing with Section 7251) to Division 2 of the Revenue and Taxation Code, relating to sales and use taxes

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation.

Assembly Bill No. 4: By Messrs Collier, Holmes, and Cusanovich—An act to add Chapter 6 (commencing with Section 22750) to Division 16 5 of the Education Code, and to add Section 17235 to the Revenue and Taxation Code, relating to payment of the cost of instruction at the University of California and state colleges.

Referred by the Speaker pro Tempore to Committee on Ways and Means.

Assembly Bill No. 5: By Mr. Crown—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 a, 2.1 a, 2 2 a, 2 25.a, 2 3 a,

10 2 and 10 55a, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Referred by the Speaker pro Tempore to Committee on Ways and Means

COMMUNICATION FROM CHIEF CLERK

The following communication from the Chief Clerk was received, and read.

July 9, 1963

DEAR MR SPEAKER Pursuant to your instructions, the Chief Clerk has examined Assembly Bill No 1, and reports the same correctly engrossed

ARTHUR A OHNIMUS, Chief Clerk

Assembly Bill No 1 ordered to third reading

RATIFICATION OF PRESS CREDENTIALS

Speaker pro Tempore Bee was granted unanimous consent that all press, radio, and TV representatives who were accredited for the 1963 Regular (General) Session be ratified and approved as accredited representatives for this 1963 First Extraordinary Session

RESOLUTIONS

The following resolution was offered.

By Assemblymen Donovan, Burgener, Ashcraft, Barnes, and Mills:

House Resolution No. 14

Relative to congratulating Judge Philip Smith upon his retirement from the San Diego Municipal Court

WHEREAS, It has come to the attention of the Assembly that Judge Philip Smith retired on June 30, 1963, from the San Diego Municipal Court after numerous years of service on the bench, and

WHEREAS, He was born in Plainsville, Connecticut, and moved to San Diego in 1915, where he was admitted to the practice of law in March, 1927, and

WHEREAS, Judge Smith served as Assistant Counsel for the Union Title Insurance Company for a number of years and practiced law with Thomas Whelan from 1928 to January, 1931, when he became County Counsel, a post he held until October of that same year, and

WHEREAS, He was appointed to the bench of a Class "A" Justice Court, maintained this position until it was merged with the Municipal Court in 1937, and served as Superior Court Judge for several months in 1957, and

WHEREAS, Judge Smith created the first Traffic Education Program in Southern California in 1933, which was held at San Diego High School, and, while the program was originally created for juveniles, it was later extended to include adults, and

WHEREAS, His interest in traffic problems caused him to speak regularly on radio over Station KFSD, San Diego, for a period of two years regarding traffic, and he was instrumental in causing the Legislature to pass certain traffic laws, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly commend Judge Philip Smith for his many years of service on the bench in San Diego County and for his other services to his community and to his State, particularly in the field of traffic regulation, and congratulate him upon his retirement and wish him well in all his future endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the Honorable Philip Smith

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

Bill read third time, and passed by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Cartell, Casey, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Greene, Henson, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Moreno, Mulford, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stevens, Thelin, Thomas, Veneman, Vercel, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Zberg, Zenovich, and Mr Speaker—71
NOES—None

Bill ordered transmitted to the Senate

ANNOUNCEMENT

Mr Barnes announced the passing in San Diego of the Honorable Fred H. Kraft, who served as a Member of the Assembly from the 78th Assembly District from 1942 to 1946, and as State Senator from the 40th Senatorial District from 1946 to 1958

UNANIMOUS CONSENT TO ADJOURN IN MEMORY OF FRED H. KRAFT

Mr Barnes was granted unanimous consent that when the Assembly does this day adjourn it do so out of respect to the memory of the late former Senator Fred H Kraft

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Unruh was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No 2 for hearing in the Committee on Ways and Means at 2 p m, on Wednesday, July 10, 1963

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee announced that all mileage waivers must be presented to the Chief Clerk today, and that the mileage resolution, as amended, will be on file for adoption tomorrow

WAIVERS OF MILEAGE

The following waivers of mileage were received and ordered printed in the Journal

July 9, 1963

Hon Jesse M Unruh
Speaker of the Assembly

DEAR MR SPEAKER I desire to waive my constitutional mileage both ways for the First Extraordinary Session of 1963

CHARLES J CONRAD
MILTON MARKS
CARL J. BRITSCHGI
JAMES E. WHETMORE
E RICHARD BARNES
WILLIAM T BAGLEY
JOHN G VENEMAN
HALE ASHCRAFT
CHARLES E CHAPEL

July 9, 1963

Hon Jesse M. Unruh
Speaker of the Assembly

DEAR MR. SPEAKER. I desire to waive my constitutional mileage both ways for the First Extraordinary Session of 1963

PEARCE YOUNG
GEORGE C DEUKMEJIAN
TOM BANE
PHILLIP BURTON
HARVEY JOHNSON
CARLEY V PORTER
JOHN P QUIMBY
ROBERT S STEVENS
W BYRON RUMFORD
ROBERT E BADHAM
TOM WAITE
JAMES MILLS
PHILIP L SOTO
JACK T CASEY
ALAN G PATTEE
GEORGE E DANILLSON

July 9, 1963

I waive my constitutional mileage to the Special Session

RICHARD J DONOVAN

July 9, 1963

Hon Jesse M Unruh
Speaker of the Assembly

DEAR MR SPEAKER I desire to waive my constitutional mileage both ways for the First Extraordinary Session of 1963

BURT HENSON
JOHN L E COLLIER
NICHOLAS C PETRIS
ALFRED H SONG
HAROLD E BOOTH
JOHN FRANCIS FORAN
VINCENT THOMAS
GEORGE W MILIAS
CARLOS BEE
LOU CUSANOVICH
CHARLES W MEYERS
JAMES L HOLMES
EDWARD E ELLIOTT
CLAIR W BURGENER
HOWARD J THELIN
WALTER W POWERS

HOUSE RESOLUTION NO. 8, AS AMENDED, ORDERED PRINTED IN THE JOURNAL

Speaker pro Tempore Bee ordered House Resolution No 8, as amended, printed in the Journal

HOUSE RESOLUTION NO. 8, AS AMENDED

By Assemblyman Waldie

House Resolution No. 8

Relative to mileage for Members and Officers of the Assembly

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 amounts set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 3 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Pauline L Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Leroy F Greene	Sacramento Sacramento County	--	--	--	--	--	--
4	Harold E Booth	Orland, Glenn County	88	16	--	104	208	--
5	Pearce Young	Napa, Napa County	61	--	--	61	122	--
6	Paul J Lunardi	Roseville, Placer County	37	--	18	19	38	1 90
7	William T Bagley	San Rafael, Marin County	105	--	--	105	210	--
8	Walter W Powers	North Sacramento Sacramento County	--	4	--	4	8	--
9	Edwin L Z'berg	Sacramento, Sacramento County	--	--	--	--	--	--
10	Jerome R Waldie	Antioch, Contra Costa County	62	--	21	41	82	4 10
11	John T Knox	Richmond, Contra Costa County	62	21	--	83	166	8 30
12	Robert T Monagan	Tracy, San Joaquin County	48	18	--	66	132	6 60
13	Carlos Bee	Hayward, Alameda County	84	16	--	100	200	--
14	Robert W Crown	Alameda, Alameda County	84	5	--	89	178	8 90
15	Nicholas Petris	Oakland, Alameda County	84	--	--	84	168	--
16	Don Mulford	Piedmont, Alameda County	84	--	--	84	168	--
17	William Byron Rumford	Berkeley Alameda County	84	--	1	83	166	--
18	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
19	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	--
20	Phillip Burton	San Francisco, San Francisco County	90	--	--	90	180	--
21	Milton Marks	San Francisco, San Francisco County	90	--	--	90	180	--
22	George W Milias	Gilroy, Santa Clara County	128	28	--	158	312	15 60
23	John Francis Foran	San Francisco, San Francisco County	90	--	--	90	180	--
24	Alfred E Alquist	San Jose, Santa Clara County	128	--	--	128	256	12 80
25	William F Stanton	San Jose, Santa Clara County	128	--	--	128	256	12 80
26	Carl A Britschgi	Redwood City, San Mateo County	119	--	--	119	238	--
27	Leo J Ryan	So San Francisco, San Mateo County	119	--	18	101	202	10 10
28	Jack T Casey	Bakersfield, Kern County	278	--	--	278	556	--
29	John C Williamson	Bakersfield, Kern County	278	--	--	278	556	27 80
30	John G Veneman	Modesto, Stanislaus County	77	--	--	77	154	--
31	Gordon H Winton	Merced, Merced County	114	--	--	114	228	11 40
32	George N Zenovich	Fresno, Fresno County	169	--	--	169	338	16 90
33	Charles B Garrigus	Reedley, Fresno County	169	28	--	197	394	19 70
34	Alan G Pattee	Salinas, Monterey County	208	--	--	208	416	--
35	Myron H Frew	Dinuba, Tulare County	206	--	14	192	384	--
36	James L Holmes	Santa Barbara Santa Barbara County	460	--	--	460	920	--
37	Burt M Henson	Ventura, Ventura County	490	--	--	490	980	--
38	Carley V Porter	Compton, Los Angeles County	447	18	--	465	930	--
39	George Deukmejian	Long Beach, Los Angeles County	447	22	--	469	938	--
40	Edward E Elliott	Los Angeles Los Angeles County	447	--	--	447	894	--
41	Tom C Carrell	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Tom Bane	North Hollywood, Los Angeles County	447	--	13	434	868	--
43	Howard J Thelin	Glendale, Los Angeles County	447	--	10	437	874	--
44	Joseph M Kennick	Long Beach Los Angeles County	447	22	--	469	938	46 90
45	Alfred H Song	Monterey Park, Los Angeles County	447	8	--	455	910	--
46	Charles Edward Chapel	Palos Verdes Estates Los Angeles Co	447	21	--	468	936	--
47	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
48	George E Danielson	Los Angeles Los Angeles County	447	--	--	447	894	--
49	Houston I Flournoy	Claremont, Los Angeles County	447	26	--	473	946	47 30
50	Philip L Soto	La Puente, Los Angeles County	447	19	--	466	932	--
51	John Moreno	Santa Fe Springs, Los Angeles County	447	14	--	461	922	46 10
52	George A Willson	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Mervyn M Dymally	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	--
55	F Douglas Ferrell	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Charles Warren	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Sherman Oaks, Los Angeles County	447	--	2	445	890	--
58	Harvey Johnson	El Monte, Los Angeles County	447	14	--	461	922	--

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
59	Anthony C Bellenson	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Robert S Stevens	Los Angeles, Los Angeles County	447	--	--	447	894	--
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Tom Waite	Tujunga Los Angeles County	447	--	17	430	860	--
63	Don A Allen	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	Lou Cusanovich	Van Nuys, Los Angeles County	447	--	--	447	894	--
65	Jesse M Unruh	Inglewood Los Angeles County	447	10	--	457	914	45 70
66	Joe A Gonsalves	Artesia, Los Angeles County	447	22	--	469	938	46 90
67	Clayton A Dills	Gardena Los Angeles County	447	11	--	458	916	46 80
68	Vincent Thomas	San Pedro Los Angeles County	447	23	--	470	940	--
69	William E Dannemeyer	Fullerton, Orange County	481	--	9	472	944	47 20
70	James E Whetmore	Los Alamitos, Orange County	481	--	2	479	958	--
71	Robert E Badham	Costa Mesa Orange County	481	9	--	490	980	--
72	John P Quimby	San Bernardino, San Bernardino Co	508	--	--	508	1016	--
73	Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1034	51 70
74	Gordon Cologne	Indio Riverside County	512	73	--	585	585	29 25
75	Victor V Veysey	Brawley, Imperial County	661	--	14	647	1294	64 70
76	Clair W Burgener	San Diego San Diego County	573	--	--	573	1146	--
77	Richard J Donovan	Chula Vista San Diego County	573	7	--	580	1160	--
78	E Richard Barnes	San Diego, San Diego County	573	--	--	573	1146	--
79	James R Mills	San Diego, San Diego County	573	--	--	573	1146	--
80	Hale Ashcraft	Rancho Santa Fe, San Diego County	573	--	23	550	1100	--

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	Sacramento Sacramento County	--	--	--	--	--	--
Eleanor K Donoghue	Sacramento Sacramento County	--	--	--	--	--	--
Tony Beard	Broderick, Yolo County	--	--	--	--	--	--

Resolution, as amended, ordered on file.

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Dymally:

House Resolution No. 15

Relative to congratulating Sadie and David Brewer on their 25th Wedding Anniversary

WHEREAS, On June 23, 1963, in Los Angeles, Mr and Mrs David Brewer celebrated their Silver Wedding Anniversary; and

WHEREAS, The gracious and charming Mrs Brewer, a former teacher in the Los Angeles child care centers, is well known for her many years of service in community organizations, and

WHEREAS, She has been active in local, state and national politics, holds an executive office in the Liberty Baptist Church and is a member of the board of directors of the Los Angeles Branch of the NAACP; and

WHEREAS, Mr Brewer, the son of an old pioneer family, is a member of the Liberty Baptist Church, in which he holds an office, and the Los Angeles City Employees Union Local No 347, and

WHEREAS, During the 25 years which they have shared together, Mr and Mrs Brewer have experienced both sorrow and happiness in their personal lives but have

always demonstrated a cheerful spirit and deep concern for the welfare of others, which has made them one of the most popular couples in the Los Angeles area, and

WHEREAS, They epitomize the ideal in family life, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly take great pleasure in congratulating Sadie and David Brewer on the occasion of their 25th Wedding Anniversary and commend this outstanding couple on their numerous contributions to their community, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmitt a suitably prepared copy of this resolution to Mr and Mrs Brewer

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Williamson, Holmes, Lunardi, Booth, Britschgi, Dills, Ferrell, Greene, McMillan, Pattee, and Stanton

House Resolution No. 16

Relative to interim study on compulsory aircraft insurance

WHEREAS, There have occurred over the years a considerable number of airplane crashes in this State, resulting in substantial losses of life and property, and

WHEREAS, Such losses have not always resulted in adequate compensation due to the lack or insufficiency of insurance coverage by some aircraft operators, and

WHEREAS, This distressing situation warrants the attention of the Legislature, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and investigation the subject of compulsory aircraft insurance, and to direct such committee to report its findings and recommendations to the Assembly no later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Burton

House Resolution No. 17

Relative to commending Herb Caen on the 25th Anniversary of his San Francisco column

WHEREAS, It has come to the attention of the Legislature that Herb Caen, noted San Francisco columnist, started a general newspaper column about the Bay City on July 5, 1938, and the fifth of this month marked the 25th anniversary of his column, and

WHEREAS, He was born in Sacramento and at one time worked for the *Sacramento Union*, but now works for the *San Francisco Chronicle*, and

WHEREAS, Over the years, he has written six books about San Francisco *The San Francisco Book*, *Baghdad by the Bay*, *Baghdad '51*, *Don't Call it Frisco*, *Only in San Francisco*, and *Herb Caen's Guide to San Francisco*; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate Herb Caen on the 25th anniversary of his column, and wish him many more years of success in writing about his chosen city, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this Resolution to Mr Herb Caen

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

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

The following resolution was offered:

Assembly Constitutional Amendment No. 1: By Messrs Collier, Holmes, and Cusanovich—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by

amending Section 34a of Article IV thereof, and by adding Section 1 9 to Article XIII thereof, relating to state imposed property taxes

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day·

On request of Mr Chapel of Palos Verdes Estates to Mr Dwight Shook, Mrs Mary Shook, Cindy Shook, and Monty Shook of Palos Verdes Estates

On request of Mr Dills of Gardena to Rex M Cunningham of Seattle, Washington, former Member of the California Assembly from Ventura

On request of Mr Alquist of San Jose to Len C Griffiths of Sunnyvale and S M McCormick of Mountain View

On request of Mr Pattee of Salinas to Mr and Mrs Sam de Mello and daughter Susan de Mello of Del Rey Oaks

On request of Mr Petris of Oakland to Howard F McKissick, Jr, former minority leader of the Nevada Assembly, Robert Wakeman, James Keller, Procter Hug, and Duane Newton, of South Lake Tahoe

On request of Mr Young of Napa to Mr James Coakley of Vallejo and Mr and Mrs Douglas McFarland and their son, Stuart McFarland, of Napa

On request of Mr Waldie of Antioch to Sal Russo, Truckie Russo, Ray Ramirez, Arcadio Pineda and youngsters from Pittsburg

On request of Mr Holmes of Santa Barbara to Mr and Mrs. Jerry Mills, Suzanne Mills, and Virginia Mills of Portland, Oregon

On request of Speaker pro Tempore Bee of Hayward to Mrs Alna Grant of Hayward, and Miss Theresa Peters of Mountain View

On request of Mr Lunardi of Roseville and Mr Conrad of Sherman Oaks to Mrs Bert Anderson, Miss Karin Anderson, Master Eric Anderson, and Master Andy Baumer of Hidden Valley

On request of Mr Cologne of Indio to Freda Johnson and Paul Johnson of Yreka, and John Wells and Lorrie Wells of Sacramento

ADJOURNMENT

At 11 40 a m, on motion of Mr Waldie, the Speaker pro Tempore declared the Assembly adjourned until 11 a m, Wednesday, July 10, 1963, out of respect to the memory of the late former Senator Fred H Kraft of San Diego.

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, July 10, 1963

The Assembly met at 11 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.
Assistant Clerk William Greene reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Frew, Gaffney, Garrigus, Gonsalves, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Miller, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Whetmore, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—73

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Robert R Ferguson.

God Our Father We pray for growth in mental stature and statesmanlike qualities for each Member of this Assembly May they not be content with an outlook similar to a thermometer which simply records public opinion; may they be developing the qualities of the thermostat which will creatively lift the level of thinking to the required level where there may be equality of opportunity for all
Give us courage for facing these days In our Lord's name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr. Veneman then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Danielson, seconded by Mr. Allen.

LEAVES OF ABSENCE FOR THE DAY

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

Mr Foran, on motion of Mr. Waldie.

Mr. Greene, on motion of Mr Waldie.

Mr Warren, on motion of Mr Waldie

Mr. Ryan, on motion of Mr Waldie.

Mr. Lunardi, on request of Speaker pro Tempore Bee.

Mr. Winton, on request of Speaker pro Tempore Bee

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

Mr Dannemeyer, on motion of Mr Allen

ANNOUNCEMENTS

Mr Collier announced that he had at his desk a bill maintaining the present status of school district distribution of moneys, but appropriating $40 million to the State School Fund, and invited all members who desired to become coauthors of the bill to come to his desk and affix their signatures

Mr Pattee announced that today is the birthday of Assemblyman James L Holmes of Santa Barbara, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Holmes

Speaker Unruh announced that it was his intention to request that the three-day Rule be waived in order that all bills containing educational financing may be heard in the Committee on Ways and Means this afternoon, and that a rush order be placed upon the printing of such bills

COMMUNICATIONS

The following communications were presented by the Chief Clerk from·

Patricia Smith Ramsey of Oakland, expressing appreciation for Assembly Concurrent Resolution No 33 of the 1962 Regular (Budget) Session relative to the passing of Judge Edward J Smith Referred by the Speaker pro Tempore to the Committee on Rules.

W R Elliott of Los Angeles, relative to withholding taxes Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

J. S Mitchell, Secretary, Fibreboard Paper Products Corporation of San Francisco, relative to the Budget Referred by the Speaker pro Tempore to the Committee on Ways and Means

Mrs John Noffsinger of Paradise, relative to water Referred by the Speaker pro Tempore to the Assembly Interim Committee on Water

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time

Assembly Concurrent Resolution No. 1: By Assemblyman Porter (Senator Cobey, coauthor)—Relative to a legislative study of the effect of the decision in *Arizona v. California* on state water planning

Referred by the Speaker pro Tempore to Committee on Rules

Assembly Concurrent Resolution No. 2: By Assemblymen Bee, Unruh, Alquist, Ashcraft, and Porter—Relative to state public works projects

Referred by the Speaker pro Tempore to Committee on Ways and Means

Assembly Concurrent Resolution No. 3: By Assemblymen Deukmejian and Kennick—Relative to retirement benefits for Long Beach employees

Referred by the Speaker pro Tempore to Committee on Rules

Assembly Bill No. 6: By Assemblymen Garrigus, Porter, Whetmore, Quimby, and Alquist—An act to amend Sections 30101 and 30121 of, and to add Section 30125 to, the Revenue and Taxation Code, relating to cigarette taxes

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation

Assembly Bill No. 7: By Assemblymen Collier, Cusanovich, Burgener, Thomas, Barnes, Cologne, Conrad, Donovan, Knox, Lanterman, Milias, Powers, Thelin, Waldie, and Whetmore—An act to amend Sections 17301, 17303, 17303 5, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17901, 17903, 18355, 18356, 18357, and 18358, relating to the public school system and making an appropriation

Referred by the Speaker pro Tempore to Committee on Ways and Means

Rush Order Placed Upon Printing of Assembly Bill No 7

Mr Collier was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 7

Assembly Concurrent Resolution No. 4: By Assemblyman McMillan—Relative to state highway routes.

Referred by the Speaker pro Tempore to Committee on Rules

Assembly Concurrent Resolution No. 5: By Assemblymen Lanterman and Stevens—Relative to budget studies by the Joint Legislative Budget Committee

Referred by the Speaker pro Tempore to Committee on Rules

Assembly Concurrent Resolution No. 6: By Assemblyman Quimby (Senator Nisbet, coauthor)—Relative to a lease of state property to the City of Chino

Referred by the Speaker pro Tempore to Committee on Rules.

Assembly Bill No. 8: By Assemblymen Garrigus, Porter, Monagan, Elliott, Casey, Gaffney, Gonsalves, Quimby, and Whetmore—An act to amend Sections 6903, 6904, 6913.1, 8951, 8955 1, 17262, 17263, 17301, 17303, 17303.5, 17602, 17655 5, 17656, 17660, 17663 7, 17664, 17665, 17666.2, 17702, 17703, 17704, 17705, 17906 2, 17951, 18055, 18056, 18057, 18302, 18303, 18352, 18355, 18358, 18401, and 18455 of, to amend the heading of Article 3 (commencing with Section 17701) of Division 14 of, to repeal Sections 6427, 17263 1, 17604, 17901, 17902, 17903, 17907, 17908, 17909, 18356, and 18357 of, to add Sections 17263 1, 17603, 17665.5, 17702 1, 17706, 17707, and 17901 to, and to add Chapter 3 5 (commencing with Section 20910) to Division 16 of, the Education Code, relating to the public school system, making an appropriation, and declaring the urgency thereof, to take effect immediately

Referred by the Speaker pro Tempore to Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr. Garrigus was granted unanimous consent that Rule No. 59 be temporarily suspended for the purpose of setting all bills referred to the Committee on Ways and Means for hearing today.

RESOLUTIONS

The following resolutions were offered:

By Assemblymen Mulford, Marks, Meyers, and Gaffney.

House Resolution No. 18

Relative to Herb Caen

WHEREAS, "Mr San Francisco"—Herb Caen of the *San Francisco Chronicle*—has just completed his 25th year as unofficial chronicler of the people and places that are "Baghdad by the Bay"; and

WHEREAS, The sometimes whimsical, sometimes serious, always entertaining, Caen "touch" has become such a habit with San Franciscans that he is more widely read in the Bay Area than any syndicated columnist, and

WHEREAS, Herb Caen, born in Sacramento, embraced San Francisco with a fervor and sensitivity that hasn't been matched and which continues each day in his column and in the five books and numerous articles he has written, and

WHEREAS, The "secret" ingredients in these achievements are the ability he has to take an incident, extract its full flavor and present just that to the reader, and in the fine staff work handled by his right-hand man, Jerry Bundsen, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Herb Caen on his successes over the past 25 years and express their appreciation of the daily enjoyment afforded by the "items" and the descriptions that bring the salt air, the hills, and a wisp of fog wherever he's read, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Herb Caen

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Dymally:

House Resolution No. 19

Commending the National Signature Committee to End Discrimination

WHEREAS, The National Signature Committee to End Discrimination is an organization formed for the purpose of securing the signatures of a minimum of 40

million American citizens on a petition demanding that the President of the United States and Congress immediately take all necessary action to abolish racial discrimination and segregation in this Country and to guarantee the full rights of all persons as set forth in the Constitution of the United States, and

WHEREAS, The committee, under the leadership of its President-Director Sidney Moore, with its national office in Los Angeles, is sponsored by many persons prominent in the field of civil rights, and

WHEREAS, The committee supports all agencies organized to wipe out discrimination in America, and is making a strong effort to unite all such agencies in this movement to demonstrate the vast numbers of Americans who are in sympathy with its purpose of completely ridding the Country of the evils of discrimination, now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend the National Signature Committee to End Discrimination, and wish it success in its worthy undertaking

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Dymally

House Resolution No. 20

Relating to the Women's Sunday Morning Breakfast Club

WHEREAS, One of the outstanding organizations in California in the field of social service is the Women's Sunday Morning Breakfast Club of Los Angeles, and

WHEREAS, The three-fold program of this worthy organization is the enlightenment of Negroes through its Breakfast Symposiums held once a month, financial assistance to civic and charitable projects, and the awarding of an annual $1,000 scholarship to a deserving student regardless of race or religion, and

WHEREAS, In its brief 11 years of existence the Women's Sunday Morning Breakfast Club has contributed more than $87,000 for community service, and

WHEREAS, The key projects of the Breakfast Club are Children's Hospital, Children's Orthopedic Hospital, the $1,000 Gilbert W. Lindsay Scholarship Fund, and Christmas Cheer Baskets, but many other worthwhile causes including the Stovall Foundation, the Exceptional Children's Opportunity School, the City of Hope, the Heart Fund, the Red Cross, the Urban League, and the YMCA, YWCA, and NAACP have been recipients of the club's generosity, and

WHEREAS, The Breakfast Club's annual fund-raising event, the Cinderella Ball, promises to be particularly successful this year, thanks in large part to the untiring efforts of President Mrs Gilbert W Lindsay, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly takes this opportunity to commend the members of the Women's Sunday Morning Breakfast Club on their truly impressive record of public service, and to congratulate Mrs Gilbert W. Lindsay on her excellent record as president of the club; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Mrs Gilbert W Lindsay as representative of the Women's Sunday Morning Breakfast Club

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Thomas, Collier, Conrad, Elliott, and Lanterman:

House Resolution No. 21

Commending Lewis E Arnold, Los Angeles City Engineer of Administration

WHEREAS, It has come to the attention of the Assembly that Mr Lewis E "Lew" Arnold, Engineer of Administration for the Bureau of Engineering, Department of Public Works of the City of Los Angeles, is retiring after more than 39 years of dedicated and invaluable service to the City of Los Angeles, and

WHEREAS, Mr Arnold received his professional training at the University of Minnesota, embarked upon the profession of highway engineering and faithfully served his Country in the United States Army during World War I, before moving in 1923 to the City of Los Angeles, where he has since resided, and

WHEREAS, Mr Arnold, through his vast knowledge of the technical and administrative phases of engineering, and of the fiscal, legal and legislative aspects of freeways, streets and related public works and his wisdom, leadership and enthusiasm has given the City of Los Angeles outstanding service as the Engineer of Administration,

the engineering adviser to the City Council, and as a legislative representative of the City of Los Angeles at the sessions of the State Legislature and has won well-deserved recognition as a distinguished leader in the financing and development of the current statewide freeway, county road and city street programs, and

WHEREAS, His warmth and uplifting understanding have won the respect, admiration and friendship of all the many persons throughout the State who were privileged to know and work with him, now, therefore, be it

Resolved by the Assembly of the State of California, That the members extend their warmest commendation and heartiest appreciation to Lew Arnold for his outstanding service over the years, and wish him success and happiness in all his future endeavors, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr Lewis E Arnold

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee announced that any additional mileage waivers must be presented at this time, since House Resolution No 8 was now up for consideration

WAIVERS OF MILEAGE

The following waiver of mileage was received, and ordered printed in the Journal

I hereby waive my statutory mileage to and from the First Extraordinary Session of 1963

JOHN T KNOX
GEORGE N ZENOVICH
ROBERT W CROWN
ANTHONY C BEILENSON

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 8

By Assemblyman Waldie

House Resolution No 8

Relative to mileage for Members and Officers of the Assembly

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 amounts set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Pauline L Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Leroy F Greene	Sacramento, Sacramento County	--	--	--	--	--	--
4	Harold E Booth	Orland, Glenn County	88	16	--	104	208	--
5	Pearce Young	Napa Napa County	61	--	--	61	122	--
6	Paul J Lunardi	Roseville Placer County	37	--	18	19	38	1 90
7	William T Bagley	San Rafael, Marin County	105	--	--	105	210	--
8	Walter W Powers	North Sacramento, Sacramento County	--	4	--	4	8	--
9	Edwin L Z'berg	Sacramento, Sacramento County	--	--	--	--	--	--
10	Jerome R Waldie	Antioch, Contra Costa County	62	--	21	41	82	4 10

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
11	John T Knox	Richmond Contra Costa County	62	21	--	83	166	--
12	Robert T Monagan	Tracy, San Joaquin County	48	18	--	66	132	6 60
13	Carlos Bee	Hayward Alameda County	84	16	--	100	200	--
14	Robert W Crown	Alameda, Alameda County	84	5	--	89	178	--
15	Nicholas Petris	Oakland, Alameda County	84	--	--	84	168	--
16	Don Mulford	Piedmont Alameda County	84	--	--	84	168	--
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	--
18	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9.00
19	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	--
20	Phillip Burton	San Francisco San Francisco County	90	--	--	90	180	--
21	Milton Marks	San Francisco, San Francisco County	90	--	--	90	180	--
22	George W Millas	Gilroy Santa Clara County	128	28	--	156	312	--
23	John Francis Foran	San Francisco, San Francisco County	90	--	--	90	180	--
24	Alfred E Alquist	San Jose, Santa Clara County	128	--	--	128	256	12 80
25	William F Stanton	San Jose, Santa Clara County	128	--	--	128	256	12 80
26	Carl A Britschgi	Redwood City, San Mateo County	119	--	--	119	238	--
27	Leo J Ryan	So San Francisco, San Mateo County	119	--	18	101	202	10 10
28	Jack T Casey	Bakersfield, Kern County	278	--	--	278	556	--
29	John C Williamson	Bakersfield, Kern County	278	--	--	278	556	27 80
30	John G Veneman	Modesto, Stanislaus County	77	--	--	77	154	--
31	Gordon H Winton	Merced, Merced County	114	--	--	114	228	11 40
32	George N Zenovich	Fresno, Fresno County	169	--	--	169	338	--
33	Charles B Garrigus	Reedley, Fresno County	169	28	--	197	394	19 70
34	Alan G Pattee	Salinas, Monterey County	208	--	--	208	416	--
35	Myron H Frow	Dinuba, Tulare County	206	--	14	192	384	--
36	James L Holmes	Santa Barbara, Santa Barbara County	460	--	--	460	920	--
37	Burt M Henson	Ventura, Ventura County	490	--	--	490	980	--
38	Carley V Porter	Compton Los Angeles County	447	18	--	465	930	--
39	George Deukmejian	Long Beach, Los Angeles County	447	22	--	469	938	--
40	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	--
41	Tom C Carrell	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Tom Bane	North Hollywood, Los Angeles County	447	--	13	434	868	--
43	Howard J Thelin	Glendale, Los Angeles County	447	--	10	437	874	--
44	Joseph M Kennick	Long Beach Los Angeles County	447	22	--	469	938	46 90
45	Alfred H Song	Monterey Park, Los Angeles County	447	8	--	455	910	--
46	Charles Edward Chapel	Palos Verdes Estates, Los Angeles Co	447	21	--	468	936	--
47	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
48	George E Danielson	Los Angeles, Los Angeles County	447	--	--	447	894	--
49	Houston I Flournoy	Claremont Los Angeles County	447	26	--	473	946	47 30
50	Philip L Soto	La Puente Los Angeles County	447	19	--	466	932	--
51	John Moreno	Santa Fe Springs, Los Angeles County	447	14	--	461	922	46 10
52	George A Willson	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Mervyn M Dymally	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	--
55	F Douglas Ferrell	Los Angeles Los Angeles County	447	--	--	447	894	44 70
56	Charles Warren	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Sherman Oaks Los Angeles County	447	--	2	445	890	--
58	Harvey Johnson	El Monte, Los Angeles County	447	14	--	461	922	--
59	Anthony C Beilenson	Beverly Hills, Los Angeles County	447	8	--	455	910	--
60	Robert S Stevens	Los Angeles, Los Angeles County	447	--	--	447	894	--
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Tom Waite	Tujunga, Los Angeles County	447	--	17	430	860	--
63	Don A Allen	Los Angeles Los Angeles County	447	--	--	447	894	44 70
64	Lou Cusanovich	Van Nuys, Los Angeles County	447	--	--	447	894	--
65	Jesse M Unruh	Inglewood Los Angeles County	447	10	--	457	914	45 70
66	Joe A Gonsalves	Artesia Los Angeles County	447	22	--	469	938	46 90
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	--
69	William E Dannemeyer	Fullerton Orange County	481	--	9	472	944	47 20
70	James E Whetmore	Los Alamitos, Orange County	481	--	2	479	958	--
71	Robert E Badham	Costa Mesa Orange County	481	9	--	490	980	--
72	John P Quimby	San Bernardino, San Bernardino Co	508	--	--	508	1016	--
73	Stewart Hinckley	Redlands San Bernardino County	508	9	--	517	1034	51 70
74	Gordon Cologne	Indio Riverside County	512	73	--	585	585	--
75	Victor V Veysey	Brawley Imperial County	661	--	14	647	1294	64 70
76	Clair W Burgener	San Diego San Diego County	573	--	--	573	1146	--
77	Richard J Donovan	Chula Vista San Diego County	573	7	--	580	1160	--
78	E Richard Barnes	San Diego San Diego County	573	--	--	573	1146	--
79	James R Mills	San Diego, San Diego County	573	--	--	573	1146	--
80	Hale Ashcraft	Rancho Santa Fe San Diego County	573	--	23	550	1100	--

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A. Ohnimus	Sacramento, Sacramento County	--	--	--	--	--	--
Eleanor K. Donoghue	Sacramento, Sacramento County	--	--	--	--	--	--
Tony Beard	Broderick, Yolo County	--	--	--	--	--	--

Resolution read, as amended

Resolution adopted by the following vote.

AYES—Ashcraft, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Butschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Gaffney, Garrigus, Gonsalves, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Powers, Quimby, Rumford, Song, Soto, Stevens, Thelin, Thomas, Veysey, Waldie, Whetmore, Williamson, Wilson, Young, Z'berg, Zenovich, and Mr Speaker—64

NOES—None

NOTE—*See* Assembly Journal for July 16, 1963, page 104, for mileage waiver by Mr Alquist, Assembly Journal for July 17, 1963, page 133, for mileage waivers by Messrs Dymally and Winton, and Assembly Journal for July 24, 1963, page 242, for mileage waiver by Mr Ryan

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ANNOUNCEMENT

Speaker pro Tempore Bee announced a meeting of the Committee on Ways and Means at 2 p m this afternoon in Room 4202

RECESS

At 11 30 a m, Speaker pro Tempore Bee declared the Assembly at recess until 2 p m.

REASSEMBLED

At 2 p m, the Assembly reconvened

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

Assistant Clerk William Greene reading

ANNOUNCEMENT

Mr. Crown announced that the Committee on Ways and Means would meet immediately in Room 4202

Parliamentary Inquiry

Mr Conrad arose to the following parliamentary inquiry. What business will be taken up for consideration during the time the Committee on Ways and Means is meeting?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that to the best of his knowledge, only routine business would be conducted, and that the House was presently awaiting the presentation of bills for introduction

Parliamentary Inquiry

Mr Conrad arose to the following parliamentary inquiry· After the bills have been introduced, will the Assembly then adjourn until tomorrow morning?

Reply by Speaker pro Tempore

The Speaker pro Tempore directed the inquiry to the Majority Floor Leader

Reply by Majority Floor Leader

Majority Floor Leader Waldie replied that it was his understanding that, upon the conclusion of its business today, the Assembly would adjourn until 11 a.m. tomorrow morning

Parliamentary Inquiry

Mr Porter directed the following parliamentary inquiry to Mr Waldie: If the Senate does not meet on Friday, what program will be followed by this House?

Reply by Majority Floor Leader

Majority Floor Leader Waldie replied that the present program is for the Assembly to meet on Friday.

Speaker Presiding

At 2 10 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

ANNOUNCEMENT BY SPEAKER

Speaker Unruh announced that the Assembly would meet on Friday morning until approximately 10 to 10 30 a m, that even though the revenue bills be not moved through the Senate until the end of this week or the first of next week, the Assembly would continue to work to the best of its ability to expedite the conclusion of the business of this extraordinary session

Speaker Unruh further announced that, unless the committees meeting this afternoon and Thursday are unable to complete their hearings by that time, there will be no committee meetings on Friday afternoon

Speaker pro Tempore Presiding

At 2 12 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 2 13 p m., Mr Crown was granted unanimous consent that the members of the Committee on Ways and Means be excused, for the purpose of holding a meeting of the committee, at this time

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Quimby was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 9, 1963

Hon John P Quimby
Assembly Chamber

Proclamation—Germaneness of Assembly Bill No. 1258—No. 102

Question

DEAR MR QUIMBY · You have asked whether the provisions of Assembly Bill No 1258 of the 1963 Regular Session as amended in Senate June 15, 1963, would be germane to any item on the proclamation calling the 1963 First Extraordinary Session

Opinion

In our opinion, the bill is within the scope of Item 2 of the Governor's Proclamation convening the session and therefore may be considered and acted upon at the current special session

Analysis

In *Martin* v *Riley*, 20 Cal 2d 28, at page 39, the California Supreme Court stated ·

> " . The duty of the Legislature in special session to confine itself to the subject matter of the call is of course mandatory It has no power to legislate on any subject not specified in the proclamation. (*People* v *Curry*, 130 Cal 82 [62 Pac 516], *Swing* v *Riley*, 13 Cal (2d) 513, 518 [90 P (2) 313]) But when the Governor has submitted a subject to the Legislature, the designation of that subject opens for legislative consideration matters relating to, germane to and having a natural connection with the subject proper (*Blackford* v. *Judith Basin County*, 109 Mont. 578 [98 P (2d) 872, 877, 126 A L R 639], and cases cited) Any matter of restriction or limitation becomes advisory or recommendatory only and not binding on the Legislature (*People* v *District Court*, 23 Colo 150 [46 Pac 281]; *Long* v *State*, 58 Tex Cr R 209 [127 S W 208, 21 Ann Cas. 405] . ."

It is also to be noted that all presumptions are in favor of the constitutionality of any act passed by the Legislature during the special session, and such act will be held to be constitutional if by any reasonable construction of the language of the proclamation it can be said that the subject of the legislation is embraced therein (*Martin* v *Riley*, above, at p 40)

Item 2 of the Governor's Proclamation convening the 1963 First Extraordinary Session reads

> "To consider and act upon legislation relating to the support of the public school system and revenue acts necessary therefor."

In our opinion the subject proper of the item is support for authorized expenditures of the public school system and revenue acts necessary therefor Under the rule of law set forth above, any legislation relating to, germane to, and having a natural connection with this subject matter would be within the scope of the item.

Assembly Bill No 1258 of the 1963 session as last amended in Senate June 15, 1963, would authorize a county superintendent of schools; or a school district, to contract for the purpose of procuring television broadcasts for use in the educational programs of the schools, and would provide for State School Fund apportionments to school districts which receive such instructional television If this authorization to contract for television were not now authorized, the primary purpose of the bill would appear to be the enactment of legislation to enable schools to include a new teaching method in their educational program However, we believe that both the county superintendents and school district governing boards already have this authority (see Sec 8857, Ed C)

Therefore, the substance of the bill which is new is the part providing for apportionment of state funds to pay for such instructional television This, we believe, relates to the support of the public schools and thus is within the scope of Item 2 of the proclamation convening the First Extraordinary Session.

Very truly yours,

A C MORRISON, Legislative Counsel

By (MRS) ROSE OLIVER, Deputy Legislative Counsel

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

The following bill was introduced, and read the first time

Assembly Bill No. 9: By Assemblyman Quimby—An act to add Section 17305 7 to, and Article 15 (commencing with Section 6441) to Chapter 6 of Division 6 of, and Article 14 5 (commencing with Section 18270) to Chapter 3 of Division 14 of, the Education Code, relating to instructional television

Referred by the Speaker pro Tempore to Committee on Ways and Means

RESOLUTIONS

The following resolution was offered ·

By Assemblyman Dymally

House Resolution No. 22

Relative to a Human Rights Study Commission

WHEREAS, Conflicts and tensions resulting from a denial of equality to classes of individuals because of their race, color, creed or national origin have increased; and

WHEREAS, California has made significant progress in some fields in bettering the conditions which produce such discord, but there remains a broad spectrum of social activity requiring intensive consideration to promote harmony and understanding between all groups in our society , and

WHEREAS, A commission, representative of a broad base of our society, whose members were dedicated to effecting solutions to these problems, could make a significant contribution to an improvement of relations between different groups, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof urge the Governor to appoint a Human Rights Study Commission, whose members would be widely representative and whose function would be to study relations

among people of different races, colors, creeds or national origins with a view to finding ways to improve those relations in respect to education, employment, housing, law enforcement and direct action, and to report such findings to the Governor and the Legislature, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Governor

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

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

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

Assembly Bill No. 10: By Assemblyman Elliott—An act to add Section 7028 to the Education Code, relating to Vocational Rehabilitation.

Bill Held at Desk

Speaker pro Tempore Bee ordered Assembly Bill No 10 held at the desk pending receipt of an opinion from the Legislative Counsel as to whether or not it falls within the purview of the Governor's Proclamation convening the Legislature into this First Extraordinary Session

Assembly Bill No. 11: By Assemblyman Young—An act to add Part 15 (commencing with Section 35001) to Division 2 of the Revenue and Taxation Code, relating to pay television

Referred by the Speaker pro Tempore to Committee on Ways and Means

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day

On request of Mr Rumford of Berkeley to Judge Lionel Wilson of Oakland and D. G Gibson of Berkeley

On request of Speaker pro Tempore Bee of Hayward to Ronald Collins and John Corr of Oroville.

On request of Mr Thelin of Glendale to Mr and Mrs Stanley Hopper of Glendale

On request of Mr Veneman of Modesto to a group of students of the governmental class at Modesto High School Summer School

On request of Mr Knox of Richmond, Mr Waldie of Antioch, and Mr Rumford of Berkeley to Lawrence Crouchet of El Cerrito and Lenard Grote of Pleasant Hill.

ADJOURNMENT

At 2 40 p m., on motion of Mr Dills, the Speaker pro Tempore declared the Assembly adjourned until 11 a m, Thursday, July 11, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, July 11, 1963

The Assembly met at 11 a m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading.

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, White, Waldie, Whetmore, Williamson, Willson, Winton, Young, Zenovich, and Mr. Speaker—74

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Robert R Ferguson·

God Our Father, Forgive some of us who have wasted years yet look upon a moment of prayer as lost time We know that prayer is never a substitute for rigorous thinking and hard work, but it can implement them May we with our little deadlines and immediate pressures be given through prayer the calmness of Thy perspective and the realization that with Thee a thousand years is as a day May we see that we can never make time but it is a gift given for us to use May we use it wisely, again knowing that our times are in Thy hands —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Flournoy then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Carrell, seconded by Mr Elliott.

LEAVES OF ABSENCE FOR THE DAY

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

Mr Foran, on motion of Mr Waldie

Mr Beilenson, on motion of Mr Waldie

Mr Warren, on motion of Mr Waldie

Mr Ryan, on motion of Mr Waldie

Mr Z'berg, on motion of Mr Waldie

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

Mr Dannemeyer, on motion of Mr Allen

COMMUNICATIONS

The following communication was presented by the Chief Clerk from

William A Ray of North Hollywood, relative to the 1963 Budget Referred by the Speaker pro Tempore to the Committee on Ways and Means

RESOLUTIONS

The following resolutions were offered

By Assemblymen Dymally, Rumford, and Ferrell

House Resolution No. 23

Relative to commending Mr Leon H Washington, Jr, owner and publisher of the *Los Angeles Sentinel*

WHEREAS, Thirty years of dedication to the principles of free press and equality for all loyal Americans by Mr Leon H Washington, Jr, has come to the attention of the members, and

WHEREAS, Mr Washington restyled and stimulated the growth of his newspaper, the *Los Angeles Sentinel*, until it has become the largest Negro newspaper in the West with a circulation of 30,000, and

WHEREAS, This ever-public-minded citizen has energetically devoted his time and resources to politics and has constantly urged others to take an increasing interest in civic and political affairs, and

WHEREAS, Mr Washington, through his paper and through personal activity, long sought the removal of discrimination in retail stores, bus operators, and in housing for members of the armed forces of the United States, and

WHEREAS, His intense efforts were to a large measure rewarding, even though experiencing the loss of personal liberty in implementing his protestations of inequality, and

WHEREAS, The phrase "Don't spend your money where you can't work" was coined by him to provide a rallying motto to spearhead his cause of the removal of discrimination; and

WHEREAS, A constant stimulator of self-improvement projects, he was a key figure in the saving and restoration of the Vernon Branch Library, and

WHEREAS, This tireless man, through his paper, sponsors with the Los Angeles Lakers professional basketball team a game for the benefit of the Southern Area Boys' Club, and

WHEREAS, His newspaper is a member of the California Newspaper Publishers' Association and annually has been the recipient of an award in competition with newspapers across the Nation, and

WHEREAS, He is a member of the First A M E Church in Pasadena, the Omega Psi Phi Fraternity, and the Californians, composed of persons who have resided in the Golden State for 25 years or more; and

WHEREAS, His ability, initiative, determination and know-how came to the attention of the Chief Executive of the United States, President John F Kennedy, and Mr Kennedy, in acknowledging Mr Washington's accomplishments, placed him on his Committee on Registration and Voter Participation, a truly significant honor and responsibility, and

WHEREAS, This unselfish laborer of justice for all Americans, together with his lovely wife, Ruth, who has provided the moral support and graciousness to enable

her husband to enter and complete his activities with the assurance of the full support and vigor of his spouse, have through their joint efforts of no mean magnitude assisted in raising several thousands of dollars for charitable purposes, now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this honorable body do grant due recognition of the personal achievements and accomplishments of Leon Washington and his *Los Angeles Sentinel* newspaper, and bestow upon him and his charming wife well wishes for continued success and true prosperity in all their worthwhile endeavors, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr Leon H Washington, Jr.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblymen Thomas and Petris

House Resolution No. 24

Relative to Constitutional Amendment to eliminate unfair water taxation

WHEREAS, During the 1963 Regular Session of the California Legislature the Members of the State Assembly, by a vote of 65 to 13, approved Assembly Constitutional Amendment No 21 for the purpose of permitting the voters of the State of California to amend the Constitution of the State in order to exempt water rights of public agencies and mutual water companies from a recently imposed tax that will raise the cost of water to citizens in some of the most populous areas of the State, such as San Francisco, Oakland, Los Angeles and Riverside, and

WHEREAS, Failure of the Senate to approve A C A 21 now forces those who are affected by this discriminatory, arbitrary and unreasonable tax to resort to the costly and time-consuming task of securing approximately 500,000 signatures of qualified registered voters on initiative petitions in order to present this issue to the electorate, and

WHEREAS, There appears to be no alternative to this direct initiative procedure inasmuch as a similar proposal submitted to the Legislature in 1961 was rejected in Senate committee after having been adopted by the Assembly, and

WHEREAS The citizens of the areas that depend upon imported water supplies have formed a statewide, nonprofit organization known as the Water Rights Tax Relief Association for the purpose of securing protection from an intolerable and unpredictable tax burden which in fact is "double taxation" in certain jurisdictions, now, therefore, be it

Resolved by the Assembly of the State of California, That the citizens of California be afforded the opportunity to register their convictions on this vital matter and that the Water Rights Tax Relief Association be given widespread support in securing the necessary signatures to make this democratic process possible, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Department of Water and Power of the City of Los Angeles

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Bane

House Resolution No. 25

Relative to nursing homes

WHEREAS, The rate schedule adopted by the State of California for recipients of Medical Assistance for the Aged has been questioned as being too low to provide adequate medical care for many of our senior citizens in need of such care; and

WHEREAS, Both branches of the California Legislature have indicated their concern in this regard by instituting special interim studies of the Medical Assistance to the Aged program of California, and

WHEREAS, The present rate structure devised by the Department of Finance and implemented by the Department of Social Welfare has been charged as being responsible for the transfer of a large number of patients from qualified nursing homes to more expensive public facilities which has resulted in adding an unnecessary burden on the taxpayers of the State; and

WHEREAS, A program of private supplementation by a patient's relatives, friends, or other interested parties presents a possible solution to these problems pending the results of the aforementioned studies, now, therefore, be it

Resolved by the Assembly of the State of California, That the Rules Committee assign to an appropriate interim committee the study of adoption of such regulations in the administration of the Medical Assistance to the Aged program to allow supplementation up to a maximum of one hundred dollars ($100) of the existing rate schedule by patients' relatives, friends, or interested parties, without affecting the eligibility of the recipient or reducing the grant for which the recipient is otherwise eligible

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Dills·

House Resolution No. 26

Relative to Buy American Act

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate committee for interim study the subject of establishing exemptions to the Buy American Act applicable to goods manufactured overseas in whole or in part from minerals produced in the United States, and to direct such interim committee to report thereon to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Rules reports

Assembly Concurrent Resolution No 1

With the recommendation Be adopted

BANE, Chairman

Above resolution ordered engrossed

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 11, 1963

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

Assembly Bill No 1

J A BEEK, Secretary of the Senate
By LANCE D MACARTHUR, Assistant Secretary

Above bill ordered enrolled

ANNOUNCEMENT BY SPEAKER PRO TEMPORE BEE

Speaker pro Tempore Bee announced that Mr. Elliott has received an opinion from the Legislative Counsel that Assembly Bill No. 10 does not fall within the scope of the Governor's Proclamation calling the Legislature into this First Extraordinary Session

ASSEMBLY BILL NO. 10 ORDERED HELD AT DESK

Speaker pro Tempore Bee ordered that Assembly Bill No 10 be held at the desk without printing

OPINION OF LEGISLATIVE COUNSEL ORDERED PRINTED IN JOURNAL

Speaker pro Tempore Bee ordered the following opinion of the Legislative Counsel relative to Assembly Bill No. 10 printed in the Journal.

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 10, 1963

Hon Edward E Elliott
Assembly Chamber

Vocational Rehabilitation—No. 176

Question

DEAR MR ELLIOTT You ask the following question

Is Assembly Bill No 10 of the First Extraordinary Session within the scope of the Governor's Proclamation calling the session?

Opinion

In our opinion the bill is not within the scope of any item of the Proclamation.

Analysis

Assembly Bill No 10 adds Section 7028 to the Education Code to authorize the Vocational Rehabilitation Service to enter co-operative agreements with other public or private nonprofit agencies under which the service will provide rehabilitation services to special groups of handicapped persons for which the present staff of the service is not able to provide such services The proposed new section requires that such nonprofit agencies match available federal funds for such services, and provides that if federal funds are not available, the State shall not be liable for any costs of the services.

The bill does not appear to be germane to either of the two items appearing in the Governor's Proclamation. It does not amend or supplement the Budget Bill for the 1963-64 fiscal year, nor is it a revenue act, so as to fall within the scope of Item 1 of the Proclamation Furthermore, it does not relate to the support of the public school system, nor is it a revenue act necessary therefor, as provided in Item 2 of the Proclamation.

It is our opinion, therefore, that the bill does not fall within the scope of the Governor's Proclamation, and thus may not be considered at the current special session.

Very truly yours,

A C MORRISON, Legislative Counsel
By EDWARD K PURCELL,
Deputy Legislative Counsel

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered

Assembly Constitutional Amendment No. 2: By Assemblyman Pattee—A resolution to propose to the people of the State of California an

amendment to the Constitution of the State, by adding Section 23 to Article XX thereof, relating to the conduct of a lottery by the State

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolutions were offered.

By Assemblymen Young and Meyers

House Resolution No. 27

Memorializing Loraine Connor Geddes

WHEREAS, It was with a particularly personal sense of sorrow that the Members of the Assembly learned of the passing on July 5, 1963 of Mrs Loraine Connor Geddes, and

WHEREAS, Loraine Geddes was the wife of Samuel R Geddes, who during eight years as a Member of the Assembly, before his election to the Senate in 1960, and since, has developed a host of friends in the Legislature, all of whom remember with a particular fondness the gracious and charming woman who was his wife, and

WHEREAS, Prior to her marriage on November 26, 1931, Loraine Connor had been a school teacher in Hawaii and in Berkeley, a traveled background that stood her in good stead as the wife of a construction contractor, whose early married life was spent in such places as Reno, San Francisco, Lake Tahoe, and China before settling permanently in the City of Napa; and

WHEREAS, The respect and admiration accorded Mrs Geddes are the measure of her active community service and the thoughtful devotion she extended to her immediate family, and

WHEREAS, Her kindness and understanding have left a memorial not alone in the hearts of her family, but with that host of persons by whom her respect and friendship were so highly valued, now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereby express their deep sadness at the passing of Loraine Connor Geddes; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs Geddes' husband, Senator Samuel R Geddes, her son, Robert Norman Geddes, her sister, Cora Foster, and her brother, Langley Connor

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Soto

House Resolution No. 28

Relating to an interim study of violation of civil rights of citizens in Imperial County

WHEREAS, One of the basic privileges of being a citizen of the United States is the right to vote; and

WHEREAS, The whole basis of our democratic form of government is the right of the electorate to vote, and

WHEREAS, It has come to the attention of the Legislature that certain persons and organizations might have, themselves and through agents, made threats, intimidations and menaces, and have attempted to awe, restrain, hinder and disturb voters in Imperial County from exercising their rights of suffrage, and

WHEREAS, It has come to the attention of the Legislature that an action has been filed seeking the removal of persons from the registration lists based upon nonlegal criteria and erroneous interpretation of the United States and California Constitutions and the laws of the State of California; and

WHEREAS, There is a great and urgent need for legislation to see that all United States citizens in California are allowed to exercise their right of suffrage regardless of race, ethnic background, color, creed, or religion, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee the subject matter of this resolution for study of the problems referred to herein, and that such

committee report thereon to the Assembly by not later than the 30th calendar day of the 1965 Regular Session, including in the report its recommendations for appropriate legislation

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 10
House Resolution No 16

With the recommendation That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 21

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BANE, Chairman

Above resolution ordered to the Consent Calendar

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 7
House Resolution No 12
House Resolution No 13

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

BANE, Chairman

Above resolutions ordered to the Consent Calendar

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 14
House Resolution No 15
House Resolution No 20

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

BANE, Chairman

Above resolutions ordered to the Consent Calendar

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 18

With the recommendation Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

BANE, Chairman

Above resolution ordered on file

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 11, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 1
And reports the same correctly engrossed

POWERS, Chairman

Above resolution ordered on file

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

The following resolution was offered:

Assembly Joint Resolution No. 1: By Assemblyman Bagley (Senator McCarthy, coauthor)—Relating to the Point Reyes National Seashore

Referred by the Speaker pro Tempore to Committee on Rules.

ANNOUNCEMENT RELATIVE TO COMMITTEE ON WAYS AND MEANS

Mr Crown announced that the Committee on Ways and Means would meet at 2 p m this afternoon in Room 4202.

Mr. Crown further announced that the meeting of the Committee on Ways and Means would be televised; and that the proceedings of the committee would be rebroadcast at 9 p m tonight on Channel 6.

Mr Crown further announced that Assembly Bills Nos 2 and 11 will be heard at this afternoon's meeting of the Committee on Ways and Means

PARLIAMENTARY INQUIRY

Mr Conrad arose to the following parliamentary inquiry: Has Rule No 59 been suspended to permit Assembly Bill No 4 to be heard in the committee?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the rule was suspended on all bills that had been referred to the Committee on Ways and Means as of yesterday

ANNOUNCEMENT

Mr. Crown announced that, upon request of the author, the Committee on Ways and Means would hear any bill in the committee upon which the three-day rule has been waived.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Crown was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bills Nos. 4, 9, and 11 for hearing in the Committee on Ways and Means this afternoon

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day

On request of Mr Cusanovich of Van Nuys to Mrs John Magee and sons, John Magee and Reid Magee, of Tarzana.

On request of Mr. Belotti of Eureka to Mr and Mrs D W Exton, Paul Exton, and Margaret Exton of Ukiah.

On request of Mr Mulford of Oakland to Paul Manolis, assistant editor, and Al Martinez, of the Oakland Tribune

On request of Mr Cusanovich of Van Nuys to David Zonasteor of Van Nuys

On request of Mr Frew of Dinuba to Vern Morris of Visalia

On request of Mr Quimby of San Benardino to Mr and Mrs Sydner of San Bernardino

On request of Mr. Williamson of Bakersfield to Mr and Mrs. Joseph Berger, and Jerry, Jess, and Susan Berger of Bakersfield, and Floyd Spence and Michael Spence of Minnesota

On request of Mr Waldie of Antioch to Marva Sinclair, her daughter Andrea Sinclair and her mother-in-law, Mrs Williamson, of Concord

On request of Mr Crown of Alameda to Reg McClosky of Oakland and Carl Dodd of Berkeley.

On request of Mr. Mulford of Oakland to Mr. and Mrs Robert D Wall of Berkeley

ADJOURNMENT

At 11 28 a m, on motion of Mr Waldie, the Speaker pro Tempore declared the Assembly adjourned until 11 a m, Monday, July 15, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, July 15, 1963

The Assembly met at 11 a m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Timothy Lemucchi reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Fenell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Robert R Ferguson

God Our Father, Grant us a greater stability in life We have resources for living full and creative lives, help us to draw upon them Give courage to those who outwardly look strong but inwardly feel like hollow men May we remember the heavier the problem, the greater the opportunity

May a new splendor of life be achieved for those who face the heaviest problems Guide us this day that we may not be intimidated by the tasks before us but challenged to meet them

In our Master s name —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Veysey then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Britschgi, seconded by Mr Monagan

LEAVES OF ABSENCE FOR THE DAY

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

Mr Soto, on motion of Mr Waldie

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

Mr Dannemeyer, on motion of Mr Allen

COMMUNICATIONS

The following communications were presented by the Chief Clerk from

Rex M Whitton, Federal Highway Commissioner, relative to Assembly Joint Resolution No 41 of the 1963 Regular (General) Session Referred by the Speaker pro Tempore to the Committee on Rules

Mrs Rose M Caposino of Alhambra, relative to taxes Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

Ford W Talley of Montebello, relative to social security for local civil service employees Referred by the Speaker pro Tempore to the Assembly Interim Committee on Civil Service and State Personnel

ANNOUNCEMENT

Mr Monagan announced that he had at his desk for introduction a bill relative to the relief from payment of personal income taxes under $5 for single persons and $10 for married couples, and invited all members who desired to become coauthors of the bill to come to his desk to affix their signatures

Mr Monagan further announced that, if Mr Petris desired to introduce a similar bill, he would withhold the introduction of his bill in deference to Mr. Petris

RESOLUTIONS

The following resolutions were offered.

By Assemblyman Quimby

House Resolution No. 29

Relating to vocational education and training

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate committee for interim study the subject of the quality and improvement of, and the extension of, vocational education and training in the public secondary schools, and to direct such interim committee to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Quimby·

House Resolution No. 30

Relating to the 76th Anniversary of the City of Colton

WHEREAS, The City of Colton on July 20, 1963 will celebrate the 76th Anniversary of its incorporation; and

WHEREAS, The City of Colton has grown from a small Southern Pacific Railroad station named in honor of David Colton, a railroad official, to a thriving and beautiful city of over 19,000 inhabitants, and

WHEREAS, The laying out of three major railroads through the city has brought to the city the title of "Hub City", and

WHEREAS, The city and surrounding community produces among other things, citrus fruits, cement, lime, plumbing fixtures, railroad cars, tubular aluminum products, concrete pipe, and pasteboard products, now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereby extend their warmest congratulations to the City of Colton upon the occasion of its 76th Anniversary, and, be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Colton City Council and to Mayor Mellvine Fuchs

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Marks

House Resolution No. 31

Relative to a study of duplication in departmental organization

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to refer for study to an appropriate interim committee the subject of duplication of governmental organization in departments of state government, and that such interim committee shall report to the Assembly its findings and recommendations no later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Veysey.

House Resolution No. 32

Relating to the Imperial County Board of Supervisors

WHEREAS, It has come to the attention of the Assembly that the Imperial County Board of Supervisors has promoted and developed the many outstanding recreational facilities of Imperial County; and

WHEREAS, The Imperial County Board of Supervisors has established the Niland Marina and the Calipatria Red Hill boat landing on the Salton Sea, and

WHEREAS, This board has provided boating and skiing developments on Weist Lake, Sunbeam Lake, and Ramer Lake and are working in conjunction with the Land Use Committee to establish recreational sites on the Colorado River, and

WHEREAS, The Board of Supervisors is presently preparing the Hot Mineral Spa for public use and pleasure, and

WHEREAS, The Board of Supervisors has constantly promoted both hunting and fishing in the Imperial Valley, so that recreation may be enjoyed by both the residents of the county and by thousands of sportsmen from the metropolitan area, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof commend the Imperial County Board of Supervisors for the attention and support they have given recreational activities in their area, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. L H Dowe, Mr Charles W Kilgore, Mr Thomas J. Boley, Mr. Ray B Langley, and Mr Simon D Carey, members of the Imperial County Board of Supervisors

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Veysey:

House Resolution No. 33

Relating to the Imperial Valley Development Agency

WHEREAS, It has come to the attention of the Assembly that the Imperial Valley Development Agency has actively promoted the County of Imperial in a national advertising campaign to inform the public of the climatic, recreational, agricultural, and industrial advantages and potential of Imperial County, and

WHEREAS, Since December 1, 1961, the Imperial Valley Development Agency has received over five thousand responses from every state and over twenty foreign countries; and

WHEREAS, The Imperial Valley Development Agency has established the annual Economic-Industrial Conference to encourage a rapid and enduring expansion of Imperial County, and

WHEREAS, A direct result of the annual Economic-Industrial Conference has been the establishment of several new industries and developments, including shopping centers, mining and mineral plants, motels, agricultural equipment manufacturing, and new housing developments in Brawley, Calexico, El Centro, and Holtville, and

WHEREAS, The Imperial Valley Development Agency has attempted to create a unity of purpose among the various incorporated cities and unincorporated areas of Imperial County in its effort to initiate and maintain a high rate of economic growth, now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this body commend the Board of Directors of the Imperial Valley Development Agency for its diligent effort and farsightedness in creating unity among the cities and in promoting the expansion of the economy of Imperial County, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably prepared copy of this resolution to the Board of Directors of the Imperial Valley Development Agency, Imperial, California

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Veysey:

House Resolution No. 34

Relative to the space program achievements at the U S Naval Air Facility, El Centro, California

WHEREAS, It has come to the attention of the Assembly that the Joint Parachute Test Facility operating at the U S Naval Air Facility, El Centro, California, has played an important and active role in our present space program, and

WHEREAS, Commander Herman Philip Buergey has been the Commanding Officer at the U S Naval Air Facility, El Centro, California, since June 15, 1960, and

WHEREAS, The Naval Air Facility, El Centro, and its tenants, the U S Air Force 6511 Test Group under the command of Lt Col C S Cherry and the Naval Parachute Facility under the command of Commander J R Myers, comprising the Department of Defense Joint Parachute Test Facility, have supported many space age programs of escape, retardation, and recovery, and

WHEREAS, The equipment developed and tested at the Naval Air Facility, El Centro, under contracts by Chance-Vought Corporation with the parachute test group, by the Northrup Corporation, Ventura Division, with the recovery systems, and by North American Aviation, Inc, has been used successfully in the return of our unmanned satellites, and has returned all of our Project Mercury astronauts safely to earth, and

WHEREAS, The Joint Parachute Test Facility is able to use the Imperial Valley year round because of its visibility and exceptional climate, and the Naval Air Facility is able to provide fleet support and parachute testing, mine laying, radar search, radar bombing, and sea plane landing, and

WHEREAS, Much of the work for our future space efforts, Projects Gemini and Apollo, is being conducted at the Naval Air Facility, El Centro, in co-operation with the U S Air Force 6511 Test Group and the Naval Parachute Facility, and Chance-Vought, Northrup-Ventura, and North American, as contractors, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly commend Commander Buergey, the officers and men of the Naval Air Facility, Col Cherry, the officers and men of U S Air Force 6511 Test Group, Commander Myers, the officers and men of the Naval Parachute Facility, Chance-Vought Corporation, a subsidiary of Ling-Temco-Vought, Inc, Northrup Corpora-

tion, Ventura Division, and North American Aviation, Inc, for their achievements in our present space programs and their contributions to our future programs, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably prepared copy of this resolution to Commander Buergey, to Commander Myers, to Col Cherry, and to representatives of Chance-Vought Corporation, Northrup Corporation, and North American Aviation, Inc

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Moreno:

House Resolution No. 35

Relating to requesting the Attorney General of the State of California to appear as Amicus Curiae in any suit filed in Imperial County wherein there might be possible violations of the civil rights of certain citizens

WHEREAS, It has come to the attention of the Legislature that an action has been filed in Imperial County for the removal of a number of citizens from the registration lists on the ground that they are unable to read and comprehend the California Constitution, and

WHEREAS, Article II, Section 1 of the California Constitution establishes the qualifications necessary to the right to vote as being able to read the Constitution in the English language and write his or her name, and

WHEREAS, It has come to the attention of the Legislature that the persons who have been charged with violating the California Constitution are meek people of little means and thus are unable to defend their most important privilege of voting; and

WHEREAS, There is a great and urgent need to protect the electorate's right to vote, now, therefore, be it

Resolved by the Assembly of the State of California, That the Attorney General of the State of California be respectfully requested to appear as Amicus Curiae in any suit filed in Imperial County involving the right to vote

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

Speaker Presiding

At 11.10 a m, Hon Jesse M. Unruh, Speaker of the Assembly, presiding

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that Mr Petris will present for introduction this morning the bill relative to relief from payment for personal income taxes under $10 for married couples and $5 for single persons

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered ·

Assembly Constitutional Amendment No. 3: By Assemblyman Song—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI, relating to local government.

Referred by the Speaker to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Song was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 11, 1963

Hon. Alfred H. Song
Assembly Chamber

Proclamation—Germaneness of Assembly Constitutional Amendment No. 29—No. 188

DEAR MR. SONG: You have asked whether Assembly Constitutional Amendment No 29 as amended June 17, 1963, is within the scope of the proclamation for the 1963 First Extraordinary Session.

In our opinion Assembly Constitutional Amendment No. 29 is within the scope of the proclamation

In *Martin* v. *Riley*, 20 Cal. 2d 28, at page 39, the California Supreme Court stated·

> ". . The duty of the Legislature in special session to confine itself to the subject matter of the call is of course mandatory. It has no power to legislate on any subject not specified in the proclamation (*People* v *Curry*, 130 Cal 82 [62 Pac 516], *Swing* v *Riley*, 13 Cal. (2d) 513, 518 [90 P. (2) 313].). But when the Governor has submitted a subject to the Legislature, the designation of that subject opens for legislative consideration matters relating to, germane to and having a natural connection with the subject proper (*Blackford* v *Judith Basin County*, 109 Mont. 578 [98 P (2d) 872, 877, 126 A L R 639], and cases cited). Any matter of restriction or limitation becomes advisory or recommendatory only and not binding on the Legislature (*People* v. *District Court*, 23 Colo. 150 [46 Pac 281]; *Long* v. *State*, 58 Tex Cr 209 [127 S W. 208, 21 Ann Cas 405] . . . ."

It is also to be noted that all presumptions are in favor of the constitutionality of any act passed by the Legislature during the special session, and such act will be held to be constitutional if by any reasonable construction of the language of the proclamation it can be said that the subject of the legislation is embraced therein (*Martin* v *Riley*, above, at p 40).

Item 2 of the Governor's Proclamation convening the 1963 First Extraordinary Session reads

> "To consider and act upon legislation relating to the support of the public school system and revenue acts necessary therefor."

In our opinion the phrase "support of the public school system and revenue acts necessary therefor" includes matters relating to the financing of the public school system Assembly Constitutional Amendment No. 29, as amended June 17, 1963, by decreasing the percentage

of the vote required to approve the incurring of indebtedness in excess of revenue, would accommodate the financing of public schools Thus, in our opinion Assembly Constitutional Amendment No 29, as amended June 17, 1963, is germane to and has a natural connection with the subject matter of Item 2 of the Governor's Proclamation convening the 1963 First Extraordinary Session

Very truly yours,

A C MORRISON, Legislative Counsel
By DON VICKERS
Deputy Legislative Counsel

RESOLUTIONS

The following resolutions were offered

By Assemblyman Waite·

House Resolution No. 36

Memorializing Floyd Nicholson, Jr

WHEREAS, The Members of the Assembly have learned of the passing of Floyd Nicholson, Jr , and

WHEREAS, Mr Nicholson unstintingly served his community of Quartz Hill in the State of California, and

WHEREAS, He served as President of the Quartz Hill Chamber of Commerce and was the Chairman of the beautiful Antelope Valley Almond Blossom Festival; and

WHEREAS, He was recently elected to serve on the Board of Trustees of the Antelope Valley Joint Union High School, and

WHEREAS, He was working for legislation important to his school district and the State of California, at the time of the accident which ended his life, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly express their deep regret at the passing of Floyd Nicholson, Jr , and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to the family of Floyd Nicholson, Jr, and to the Quartz Hill Chamber of Commerce

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Waite·

House Resolution No 37

Relative to commending Lieutenant Colonel Byron A "Whitey" Hurlbut

WHEREAS, Lieutenant Colonel Byron A "Whitey" Hurlbut has been Chief of the Production Flight Test Installation at Palmdale, California since October, 1958, and

WHEREAS, During his tour of duty at this great defense facility, Colonel Hurlbut has been connected with the development and testing the most advanced of jet aircraft, contributing to the safe, efficient, and economical operation of the facility, and

WHEREAS, While he was stationed at Palmdale, this much-decorated combat veteran exceeded the highest standards of the Air Force for professionalism, leadership and discipline while at the same time working untiringly with Palmdale and Antelope Valley civic and business leaders to promote good relations between the community and the Air Force, and

WHEREAS, Colonel Hurlbut will depart from Palmdale in August of this year for a new assignment with a reconnaissance wing in Laon, France, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof recognize and commend Colonel Hurlbut for his contributions to the national defense and for his part in promoting good relations between the people of Antelope Valley

and the Air Force, and that the members thereof extend to Colonel Hurlbut their best wishes in his new assignment; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Lieutenant Colonel Byron A "Whitey" Hurlbut.

Resolution read, and referred by the Speaker to the Committee on on Rules.

By Assemblyman Danielson.

House Resolution No. 38

Relating to congratulating Mr Carroll B Cone on receiving the V.F W American Citizenship Award

WHEREAS, Mr Carroll B Cone has been selected by the Lincoln Heights Post No 768 of the Veterans of Foreign Wars and its Auxiliary to receive on July 13, 1963, their "American Citizenship Award", and

WHEREAS, Mr Cone was born in Berea, Arkansas, in 1893, the eldest of five children and attended Hamburg High School in Hamburg, Arkansas, but was compelled to leave high school to seek employment without graduating, and

WHEREAS, In 1913 Mr Cone came to Los Angeles where he has engaged in the restaurant business and later in the air compressor business, marrying in 1917 Miss Muth K Gerwick and residing since 1921 in the Lincoln Heights area with their daughter, Betty Jo and their son, Norman, and

WHEREAS, His deep concern for his fellow man has been manifested in his many years of devoted and unselfish service to his community, particularly in founding and sponsoring Christmas Clubs for Children, the Lincoln Heights Co-ordinating Counsel and the Senior Citizens Club, and

WHEREAS, Mr Cone has maintained membership in the Kiwanis Club, serving as President and a member of the Board of Directors, and the Chamber of Commerce, serving two terms as its President, and has been an active leader in the Boy Scouts of America and the East Side Central Area Welfare Planning Council, and

WHEREAS, Mr Cone and his wife, Mirth, were the honored recipients of the Lincoln Heights Kiwanis Club "Family of the Year" award, and

WHEREAS, In 1960, Mr Cone received one of his most cherished possessions, a diploma from the Abraham Lincoln High School, and

WHEREAS, His warmth, integrity and wisdom has won him the respect and friendship of his entire community and, with his record of continued outstanding service, has earned him the proud title of "Mr Lincoln Heights", now, therefore, be it

Resolved by the Assembly of the State of California, That Mr. Carroll B Cone be commended and congratulated upon his invaluable services to his community and upon his receipt of the "American Citizenship Award", and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Carroll B Cone

Resolution read, and referred by the Speaker to the Committee on Rules

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

The following resolution was offered:

Assembly Concurrent Resolution No. 7: By Assemblymen Bane, Conrad, Unruh, Mulford, and Waldie—Relative to the Citizens Advisory Commission on Revision of the California Constitution

Request for Unanimous Consent

Mr Bane was granted unanimous consent to take up Assembly Concurrent Resolution No 7 without reference to committee, print, or file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to the Citizens Advisory Commission on Revision of the California Constitution

Resolution read, and adopted by the following vote

AYES—Allen Alquist Asheratt, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Beloth, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Milias, Mills, Monagan, Moreno, Mulford, Pattee Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson Young, Z'berg, Zenovich, and Mr Speaker—75

NOES—None.

Resolution ordered printed, and transmitted to the Senate

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

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

Assembly Bill No. 12: By Assemblymen Badham and Bagley—An act to repeal Section 2181 of, and to add Section 2181 to, the Welfare and Institutions Code, relating to the support of the public school system

Referred by the Speaker to Committee on Ways and Means

Assembly Bill No. 13: By Assemblymen Veneman, Bagley, Badham, Britschgi, Burgener, Milias, and Veysey—An act to amend and supplement the Budget Bill for the 1963-1964 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 4 A, relating to appropriations for the support of the government of the State of California

Referred by the Speaker to Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Badham was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 15, 1963

Hon Robert E. Badham
Assembly Chamber

Scope of Proclamation, 1963 First Extraordinary Session—No. 343

Question

DEAR MR BADHAM You ask whether Assembly Bill No 12 prepared under our Request No 233 would be germane to any item on the proclamation calling the 1963 First Extraordinary Session

Opinion

In our opinion the bill is within the scope of Item 2 of the Governor's Proclamation convening the session and therefore may be considered and acted upon at the current special session.

Analysis

In *Martin* v *Riley*, 20 Cal 2d 28, at page 39, the California Supreme Court stated

> " . The duty of the Legislature in special session to confine itself to the subject matter of the call is of course mandatory It has no power to legislate on any subject not specified in the proclamation. (*People* v *Curry*, 130 Cal 82 [62 Pac 516], *Swing* v *Riley*, 13 Cal (2d) 513, 518 [90 P (2) 313]) But when the Governor has submitted a subject to the Legislature, the designation of that subject opens for legislative consideration matters relating to, germane to and having a natural connection with the subject proper (*Blackford* v *Judith Basin County*, 109 Mont. 578 [98 P (2d) 872, 877, 126 A L R 639], and cases cited) Any matter of restriction or limitation becomes advisory or recommendatory only and not binding on the Legislature (*People* v *District Court*, 23 Colo 150 [46 Pac 281], *Long* v *State*, 58 Tex Cr R 209 [127 S W 208, 21 Ann Cas 405] "

It is also to be noted that all presumptions are in favor of the constitutionality of any act passed by the Legislature during the special session, and such act will be held to be constitutional if by any reasonable construction of the language of the proclamation it can be said that the subject of the legislation is embraced therein (*Martin* v *Riley*, above, at p 40).

Item 2 of the Governor's Proclamation convening the 1963 First Extraordinary Session reads·

> "To consider and act upon legislation relating to the support of the public school system and revenue acts necessary therefor "

In our opinion the subject proper of the item is support for authorized expenditures of the public school system and revenue acts necessary therefor Under the rule of law set forth above, any legislation relating to, germane to, and having a natural connection with this subject matter would be within the scope of the item

Assembly Bill No 12 of the 1963 First Extraordinary Session revises the relatives' responsibility scale set forth in the old age assistance law to impose liability on relatives having net income of $200, instead of $400 per month, and to increase rate of contribution on the basis of $25, instead of $50 ranges The increased revenue resulting from such changes are placed in the State School Fund to be used for support of the public school system

While the bill under consideration appears to have a double purpose —the revision of a welfare program and the support of the public schools—in view of the presumption of validity which attends every legislative enactment, it appears to us that a court would hold that the principal purpose of the bill is to provide revenue for the support of the public schools We are of the opinion, therefore, that the bill would

be held to be within the scope of Item 2 of the proclamation convening the First Extraordinary Session

Very truly yours,

A C MORRISON, Legislative Counsel
By BERNARD CZESLA, Principal Deputy

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Veneman was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal.

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 10, 1963

Hon John G Veneman
Assembly Chamber

Budget Act—No. 161

Question

DEAR MR VENEMAN You ask whether the bill prepared for you under our Request No 161 would be germane to any item on the proclamation calling the 1963 First Extraordinary Session

Opinion

In our opinion the bill is within the scope of Item 2 of the Governor's Proclamation convening the session and therefore may be considered and acted upon at the current special session

Analysis

In *Martin* v *Riley*, 20 Cal 2d 28, at page 39, the California Supreme Court stated

> " The duty of the Legislature in special session to confine itself to the subject matter of the call is of course mandatory It has no power to legislate on any subject not specified in the proclamation (*People* v *Curry*, 130 Cal 82 [62 Pac 516]; *Swing* v *Riley*, 13 Cal (2d) 513, 518 [90 P (2) 313]) But when the Governor has submitted a subject to the Legislature, the designation of that subject opens for legislative consideration matters relating to, germane to and having a natural connection with the subject proper (*Blackford* v *Judith Basin County*, 109 Mont 578 [98 P (2d) 872, 877, 126 A L R 639], and cases cited) Any matter of restriction or limitation becomes advisory or recommendatory only and not binding on the Legislature (*People* v *District Court*, 23 Colo 150 [46 Pac 281], *Long* v *State*, 58 Tex. Cr R 209 [127 S W 208, 21 Ann Cas 405] . "

It is also to be noted that all presumptions are in favor of the constitutionality of any act passed by the Legislature during the special session, and such act will be held to be constitutional if by any reasonable construction of the language of the proclamation it can be said that the subject of the legislation is embraced therein (*Martin* v *Riley*, above, at p 40)

Item 2 of the Governor's Proclamation convening the 1963 First Extraordinary Session reads

> "To consider and act upon legislation relating to the support of the public school system and revenue acts necessary therefor"

In our opinion the subject proper of the item is support for authorized expenditures of the public school system and revenue acts necessary therefor. Under the rule of law set forth above, any legislation relating to, germane to, and having a natural connection with this subject matter would be within the scope of the item

The bill prepared for you under our Request No 161 would amend the Budget Act of 1963 to prohibit the expenditure of funds during the 1963-64 fiscal year for the payment of aid to needy children on the basis of the unemployment of a parent or parents, and would require that the funds derived be transferred from the General Fund to the State School Fund, to be used for the support of the public schools The bill also contains a declaration by the Legislature that the anticipated revenue of the State for the 1963-1964 fiscal year is below what is required to provide funds urgently needed for the support of the public school system, and that it is necessary to delay the commencement of new programs for which the need is not as great, in order to provide those funds.

While the bill under consideration appears to have a double purpose —the delay of a welfare program and the support of the public schools —in view of the declaration of legislative findings and the presumption of validity which attends every legislative enactment, it appears to us that a court would hold that the principal purpose of the bill is to provide revenue for the support of the public schools We are of the opinion, therefore, that the bill would be held to be within the scope of Item 2 of the proclamation convening the First Extraordinary Session

Very truly yours,

A C MORRISON, Legislative Counsel
By EDWARD K PURCELL,
Deputy Legislative Counsel

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER Your Committee on Rules reports
Assembly Joint Resolution No 1
With the recommendation . Be adopted

BANE, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER Your Committee on Rules reports
Assembly Concurrent Resolution No 6
With the recommendation Be adopted

BANE, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER. Your Committee on Rules reports:

Assembly Concurrent Resolution No 3
Assembly Concurrent Resolution No 4
Assembly Concurrent Resolution No 5

With the recommendation Be adopted

BANE, Chairman

Assembly Concurrent Resolutions Nos 3 and 5 ordered on file
Assembly Concurrent Resolution No 4 ordered engrossed

CONSIDERATION OF RESOLUTIONS BY UNANIMOUS CONSENT

Unanimous consent was granted to take up **Assembly Concurrent Resolutions Nos. 3, 6,** and **5,** and **Assembly Joint Resolution No. 1** without reference to file, and that the same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Relative to retirement benefits for Long Beach employees

Resolution read, and adopted
Resolution ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO 6

Assembly Concurrent Resolution No. 6—Relative to a lease of state property to the City of Chino.

Resolution read, and adopted.
Resolution ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5

Assembly Concurrent Resolution No. 5—Relative to budget studies by the Joint Legislative Budget Committee

Resolution read, and adopted
Resolution ordered transmitted to the Senate

ANNOUNCEMENTS

Mr Cologne announced that he had at his desk for introduction a resolution directing a study by the State Scholarship Commission, the Department of Finance, and the Legislative Analyst relative to a budget for the State Scholarship Commission for state scholarships, and invited all members who desired to become coauthors of the resolution to come to his desk and affix their signatures

Mr Petris announced that he had at his desk for introduction the bill eliminating personal income taxes when the amount is less than $10 for married couples and less than $5 for single persons, and invited all members who desired to become coauthors of the bill to come to his desk and affix their signatures.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relating to the Point Reyes National Seashore

Resolution read, and adopted by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Stevens, Thelin, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—73
NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 12, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

And reports the same correctly enrolled, and presented to the Governor at 4 p m, July 12, 1963

POWERS, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, July 12, 1963

MR SPEAKER Your Committee on Ways and Means reports

Assembly Bill No 11

With the recommendation Do pass

CROWN, Chairman

Above bill ordered to second reading

Committee on Rules

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 27

With the recommendation Be adopted

BANE, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 25
House Resolution No 26

With the recommendation That the resolutions be retained in committee and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 1—Relative to a legislative study of the effect of the decision in *Arizona* v *California* on state water planning

Resolution read, and adopted

Resolution ordered transmitted to the Senate

NAME PLACED UPON ROLL CALL ON ASSEMBLY CONCURRENT RESOLUTION NO 7

Mr. Burton was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 7

RESOLUTIONS

The following resolutions were offered·

By Assemblyman Mulford·

House Resolution No. 39

Relative to the death of Dean David E Snodgrass, of the Hastings College of Law

WHEREAS, The members noted with profound sorrow the passing from this life of David E Snodgrass, distinguished Dean of the Hastings College of Law, University of California, and

WHEREAS, Dean Snodgrass, upon becoming the administrative head of Hastings in 1940, enthusiastically and courageously embarked upon a plan to constantly raise the level of achievement of the students and to provide for the most notable faculty in the Nation's law schools, and

WHEREAS, The fruition of these ideas has long been demonstrated by the outstanding practicing attorneys, businessmen, judges, and civic leaders who graduated from Hastings, and

WHEREAS, His internationally acclaimed "65 Club," composed of expert law professors who were required to leave their teaching positions elsewhere to retire because of their age, provided the seasoned teaching staff and unequaled opportunity for prospective members of the bar to benefit from the experience and wisdom of these leading law professors, and

WHEREAS, The former dean of the Harvard Law School, Roscoe Pound, recently singled out the Hastings faculty as probably the strongest law faculty ever assembled, and

WHEREAS, Largely through the intense efforts of Dean Snodgrass in calling attention to the needs of more suitable physical facilities for his growing graduate institution and spearheading a $1,750,000 fund raising drive, the present school, located at McAllister and Hyde Streets, San Francisco, was erected, and

WHEREAS, He remained unswerving in his effort to prepare the law students in the finest traditions of the law, to provide the utmost in facilities and faculty, and to stimulate the student into embarking upon the study of law with a sober sense of responsibility and a determination to succeed; and

WHEREAS, This banker's son was born in Selma, received his collegiate academic training at Harvard, was an officer in the United States Navy during World War I, and was associated with the legal staff of the Tidewater-Associated Oil Company before devoting his full time to the instruction of students in the law, and

WHEREAS, An Isaias W Hellman professor of law, he was a member of the American Law Institute, the San Francisco Bar Association, the Lawyers Club of San Francisco, the State Bar Association, the Selden Society, The Order of the Coif, the American Bar Association, the American Judicature Society, the Harvard Club of San Francisco, the Masons, the Bohemian, Commonwealth, and University Clubs, and the past commander and permanent adjutant of the Blackstone Post of the American Legion, and served on the Selective Service Board and the War Labor Board for the Tenth Region during World War II, and

WHEREAS, The Dean saw the development of Hastings into the Nation's eighth largest law school, in great measure because of the determination, ability, and know-how he so amply exhibited during the past 23 years, and

WHEREAS, His mirth and droll witticism in the classroom, his green eyeshade, which was a touch borrowed from his old mentor, Dean Pound, his thrift in administration, his keen perception and discernment, and his resourcefulness will long be recalled not only by the members but also by his many former students, associates, and friends in gratitude for the privilege of having known this grand gentleman; now, therefore, be it

Resolved by the Assembly of the State of California, That the members express their sorrow upon the demise of Dean David E Snodgrass and do hereby extend profound sympathy to his bereaved widow, Ellen Machenhauer Snodgrass, and their daughter, Mary Ellen, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this resolution to Dean Snodgrass's widow and daughter.

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblymen Marks, Gaffney, Foran, Meyers, and Burton:

House Resolution No 40

Relative to congratulating Mr and Mrs Earl C Behrens

WHEREAS, It has come to the attention of the Assembly of the State of California that Mr Earl C Behrens, President of the Capitol Correspondents Association and political editor of *The San Francisco Chronicle*, was married to Bernice Woodard, Thursday, July 11, 1963, in Copenhagen, Denmark, and

WHEREAS, Earl Behrens has been the *Chronicle's* political editor since 1923, is recognized as one of the deans of the American press corps, and is known affectionately as "Squire" Behrens; and

WHEREAS, Earl Behrens has won numerous awards for his articles on political affairs, and

WHEREAS, His wife has achieved distinction in her own field as a fashion consultant for the United States millinery industry and as a business executive, and

WHEREAS, The Members of the Assembly desire to join with the many friends of the Behrens in celebrating this most happy occasion, now, therefore, be it

Resolved by the Assembly of the State of California, That its members express their sincere congratulations and best wishes to Mr and Mrs Earl C Behrens and their hope that the couple will enjoy many years of happiness together, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to transmit a suitably prepared copy of this resolution to Mr and Mrs Earl C Behrens.

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblyman Marks

House Resolution No. 41

Relative to reorganization of state government

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study the subject of the reorganization of state government in other states and to report its findings and recommendations to the Legislature by the fifth calendar day of the 1965 Regular Session

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblymen Rumford, Bee, Britschgi, Marks, Gaffney, Cusanovich, Z'berg, Greene, Powers, and Waldie

House Resolution No. 42

Relative to Commending Mr Norman C Raab

WHEREAS, The members have learned that Mr. Norman C Raab, Chief of the Division of Bay Toll Crossings of the State Department of Public Works, will retire on July 31, 1963, and

WHEREAS, This experienced and capable engineer has completed 40 years of outstanding service to the public, and

WHEREAS, He has served as Chief of the Division of Bay Toll Crossings since 1951, and

WHEREAS, His great engineering achievements include the reconstruction of the San Francisco-Oakland Bay Bridge, a project considered by many engineers virtually impossible, and

WHEREAS, He was responsible for the construction of the Richmond-San Rafael Bridge, accomplished at a cost of $4,000,000, which was less than engineering estimates, and

WHEREAS, He played a leading role in the design and reconstruction of the present San Mateo-Hayward Bridge, and

WHEREAS, Early in his career, he formulated the design of the famed Rainbow Bridge at Bixby Creek on State Route 1 near Monterey, and

WHEREAS, His exceptional judgment, determination and courage have been acclaimed by many, and

WHEREAS, Mr Raab has received recognition as one of the great bridge engineers of our Nation, and

WHEREAS, He is deserving of the highest commendation for his dedicated and devoted public service, now, therefore, be it

Resolved by the Assembly of the State of California, That the members do hereby extend their heartiest congratulations and best wishes to Mr Norman C Raab and his wife, Ruby, on his forthcoming retirement and wish both of them continued happiness and good health in the years ahead, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr Norman C Raab

Resolution read, and referred by the Speaker to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Young was granted unanimous consent to take up Assembly Bill No 11 without reference to file

CONSIDERATION OF ASSEMBLY BILL NO. 11

Assembly Bill No. 11—An act to add Part 15 (commencing with Section 35001) to Division 2 of the Revenue and Taxation Code, relating to pay television.

Bill read second time

Resolution to Dispense With Constitutional Provision

The following resolution was offered

By Mr Young

Resolved, That Assembly Bill No 11 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage

Resolution read

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

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Quimby, Ryan, Song, Stevens, Thelin, Veysey, Waite Waldie, Warren, Whetmore, Williamson, Winton, Young, Zenovich, and Mr Speaker—68

NOES—None

Article IV, Section 15 of the Constitution was declared dispensed with

Assembly Bill No. 11—An act to add Part 15 (commencing with Section 35001) to Division 2 of the Revenue and Taxation Code, relating to pay television

Bill read third time, and passed by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan,

Song, Stanton, Stevens, Thelin, Thomas, Veneman, Waite, Waldie, Warren, Whetmore, Williamson, Young, Z'berg, Zenovich, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate

Vote Changed Upon Roll Call on Assembly Bill No. 11

Mr Stevens was granted unanimous consent that he be recorded as voting "Aye," instead on "No," on Assembly Bill No 11

ANNOUNCEMENT

Mr Collier announced that he would present technical amendments to Assembly Bill No 7 in the Committee on Ways and Means this afternoon; and invited all members who desired to become coauthors of the bill to let him know immediately, in order that an amendment adding coauthors to the bill may be submitted with his technical amendments thereto

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr. Crown was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No 2 for hearing in the Committee on Ways and Means at 2 p m , this afternoon

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

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

Assembly Bill No. 14: By Assemblymen Petris, Young, Crown, Waldie, Bane, Beilenson, Booth, Burton, Casey, Cusanovich, Danielson, Dymally, Elliott, Ferrell, Foran, Kennick, Marks, McMillan, Meyers, Monagan, Moreno, Porter, Powers, Quimby, Rumford, Ryan, Song, Stanton, and Warren—An act to amend Sections 17041 and 17048 of the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately

Referred by the Speaker to Committee on Revenue and Taxation

Assembly Bill No. 15: By Assemblymen Stanton and Alquist—An act to amend Section 30166 of the Revenue and Taxation Code, relating to the taxation of cigarettes

Referred by the Speaker to Committee on Revenue and Taxation

Assembly Concurrent Resolution No. 8: By Assemblymen Cologne, Holmes, Flournoy, Mulford, Ashcraft, Chapel, Collier, Cusanovich, Donovan, Garrigus, Hinckley, Marks, Meyers, Monagan, Pattee, Ryan, Stevens, Unruh, Veneman, Veysey, Whetmore, Williamson, and Z'berg —Relative to state scholarships

Referred by the Speaker to Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered

By Assemblymen Porter, Thomas, Collier, Danielson, Allen, Bane, Carrell, Chapel, Conrad, Cusanovich, Deukmejian, Dymally, Elliott,

Ferrell, Flournoy, Gonsalves, Johnson, Lanterman, McMillan, Moreno, Song, Stevens, Thelin, Unruh, Waite, and Warren:

House Resolution No. 43

Relative to providing additional water for the City of Los Angeles

WHEREAS, The Department of Water and Power of the City of Los Angeles has initiated plans to augment the water supply of that city by enlarging the delivery capacity of the Los Angeles-Owens River aqueduct that has been in operation since 1913; and

WHEREAS, The necessity to take prompt action to develop additional water supplies is emphasized by the recent adverse decision of the United States Supreme Court in the suit over Colorado River water brought by the State of Arizona against the State of California, which decision, if unchanged, will result in an eventual reduction in the amount of Colorado River water available to water users in Southern California, and

WHEREAS, A recent report from the California Department of Finance indicates that the population growth of Southern California during the period from 1960 to 1980 will be in excess of 8,000,000 persons, with correspondingly increasing needs for additional water for homes and industries; and

WHEREAS, The proposed project of the Department of Water and Power would provide water for an additional 750,000 persons, and, with other available sources, including the city's share of Colorado River and Feather River supplies, would assure sufficient water to meet the anticipated growth of the City of Los Angeles until the year 2,000; and

WHEREAS, This foresighted planning is in the tradition that has been followed by the Department of Water and Power for more than 60 years in providing the citizens of Los Angeles with economical and adequate supplies of water to meet the great growth of that community, which is an important contributor to the economy of the entire State of California; and

WHEREAS, The proposed project will benefit not only the City of Los Angeles, but all Southern California water users as well, by increasing the total water supply available to that semi-arid region; and

WHEREAS, The Department of Water and Power has stated that this desirable objective can be achieved within existing water rights of the department and still leave sufficient water in Owens Valley to fully support the valley's residential and commercial community, the existing agricultural and cattle-raising economy, and the area's well-known and popular recreational attractions, now, therefore, be it

Resolved by the Assembly of the State of California, That the Board of Water and Power Commissioners of the City of Los Angeles and the management and staff be commended for their vision and diligence in taking prompt action to make judicious utilization of available water resources in a program that will be of broad benefit to so many parts of the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Department of Water and Power of the City of Los Angeles

Resolution read, and referred by the Speaker to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Burton was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal·

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 10, 1963

Hon Phillip Burton
Assembly Chamber

Elections—No. 132

DEAR MR BURTON You have requested an analysis of Assembly Bill No 295

The bill adds Section 224 to, and amends Section 381 of, the Elections Code. It requires the county clerk or registrar of voters, upon

receipt of a post office change of address card, if the signature on the card and on the voter's affidavit of registration are compared and found to be the same, to send a notice to the voter, with a prepaid and preaddressed postcard, inquiring whether the change of address is permanent or temporary

The bill further provides that if the postcard is returned within 30 days of the mailing of notice or within 40 days of the next succeeding election, whichever occurs first, and indicates that the change is permanent, the clerk or registrar shall transfer the registration It declares that if the postcard is not returned within the time prescribed, the registration shall be canceled Finally, it prohibits the mailing of the notice between the close of registration and the day of the election

Very truly yours,

A C MORRISON, Legislative Counsel
By EDWARD K PURCELL
Deputy Legislative Counsel

Two copies to Hon Tom Bane
pursuant to Joint Rule No 34

REQUEST FOR UNANIMOUS CONSENT

Speaker Unruh was granted unanimous consent that the Consent Calendar—First Legislative Day be considered, at this time

CONSIDERATION OF CONSENT CALENDAR (BY UNANIMOUS CONSENT)

Speaker Unruh announced that the next vote would be on the first item on the Consent Calendar

CONSENT CALENDAR—ASSEMBLY BILLS

Consideration of House Resolution No. 21

By Assemblymen Thomas, Collier, Conrad, Elliott, and Lanterman

House Resolution No. 21—Commending Lewis E Arnold, Los Angeles City Engineer of Administration

NOTE The full text of House Resolution No 21 appears at pages 41 and 42 of the Assembly Daily Journal for July 10, 1963

Resolution read, and adopted

Consideration of House Resolution No. 7

By Assemblyman Waldie

House Resolution No. 7—Relative to mailing lists

NOTE The full text of House Resolution No 7 appears at page 6 of the Assembly Daily Journal for July 8, 1963

Resolution read, and adopted

Consideration of House Resolution No. 12

By Assemblyman Quimby.

House Resolution No. 12—Relative to congratulating Mr Earl S Reynolds as President of the 1963 National Orange Show

NOTE The full text of House Resolution No 12 appears at pages 22 and 23 of the Assembly Daily Journal for July 8, 1963

Resolution read, and adopted

Consideration of House Resolution No. 13

By Assemblyman Quimby·

House Resolution No. 13—Relative to commending Mr Charles D Warner, Senior, for service to the San Bernardino County Fair

NOTE The full text of House Resolution No 13 appears at page 23 of the Assembly Daily Journal for July 8, 1963

Resolution read, and adopted

Consideration of House Resolution No. 14

By Assemblymen Donovan, Burgener, Asheraft, Barnes, and Mills

House Resolution No. 14—Relative to congratulating Judge Philip Smith upon his retirement from the San Diego Municipal Court

NOTE The full text of House Resolution No 14 appears at page 29 of the Assembly Daily Journal for July 9, 1963

Resolution read, and adopted

Consideration of House Resolution No. 15

By Assemblyman Dymally:

House Resolution No. 15—Relative to congratulating Sadie and David Brewer on their 25th wedding anniversary

NOTE· The full text of House Resolution No 15 appears at pages 33 and 34 of the Assembly Daily Journal for July 9, 1963

Resolution read, and adopted

Consideration of House Resolution No. 20

By Assemblyman Dymally·

House Resolution No. 20—Relating to the Women's Sunday Morning Breakfast Club

NOTE The full text of House Resolution No 20 appears at page 41 of the Assembly Daily Journal for July 10, 1963

Resolution read, and adopted

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 18

By Assemblymen Mulford, Marks, Meyers, and Gaffney

House Resolution No. 18—Relative to Herb Caen

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted.

Amendment No. 1

In the list of authors of the resolution, as printed at page 40 of the Assembly Daily Journal for July 10, 1963, after "Meyers," strike out "and Gaffney ", and insert "Gaffney and Burton "

Consideration of House Resolution No. 18, as Amended

By Assemblymen Mulford, Marks, Meyers, Gaffney, and Burton

House Resolution No. 18—Relative to Herb Caen

NOTE: The full text of House Resolution No 18 appears at page 40 of the Assembly Daily Journal for July 10, 1963

Resolution read, as amended and adopted by the following vote

AYES—Alquist, Asheraft, Badham, Bagley, Bane Barnes, Bee, Beilenson, Belotti, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Henson, Hinckley, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Moreno, Mulford, Porter, Powers, Quimby, Rumford, Ryan, Song, Stanton, Stevens, Thelin, Thomas, Veneman, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, and Zenovich—66

NOES—Mills and Mr Speaker—2

RESOLUTIONS

The following resolutions were offered:

By Assemblymen Meyers, Marks, Gaffney, and Burton

House Resolution No 44

Relating to the removal of vehicles from private parking lots

WHEREAS, Recent newspaper accounts indicate serious problems exist with respect to the tow-away of overparked vehicles from private parking lots, and

WHEREAS, Such tow-away practices may result in the payment of excessive fees by the driver in order to reclaim his vehicle and are also very time consuming, and

WHEREAS, The evidence appears to support a conclusion that the drivers of such vehicles may be the unfortunate victims of circumstances beyond their control, and

WHEREAS, It is believed that an equitable solution, that would protect the legitimate interests of the parking lot owner and the driver of a vehicle who in good faith has overparked his vehicle, may be reached through legislation, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate committee for interim study the subject of the removal of vehicles from private parking lots, including but not limited to the effectiveness of posting signs regarding removal of overparked vehicles, the effect of state legislation on local ordinances regulating parking lots, the problems created by the driver who does not pay at all rather than those who

pay for parking but return after expiration of period for which particular fee was charged, and be it further

Resolved, To direct such interim committee to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Allen

House Resolution No. 45

Relative to interim study and investigation of Los Angeles City gas transmission contract

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and investigation the circumstances surrounding the $775,000,000 gas transmission contract between the City of Los Angeles and the Tennessee Gas Transmission Company, and to determine whether the contract excludes the jurisdiction of the Public Utilities Commission with respect to protecting the public interest, and to direct such committee to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker to the Committee on Rules

ANNOUNCEMENT

Mr Mulford announced that the Republican Caucus, heretofore scheduled for 3 p m this afternoon, will be held at 9 a m tomorrow morning in Room 4168.

COMMITTEE MEETING ANNOUNCEMENTS

Mr Petris announced a meeting of the Committee on Revenue and Taxation at 2 p m tomorrow, July 16, 1963, in Room 2170

Mr. Crown announced a meeting of the Committee on Ways and Means at 2 p m. this afternoon in Room 4202.

Mr Crown further announced that the meeting of the Committee on Ways and Means would be televised, and rebroadcast on Channel 6 tonight.

Mr. Waldie announced a meeting of the Committee on Rules at 10 30 a m tomorrow morning, July 16, 1963, in Room 3188

GUEST EXTENDED PRIVILEGE OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guest for this legislative day

On request of Mr Young of Napa to Bill Sadler of Napa

ADJOURNMENT

At 12 02 p m, on motion of Mr Waldie, the Speaker declared the Assembly adjourned until 11 a m, Tuesday, July 16, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, July 16, 1963

The Assembly met at 11 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Mihas, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev Robert R Ferguson

Today, Our Father, We think on an ancient prayer which we trust may be our own

"Lord, make me an instrument of your peace, where there is hatred, let me sow love, where there is injury, pardon, where there is doubt, faith, where there is despair, hope, where there is darkness, light, and where there is sadness, joy.

Oh, Divine Master, grant that I may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love, for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life"—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Rumford then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Burgener, seconded by Mr. Ashcraft.

LEAVES OF ABSENCE FOR THE DAY

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

Mr Ryan, on motion of Mr Waldie

The following members were granted leaves of absence for the day, and desired to waive their per diems

Mr Dannemeyer, on motion of Mr Allen

Mr Knox, on motion of Mr Waldie

PETITIONS

The following petition was presented by the Speaker from·

Peggy Thompson of San Clemente, relative to grievances. Referred by the Speaker pro Tempore to the Assembly Interim Committee on Judiciary

COMMUNICATIONS

The following communications were presented by the Chief Clerk from

Paul K Walp of San Mateo, relative to revision of the State Constitution Referred by the Speaker pro Tempore to the Committee on Rules

Mrs Margaret M LaMarre of Glendora, relative to obscene literature. Referred by the Speaker pro Tempore to the Assembly Interim Committee on Criminal Procedure

Edgar S Dunn, Jr, Deputy Assistant Secretary for Economic Affairs, United States Department of Commerce, relative to Assembly Concurrent Resolution No 86 of the 1963 Regular (General) Session Referred by the Speaker pro Tempore to the Assembly Interim Committee on Natural Resources, Planning, and Public Works

RESOLUTIONS

The following resolutions were offered

By Assemblyman Dymally

House Resolution No 46

Relative to commending Mr and Mrs Roy Tuck on their 25th Wedding Anniversary

WHEREAS, It has come to the attention of the Assembly of the State of California that Mr and Mrs Roy Tuck celebrated their 25th Wedding Anniversary on June 15th of this year, and

WHEREAS, Maurietta Hickman Tuck is the daughter of Mr and Mrs Norman Hickman and was born and grew to womanhood in Mineola, Texas, where she met and was married to Roy Tuck on June 15, 1938, and

WHEREAS, Roy and Maurietta Tuck moved to Los Angeles in 1946 upon the completion of Mr Tuck's military services during World War II and they reside in the 53d Assembly District, and

WHEREAS, Mr and Mrs Tuck, during their 25 years of married life have known the joys and cares of parenthood, have borne their share of the work and responsibilities of life in their community and have exemplified the family life that is the backbone of our Nation, and

WHEREAS, Mr. and Mrs. Tuck are the proud parents of two lovely daughters, Patricia Yvonne Tuck, born January 1, 1953, and Royetta Tuck, born December 18, 1953, and

WHEREAS, The Tucks are active members of many civic groups through which they contribute greatly to the life of their community where both are members of the Zion Hill Baptist Church, in which Mr Tuck is a member of the Usher Board, and Mrs Tuck teaches Sunday School, and

WHEREAS, Mauretta Tuck is a Past President of the Parent Teachers' Association, a member of the Avalon Community Center, a Girl Scout Leader and a charter member of the Key Democratic Club, and in all these endeavors she has earned many friends and well wishers; now, therefore, be it

Resolved by the Assembly of the State of California, That the members take this occasion to extend to Mr. and Mrs Roy Tuck their congratulations and to commend them on their 25 years of married life and service to their community, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr and Mrs Roy Tuck

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Burton

House Resolution No. 47

Relative to commending Chief Justice of the United States, Earl Warren

WHEREAS, Chief Justice Earl Warren was born in Los Angeles, California, on March 19, 1891, the son of Methias and Chrystal H Warren and attended Bakersfield public schools and the University of California in Berkeley where he received his J D in 1914 and thereafter was admitted to practice before the Supreme Court of California, and

WHEREAS, Chief Justice Warren began his public career in 1919 as Clerk of the Assembly Judiciary Committee, and later served as Deputy City Attorney for the City of Oakland, Deputy District Attorney of Alameda County from 1920 to 1923, Chief Deputy District Attorney from 1923 to 1925, and District Attorney from 1925 until his election as the Attorney General of California in 1938, and

WHEREAS, The people of California elected Earl Warren as California's Governor in 1942, an office which he held and in which he served with great distinction, until September 30, 1953, when he was appointed Chief Justice of the United States Supreme Court by President Dwight D Eisenhower; and

WHEREAS, As Chief Justice, Earl Warren has lent the weight and prestige of that high office to the struggle for equal rights for all persons and has been an outspoken defender of the civil liberties guarantees of our Constitution, and

WHEREAS, The 10th anniversary of his appointment to the Supreme Court will coincide with the 36th Annual Meeting of the State Bar of California, which State Bar President William P. Gray has announced will be held from September 23d to September 27th in San Francisco, and

WHEREAS, The Associate Justices of the Supreme Court of the United States, together with Chief Justice Phil S Gibson of the Supreme Court of the State of California, flanked by the Associate Justices of his court will join the assembled attorneys on the evening of September 24th in the Masonic Auditorium for an address by the Honorable Chief Justice Earl Warren; and

WHEREAS, It is fitting that the Legislature take note of this gathering of the highest dignitaries of the Judiciary of our State and of our Nation and join in the tribute to this outstanding former Governor of California and great Chief Justice, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly welcome the Chief Justice of the Supreme Court of the United States back to California and join in honoring him on the occasion of the 10th Anniversary of his appointment to the highest judicial office in the Nation, and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Chief Justice Earl Warren, to the president of the American Bar Association, to the President of the State Bar of California, to the District Attorney of Alameda County, to the Attorney General of the State of California, to former United States Senator William F Knowland, to U S Senator Thomas H Kuchel, to U S Senator Clair Engle, to Earl Warren, Jr, and to the Justices and Chief Clerk of the United States Supreme Court

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULES

Speaker pro Tempore Bee was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting all measures reported from committee with amendments today to be read the second time, and the amendments adopted

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Concurrent Resolution No 4
And reports the same correctly engrossed

POWERS, Chairman

Above resolution ordered on file

Committee on Ways and Means

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER Your Committee on Ways and Means reports
Assembly Concurrent Resolution No 2
With amendments with the recommendation· Amend, and be adopted, as amended

CROWN, Chairman

Above resolution ordered on file

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 2—Relative to state public works projects

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 1, line 3, of the printed bill, after "California", insert "during construction (including bridges but excluding highways)"

Amendment No. 2

On page 1, lines 12 and 13, strike out "Department of Public Works", and insert "department of the State of California having jurisdiction over a public works project of the State"

Amendment No. 3

On page 1, strike out line 14, and insert "upon such public works projects during construction (including bridges but excluding highways) the name"

Resolution ordered reprinted, and engrossed

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 15, 1963

MR SPEAKER The Chairman of your Committee on Ways and Means reports
Assembly Bill No 9
With author's amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means

CROWN, Chairman

SECOND READING OF ASSEMBLY BILL NO 9 (PURSUANT TO RULE NO. 59.5)

Assembly Bill No. 9—An act to add Section 17305 7 to, and Article 15 (commencing with Section 6441) to Chapter 6 of Division 6 of, and Article 14 5 (commencing with Section 18270) to Chapter 3 of Division 14 of, the Education Code, relating to instructional television.

Bill read second time.

Motion to Amend

Mr. Quimby moved the adoption of the following amendments·

Amendment No. 1

On page 2, line 2, of the printed bill, strike out the second "and".

Amendment No. 2

On page 2, strike out lines 3 and 4, and insert a period and "The Superintendent of Public Instruction shall establish a pilot program for instructional television in one county with a population in excess of 503,000, as determined by the 1960 Federal Decennial Census, and he shall adopt rules and regulations for the apportionment of any money provided by the State to districts in that county participating in the pilot program He shall also prescribe".

Amendment No. 3

On page 2, line 5, strike out "such purposes", and insert "the purposes of this article".

Amendment No. 4

On page 2, line 14, after "districts", insert a comma and "participating in the pilot program for instructional television established pursuant to Section 6443,"

Amendment No. 5

On page 2, line 18, after "year", insert a comma and "but not to exceed thirty thousand dollars ($30,000) shall be transferred in any one fiscal year"

Amendment No. 6

On page 2, line 26, after "district", insert "participating in the pilot program for instructional television established pursuant to Section 6443 and"

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, July 15, 1963

MR SPEAKER Your Committee on Ways and Means reports

Assembly Bill No 8
Assembly Bill No 7

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

CROWN, Chairman

Above bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 8—An act to amend Sections 6903, 6904, 6913 1, 8951, 8955 1, 17262, 17263, 17301, 17303, 17303 5, 17602, 17655 5, 17656, 17660, 17663 7, 17664, 17665, 17666 2, 17702, 17703, 17704, 17705, 17906 2, 17951, 18055, 18056, 18057, 18302, 18303, 18352, 18355, 18358, 18401, and 18455 of, to amend the heading of Article 3 (commencing with Section 17701) of Division 14 of, to repeal Sections 6427, 17263 1, 17604, 17901, 17902, 17903, 17907, 17908, 17909, 18356, and 18357 of,

to add Sections 17263 1, 17603, 17665 5, 17702 1, 17706, 17707, and 17901 to, and to add Chapter 3 5 (commencing with Section 20910) to Division 16 of, the Education Code, relating to the public school system, making an appropriation, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

In line 9 of the title of the printed bill, after "17603," insert "17652, 1765 3, 17652 5,"

Amendment No. 2

In line 10 of the title, after "to," insert "to add Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of,".

Amendment No. 3

On page 12, between lines 14 and 15, insert

"SEC 10 3 Section 17652 is added to said code, to read

17652 Whenever, for purposes of Sections 17652 3 and 17652 5 it is required that there be determined the number of classroom teachers employed by a school district at the elementary and high school levels during a school year, and the salaries paid such classroom teachers, the determinations shall be made as follows and the definitions and other provisions contained herein shall in all respects be applicable

As used in this section, "salaries of classroom teachers" means

(a) The salary paid to each teacher employed by the district whose duties required that the full time for which the teacher is employed be devoted to the teaching of the pupils of the district

(b) The portion of the salary of each teacher whose duties require that a part, but not all, of the full time for which the teacher is employed be devoted to the teaching of the pupils of the district, which is equal to the portion of such full time actually devoted by the teacher to teaching pupils of the district

As used in this section a "teacher" means an employee of the district employed in a position requiring certification qualifications and whose duties require him to teach pupils of the district for at least one full instructional period each school day for which the employee is employed In the case of a teacher employed to teach in an elementary school, an instructional period is a period of not less than 20 minutes In the case of a teacher employed to teach in a secondary school, an instructional period is the number of minutes equal to the number of minutes of the regular academic period in the junior high school or high school in which the teacher is employed to teach

For such purposes the number of classroom teachers employed by a school district at the elementary and the high school levels, shall be the total number of the teachers employed for the entire school year with full-time classroom teaching duties, plus the full-time equivalent of such employment comprised of the total of the fractional parts of the school year for which individual persons may have served as classroom teachers

For all such purposes, the phrase "ratio of average daily attendance to classroom teachers" shall mean the quotient of the average daily attendance of the district, excluding attendance of adults as defined in Section 6352, divided by the number of teachers employed by the district

For all such purposes, the phrase "average classroom teachers' salary" shall mean the quotient of the salaries of classroom teachers divided by the number of teachers employed by the district

The Superintendent of Public Instruction shall promulgate such rules and regulations, require the submission of such reports and information by school districts, and develop and make available such report forms and other materials, as he may deem necessary for effective administration of the provisions of Sections 17652, 17652 3, and 17652 5

SEC 10 5 Section 17652 3 is added to said code, to read

17652 3 The foundation program computed for any district pursuant to the provisions of Sections 17656 and 17660 of this code shall be reduced if

(a) The average classroom teachers' salary, as defined in Section 17652 is less than five thousand five hundred dollars ($5,500) ,

(b) The ratio of average daily attendance to classroom teachers, as defined in Section 17652 is greater than 33 to 1,

(c) The quotient to salaries of classroom teachers, as defined in Section 17652, divided by the average daily attendance of the district, is less than two hundred fifteen dollars ($215)

The amount of the reduction shall be the greater of

(a) That percentage of the foundation program of the district computed pursuant to Sections 17656 and 17660 which is the percentage by which (1) the product of two hundred fifteen dollars ($215) times the average daily attendance of the district exceeds (2) the salaries of classroom teachers, as defined in Section 17652; or

(b) That percentage which is the sum of the percentages by which the average classroom teachers' salary, as defined in Section 17652 is less than five thousand five hundred dollars ($5,500) and by which the ratio of average daily attendance to classroom teachers, as defined in Section 17652 is greater than 33 to 1.

SEC 10 7 Section 17652 5 is added to said code, to read:

17652 5 The foundation program computed for any district pursuant to the provisions of Sections 17663 7, 17665, and 17665 5 shall be reduced if

(a) The average classroom teachers' salary, as defined in Section 17652, is less than six thousand two hundred dollars ($6,200),

(b) The ratio of average daily attendance to classroom teachers, as defined in Section 17652, is greater than 28 to 1,

(c) The quotient of salaries of classroom teachers, as defined in Section 17652, divided by the average daily attendance of the district, exclusive of attendance of adults as defined in Section 6352, is less than two hundred eighty dollars ($280)

The amount of the reduction shall be the greater of

(a) That percentage of the foundation program computed pursuant to Sections 17663 7, 17665, and 17665 5 which is the percentage by which (1) the product of two hundred eighty dollars ($280) times the average daily attendance of the district exceeds (2) the salaries of classroom teachers, as defined in Section 17652, or

(b) That percentage which is the sum of the percentages by which (1) the average classroom teachers' salary, as defined in Section 17652, is less than six thousand two hundred dollars ($6,200) and by which (2) the ratio of average daily attendance to classroom teachers, as defined in Section 17652, is greater than 28 to 1"

Amendment No. 4

On page 26, between lines 43 and 44, insert

"SEC 32 5 Article 7 1 (commencing with Section 17920) is added to Chapter 3 of Division 14 of said code, to read,

Article 7 1. Supplemental Support to Elementary School Districts and High School Districts

17920 The Superintendent of Public Instruction shall allow, in addition to the total amount of basic state aid and state equalization aid allowed for each elementary school district with ten thousand dollars ($10,000) or less in assessed valuation for the current fiscal year per unit of average daily attendance for the current fiscal year, and to each high school district with twenty-five thousand dollars ($25,000) or less in assessed valuation per unit of average daily attendance, exclusive of the average daily attendance of adults, as adults are defined in Section 6352, as computed under this article, and the provisions of Section 17601 shall govern the determination of grade levels

17921 For each elementary school district, the Superintendent of Public Instruction shall determine the ratio of average daily attendance to classroom teachers, pursuant to Section 17652, during the fiscal year 1963-1964 and each fiscal year thereafter

17922 For each high school district, the Superintendent of Public Instruction shall determine the ratio of average daily attendance to classroom teachers, pursuant to Section 17652, during the fiscal year 1963-1964 and each fiscal year thereafter

17923 For each elementary school district determined to be eligible to receive supplemental support under Section 17920, the Superintendent of Public Instruction shall determine a rate of supplemental support per unit of average daily attendance, which rate shall be equivalent to the amount by which one percent (1%) of the assessed valuation per unit of average daily attendance in the district is less than one hundred dollars ($100)

17924 For each high school district determined to be eligible to receive supplemental support under Section 17920, the Superintendent of Public Instruction shall determine a rate of supplemental support per unit of average daily attendance, exclusive of attendance of adults, as adults are defined in Section 6352, which rate shall be equivalent to the amount by which five-tenths of one percent (0 5%) of the assessed valuation per unit of average daily attendance in the district, exclusive of average daily attendance of adults, as adults are defined in Section 6352, is less than one hundred twenty-five dollars ($125).

17925 During the fiscal year 1963-1964, the Superintendent of Public Instruction shall allow the amounts computed pursuant to Section 17923 During the fiscal year 1964-1965 and each fiscal year thereafter, the Superintendent of Public Instruction shall allow the amounts computed under Section 17923, provided that either

(a) The ratio of average daily attendance to classroom teachers in the district is no greater than 32 to 1, and the ratio of average daily attendance to classroom teachers in the district is one unit of average daily attendance per teacher lower than it was in 1963-1964, or

(b) The ratio of average daily attendance to classroom teachers is no greater than 27 to 1.

17926 During the fiscal year 1963-1964, the Superintendent of Public Instruction shall allow the amounts computed pursuant to Section 17924 During the fiscal year 1964-1965 and each fiscal year thereafter, the Superintendent of Public Instruction shall allow the amounts computed under Section 17924, provided that either.

(a) The ratio of average daily attendance to classroom teachers in the district is no greater than 27 to 1, and the ratio of average daily attendance to classroom teachers in the district is one unit of average daily attendance per teacher lower than it was in 1963-1964; or

(b) The ratio of average daily attendance to classroom teachers is no greater than 22 to 1"

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

Assembly Bill No. 7—An act to amend Sections 17301, 17303, 17303 5, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17901, 17903, 18355, 18356, 18357, and 18358, relating to the public school system and making an appropriation

Bill read second time

Request for Unanimous Consent to Temporarily Suspend Rule No. 101

Mr Collier was granted unanimous consent that Rule No 101 be temporarily suspended for the purpose of permitting an amendment which adds coauthors to the bill

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means were read, and adopted

Amendment No. 1

In the heading of the printed bill, strike out "and Whetmore", and insert "Whetmore, Deukmejian, Porter, Veysey, Ashcraft, and Holmes"

Amendment No. 2

On page 2, strike out line 10, and insert "thirty-one dollars and forty-one cents ($31 41) per"

Amendment No. 3

On page 4, strike out line 22, and insert
"(f) Three dollars and eighty-three cents ($3 83) multiplied"

Amendment No. 4

On page 4, strike out line 31, and insert "funds and twenty-one dollars and fifty cents ($21 50) multi-"

Amendment No. 5

On page 5, strike out lines 6 and 7, and insert "trict five thousand nine hundred twenty-five dollars ($5,925) "

Amendment No. 6

On page 5, strike out line 15, and insert "eleven thousand eight hundred fifty dollars ($11,850) "

Amendment No. 7

On page 5, strike out line 23, and insert "seventeen thousand seven hundred seventy-five dollars ($17,775) "

Amendment No. 8

On page 5, strike out line 31, and insert "twenty-three thousand seven hundred dollars ($23,700)."

Amendment No. 9

On page 5, strike out line 41 and insert "two hundred thirty-seven dollars ($237) "

Amendment No. 10

On page 5, strike out line 47, and insert "two hundred forty-seven dollars ($247) "

Amendment No. 11

On page 6, strike out lines 6 and 7, and insert "two hundred thirty-seven dollars ($237) "

Amendment No. 12

On page 6, strike out line 16, and insert "two hundred forty-seven dollars ($247) "

Amendment No. 13

On page 6, strike out lines 26 and 27, and insert "grades by two hundred thirty-seven dollars ($237) "

Amendment No. 14

On page 6, strike out line 37, and insert "two hundred forty-seven dollars ($247) "

Amendment No. 15

On page 6, strike out lines 48 and 49, and insert "compute thirty-four thousand three hundred eighty dollars ($34,380) "

Amendment No. 16

On page 7, strike out line 3, and insert "thirty-nine thousand six hundred ninety dollars ($39,690) "

Amendment No. 17

On page 7, strike out line 8, and insert "forty-five thousand dollars ($45,000) "

Amendment No. 18

On page 7, strike out line 13, and insert "fifty thousand three hundred ten dollars ($50,310) "

Amendment No. 19

On page 7, strike out line 18, and insert "fifty-five thousand six hundred twenty dollars ($55,620) "

Amendment No 20

On page 7, strike out line 23, and insert "sixty thousand nine hundred thirty dollars ($60,930) "

Amendment No. 21

On page 7, strike out line 28, and insert "sixty-six thousand two hundred forty dollars ($66,240) "

Amendment No. 22

On page 7, strike out line 33, and insert "seventy-one thousand five hundred fifty dollars ($71,550)."

Amendment No. 23

On page 7, strike out line 38, and insert "seventy-six thousand eight hundred sixty dollars ($76,860) "

Amendment No. 24

On page 7, strike out line 43, and insert "eighty-two thousand one hundred seventy dollars ($82,170)."

Amendment No. 25

On page 7, strike out line 48, and insert "eighty-seven thousand four hundred eighty dollars ($87,480) "

Amendment No 26

On page 8, strike out line 2, and insert "ninety-two thousand seven hundred ninety dollars ($92,790) "

Amendment No. 27

On page 8, strike out line 7, and insert "ninety-eight thousand one hundred dollars ($98,100)."

Amendment No. 28

On page 8, strike out line 11, and insert "five thousand three hundred ten dollars ($5,310) for".

Amendment No. 29

On page 8, strike out line 21, and insert "three hundred twenty-seven dollars ($327) "

Amendment No. 30

On page 8, strike out line 26, and insert "three hundred thirty-seven dollars ($337) "

Amendment No. 31

On page 8, strike out lines 42 and 43, and insert "three hundred thirty-seven dollars ($337) "

Amendment No. 32

On page 9, strike out lines 1 and 2, and insert "17611, by five hundred fifty-six dollars ($556) "

Amendment No. 33

On page 10, strike out line 1, and insert "three hundred twelve dollars ($312) if"

Amendment No. 34

On page 10, strike out lines 5 and 6, and insert "school, or by three hundred twenty-two dollars ($322) if the total average daily attendance of the"

Amendment No. 35

On page 10, strike out line 24, and insert "four hundred seven dollars ($407) if the total average daily attend-"

Amendment No. 36

On page 10, strike out lines 26 and 27, and insert "than 301, or by four hundred seventeen dollars ($417) if the total average daily attendance of the"

Amendment No. 37

On page 11, strike out lines 7 to 10, inclusive, and insert "two hundred thirty-seven dollars ($237) he shall, for the purposes of this section multiply by two hundred forty-seven dollars ($247) No allowance shall be made under this subdivi-"

Amendment No. 38

On page 11, strike out lines 13 and 14, and insert
"(b) Three hundred thirty seven dollars ($337) for each unit of average daily attendance of phys-"

Amendment No. 39

On page 11, strike out lines 29 to 31, inclusive, and insert "two hundred thirty-seven dollars ($237) he shall, for the purposes of this section multiply by two hundred forty-seven dollars ($247) "

Amendment No. 40

On page 11, strike out lines 42 to 45, inclusive, and insert "ance by two hundred thirty-seven dollars ($237) he shall, for the purposes of this section, multiply by two hundred forty-seven dollars ($247) "

Amendment No. 41

On page 12, strike out line 5, and insert "three hundred thirty-seven dollars ($337) "

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

RESOLUTIONS

The following resolution was offered:

By Assemblymen Williamson and Casey:

House Resolution No. 48

Relative to congratulating Jesse D. Stockton upon his retirement

WHEREAS, It has come to the attention of the Assembly of the State of California that Jesse D Stockton, Superintendent of Schools of Kern County since 1947, is retiring from his post after a long and illustrious career in the field of education which commenced in 1926 as a teacher at Bakersfield High School, and

WHEREAS, Jesse D Stockton was born and has lived most of his life in Kern County where his father before him served long and honorably as Superintendent of Schools, and

WHEREAS, The people of Kern County have recognized in Jesse D Stockton a man of great capability and a positive force for the constant improvement of educational facilities in Kern County, and

WHEREAS, Jesse D Stockton has worked continually to promote the cause of education through association with many professional organizations, including the California Association of County School Superintendents which he served as President in 1950 and in other years as Executive Committeeman, the White House Educational Planning Conference, the American Association of School Administrators, and the National Education Association, serving as chairman of its United States Rural Education Section, and

WHEREAS, Among his varied and interesting experiences, Jesse D Stockton has served his Country during time of war, entering the Army during the First World War as a Private and being discharged as a First Lieutenant, and

WHEREAS, Jesse D Stockton authored the book *Those Who Served*, published by the American Legion of which he is an outstanding active member and the widely read article "No Migrant Headaches" published in the *National Education Association Journal* in 1954, and

WHEREAS, The influence of Jesse D Stockton upon the Kern County school system will be felt for many years to come by those who will always think of him as an outstanding leader and humanitarian, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof extend their congratulations and thanks to Jesse D Stockton for his long and devoted service to the young people of Kern County and this State and that they take this opportunity to extend to him every best wish upon his retirement, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Jesse D Stockton

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 4—Relative to state highway routes

Resolution read, and adopted

Resolution ordered transmitted to the Senate.

Consideration of House Resolution No 27

By Assemblymen Young and Meyers:

House Resolution No. 27—Memorializing Lorame Connor Geddes

NOTE. The full text of House Resolution No 27 appears at page 54 of the Assembly Daily Journal for July 11, 1963

Resolution read

Members Made Coauthors of House Resolution No. 27

Mr Young was granted unanimous consent that all members so desiring be placed upon House Resolution No 27 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Conrad, Cusanovich, Danielson, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lauterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stevens, Thelin, Thomas, Veysey, Waite, Warren, Whetmore, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—67

NOES—None

The question being on the adoption of the resolution, as amended

Resolution adopted unanimously

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered

Assembly Concurrent Resolution No. 9: By Assemblyman Belotti—Relative to display of the National Flag

Referred by the Speaker pro Tempore to Committee on Rules

Assembly Concurrent Resolution No. 10: By Assemblymen Kennick and Deukmejian—Relative to the Diamond Jubilee of the City of Long Beach

Referred by the Speaker pro Tempore to Committee on Rules

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Bee announced that the following committees would meet this afternoon·

Revenue and Taxation at 3 p m , in Room 4202

Ways and Means at 2 p m , in Room 4202

ANNOUNCEMENT

Mr Burton announced that he was holding a meeting at 11 30 a m this morning in Room 2133, at which time he would answer any questions the members may have relative to Assembly Bill No 59 of the 1963 Regular (General) Session, and invited all members to attend the meeting.

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

The following resolution was offered

Assembly Concurrent Resolution No. 11: By Assemblymen Z'berg, Waldie, Mulford, and Monagan (Senators Rodda, McCarthy, Teale, and Gibson, coauthors)—Relative to the creation of the Joint Legislative Committee on the Governor's Mansion

Referred by the Speaker pro Tempore to Committee on Rules

RECESS

At 11.23 a m , Speaker pro Tempore Bee declared the Assembly at recess until 4 p m

REASSEMBLED

At 4 p m., the Assembly reconvened

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

Assistant Clerk Charles Winner reading

MEMBERS EXCUSED FOR COMMITTEE MEETING

Speaker pro Tempore Bee was granted unanimous consent that the members of the Committee on Revenue and Taxation be excused, for the purpose of holding a meeting of the committee, at this time

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 30
House Resolution No 32
House Resolution No 33
House Resolution No 34
House Resolution No 36
House Resolution No 37
House Resolution No 38
House Resolution No. 39
House Resolution No 40
House Resolution No 42
House Resolution No 43

With the recommendation Be adopted

BANE, Chairman

Above resolutions ordered on file

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER Your Committee on Rules reports.

House Resolution No 44

With the recommendation That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolution referred to the Committee on Rules

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 29
House Resolution No 31
House Resolution No 41

With the recommendation That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 16, 1963

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 9

And reports the same correctly engrossed

POWERS, Chairman

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

ASSEMBLY CHAMBER, July 16, 1963

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No 2

And reports the same correctly engrossed

POWERS, Chairman

Above resolution ordered on file

RESOLUTIONS

The following resolution was offered ·

By Assemblymen Dymally, Ferrell, and Rumford

House Resolution No. 49

Relative to congratulating the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of the State of California, on their 108th Communication

WHEREAS, It has been brought to the attention of the Members that the Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons is holding their 108th Communication in Sacramento; and

WHEREAS, This fraternal group was organized in San Francisco in 1855 and first met in Sacramento in 1856, where a constitution and by-laws were adopted; and

WHEREAS, The 80th Annual Communication of the Golden State Grand Chapter of the Order of the Eastern Star and the 38th Annual Communication of the Grand High Court Heroines of Jericho are also being held in conjunction with the Lodge Communication, and

WHEREAS, The objectives of this organization has been to encourage its members to actively participate in community activities, maintain a high moral standard within the family, and energetically pursue civic duties and social co-operation within the framework of law; and

WHEREAS, The organization also devotes vast amounts of time and resources to the cause of human relations, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their congratulations to the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of the State of California, on the occasion of their 108th Annual Communication, welcome them to the "Camellia City," and hope that their program will be truly fruitful and significant, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr Walter C Taylor, Most Worshipful Grand Master of the fraternal organization

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 16, 1963

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

Senate Concurrent Resolution No 1

J A BEEK, Secretary of the Senate
By R. W. LYONS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read

Senate Concurrent Resolution No. 1—Relative to a study of compensation for legal examiners, hearing officers, and referees

Referred by the Speaker pro Tempore to the Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 16, 1963

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

Senate Bill No 6
Senate Bill No 8
Senate Bill No 10
Senate Bill No 5

J A BEEK, Secretary of the Senate
By R W LYONS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time

Senate Bill No. 6—An act to amend Sections 18433, 18553, 18597, 18686, 18687, 18688, and 18831, and to repeal Sections 18552, 18598, and 18599, of the Revenue and Taxation Code, relating to the payment of personal income taxes

Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

Senate Bill No. 8—An act to amend Sections 12202, 12302 and 12305, and to add Article 5 (commencing with Section 12251) to

Chapter 3 of Part 7 of Division 2, of the Revenue and Taxation Code, relating to taxation of insurers.

Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

Senate Bill No. 10—An act to amend Sections 1775 5 and 12974 of, and to add Sections 1775 6 and 1775 7 to, the Insurance Code, relating to surplus line broker taxes, and other revenue received by the Insurance Commissioner.

Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

Senate Bill No. 5—An act to amend Sections 23185, 23186a, 23225, 23281, 25551, 25552, 25552a, 25553, 25554, 26072, 26073 and 26073c of, to add Sections 25561, 25562, 25563, 25564, 25565, 25951, 25952, 25953, 25954, 25956, 25957 and 26081 to, to add Article 2 5 (commencing with Section 25441) to Chapter 19 of Part 11 of Division 2 of, and to repeal Sections 23112 and 25551a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts

Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER Your Committee on Ways and Means reports.

Assembly Concurrent Resolution No 8
Assembly Constitutional Amendment No. 3

With the recommendation Be adopted

CROWN, Chairman

Above resolutions ordered engrossed

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Veysey.

House Resolution No. 50

Relative to the San Diego State College-Imperial Valley Center

WHEREAS, It has come to the attention of the Assembly of the State of California that San Diego State College and the San Diego State College-Imperial Valley Center Advisory Committee are working to promote the best possible educational facilities for the people of Imperial County, and

WHEREAS, Mr Nelson Correll is chairman of the San Diego State College-Imperial Valley Center Advisory Board, working to provide ample opportunity for higher education in Imperial County; and

WHEREAS, The Committee of State College Trustees has voted to accept 22 acres of land near Imperial Valley College, purchased by the Board of Supervisors of Imperial County to provide a site for the Imperial County Center of San Diego State College, and

WHEREAS, There are presently an estimated 200 students attending the temporary off-campus center who, with many new students in the future, would be able to complete four years of college in Imperial County if a permanent facility should be erected on the land provided, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof commend the San Diego State College-Imperial Valley Center Advisory Board, Mr. Nelson Correll, its Chairman, the Board of Supervisors of Imperial County, San Diego State College and Dr Malcom Love, its President, for their efforts to provide

better educational facilities and opportunities for the citizens of Imperial County and for the citizens of our State, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr Nelson Correll, to Dr Malcom Love, and to the Board of Supervisors of Imperial County.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Burton:

House Resolution No 51

Relative to commending Sol Silverman of the San Francisco Bar Association for his long service to the public

WHEREAS, It was with fitting tribute that Mr Sol Silverman, outstanding attorney, accomplished editor, and tireless community leader, was featured recently in the monthly publication of the San Francisco Bar Association, the *Brief Case*, and

WHEREAS, He was born on June 25, 1900, and tragically orphaned by his 10th year, and

WHEREAS, His determination to succeed, his intelligence, ability, and hard work realized quick dividends as he graduated successively from Lick-Wilmerding High School, the University of California, and that institution's law school, and

WHEREAS, While at the University he starred as Captain of the 1923 boxing team and was active in debate, student affairs, and other athletic endeavors, and

WHEREAS, Not only has he been considered as a leading lawyer but an adherent to the increasingly popular concept that the law does not consist of inactive precedents but is a dynamic social force in an ever-moving society, and

WHEREAS, He was president of the Jewish National Fund of Northern California from 1955 through 1962 and is currently a member of that group's National Executive Board, a longtime publisher and editor of the *Emanuel* and *Jewish Journal*, president of the Nob Hill Democratic Club, a member of the California Commission on Uniform State Laws, Chairman of the Governor's Commission to Investigate Boxing in California, and an ex officio member of the California Commission on Interstate Cooperation (Western States), and

WHEREAS, Sol Silverman has been unceasing in his efforts toward charity and the underprivileged, and

WHEREAS, The *Brief Case* devoted considerable space to reflect upon his life and personal achievements while he, the publication's editor since 1951, was traveling abroad in Israel, and

WHEREAS, The members want to especially note the dedicated service rendered by this grand gentleman performed over a period of many years, and also to recognize his lovely wife Carolyn, his sons, Dr Sol Silverman, Jr, and Jack Silverman, and his wife's son John, as well as all the grandchildren, now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend Sol Silverman upon his past career and personal undertakings and do hereby wish that success, health, and prosperity will follow all of his worthwhile ventures, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this resolution to Mr Sol Silverman, to his sons Dr Sol Silverman, Jr and Jack Silverman, and the San Francisco Bar Association

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Rumford, Gaffney, Meyers, and Mulford:

House Resolution No. 52

Relative to commending Sister Mary Carmelita Drew

WHEREAS, Sister Mary Carmelita Drew was born and educated in faraway Chile, arriving in this Country in San Francisco as a young woman at the time of the great earthquake and fire, and

WHEREAS, As a young woman Sister Mary Carmelita's chief desire was to become a nun and she did so, joining the Sisters of the Presentation in 1911, receiving her veil in 1913, and

WHEREAS, Since that time, Sister Mary Carmelita has unselfishly served her Church and has guided and taught hundreds of young girls through their formative high school years for a half century, and

WHEREAS, Most of the half century of teaching for which Sister Mary Carmelita has gained the great admiration and love of those who have known her has been at Saint Joseph's High School in Berkeley, and

WHEREAS, The key to Sister Mary Carmelita's success in forming young minds may best be stated in her own words "I don't teach subjects, I teach persons", and

WHEREAS, While Sister Mary Carmelita has been mainly concerned with the spiritual and intellectual development of her young charges, she will also be remembered always by her former students as the Sister who started the sports program at Saint Joseph's, being instrumental in the building of tennis courts and coaching the school's winning basketball teams, and

WHEREAS, Sister Mary Carmelita's singular devotion and outstanding accomplishments will be commemorated by a High Mass at Saint Joseph's Catholic Church in Berkeley celebrated on the feast day of Our Lady of Mount Carmel, for whom she was named, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof express their admiration of Sister Mary Carmelita's unswerving devotion to her Church and to the young minds of her students and extend their heartfelt thanks to her for her inestimable contributions to God and humanity, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Sister Mary Carmelita Drew

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

Majority Floor Leader Presiding

At 4 15 p m, Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr Bee was granted unanimous consent to take up Assembly Concurrent Resolution No. 2 without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to state public works projects

Resolution read.

The roll was called

Request for Unanimous Consent to Expunge Record, and Rescind Action on Roll Call

Mr Holmes was granted unanimous consent to expunge the record, and rescind the action on the roll call on Assembly Concurrent Resolution No 2

The question being on the adoption of the resolution

The roll was called

Request for Unanimous Consent to Expunge Record, and Rescind Action on Roll Call

Mr Unruh was granted unanimous consent to expunge the record, and rescind the action on the roll call on Assembly Concurrent Resolution No 2

The question being on the adoption of the resolution

Resolution adopted

Resolution ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 4 28 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

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

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

Assembly Bill No. 16: By Assemblymen Thelin, Veysey, Hinckley, Holmes, Britschgi, Collier, Conrad, and Cusanovich—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 C, relating to appropriations for support of the State Scholarship Commission

Referred by the Speaker pro Tempore to Committee on Ways and Means.

Assembly Bill No. 17: By Assemblymen Gaffney, Garrigus, Crown, and Winton—An act to add Chapter 5 (commencing with Section 10301) to Division 8 of, and to amend Section 18106 of, the Education Code, relating to specialized teaching materials

Referred by the Speaker pro Tempore to Committee on Ways and Means

Assembly Bill No. 18: By Assemblymen Gaffney, Garrigus, Crown, and Winton—An act to amend Sections 18102 and 18103 of the Education Code, relating to allocations for blind pupils

Referred by the Speaker pro Tempore to Committee on Ways and Means.

Assembly Bill No. 19: By Assemblyman Bane—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

Ordered printed and held at desk by the Speaker pro Tempore

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 16, 1963

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 6

J. A. BEEK, Secretary of the Senate
By GRANT MILLER, Assistant Secretary

Above resolutions ordered enrolled.

Hon. Paul J. Lunardi Presiding

At 4 34 p m, Hon Paul J Lunardi, Member of the Assembly from the 6th District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER. Your Committee on Rules reports

House Resolution No 22
House Resolution No 23

With amendments with the recommendation Amend, and be adopted, as amended

BANE, Chairman

Above resolutions ordered on file

CONSIDERATION OF HOUSE RESOLUTION NO. 22

By Assemblyman Dymally:

House Resolution No. 22—Relative to a Human Rights Study Commission

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted

Amendment No. 1

In the title of the resolution, as printed on page 22 of the Assembly Journal for July 10, 1963, strike out "Commission", and insert "Committee".

Amendment No. 2

Strike out the first "WHEREAS" clause.

Amendment No. 3

Strike out lines 1 and 2 of second "WHEREAS" clause, and insert "WHEREAS, California has made much progress in many fields in bettering the conditions which produce discord in human relations, but there remains a broad spectrum of social"

Amendment No. 4

In the first line of the third "WHEREAS" clause, strike out "commission", and insert "committee"

Amendment No. 5

In the second line of the first "*Resolved*" clause, strike out "Human Rights Study Commission", and insert "Committee".

House Resolution No. 22, as Amended

By Assemblyman Dymally:

House Resolution No. 22

Relative to a Human Rights Study Committee

WHEREAS, California has made much progress in many fields in bettering the conditions which produce discord in human relations, but there remains a broad spectrum of social activity requiring intensive consideration to promote harmony and understanding between all groups in our society; and

WHEREAS, A committee, representative of a broad base of our society, whose members were dedicated to effecting solutions to these problems, could make a significant contribution to an improvement of relations between different groups; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof urge the Governor to appoint a committee, whose members would be widely representative and whose function would be to study relations among people of different races, colors, creeds or national origins with a view to finding ways to improve those relations in respect to education, employment, housing, law enforcement and direct action, and to report such findings to the Governor and the Legislature, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Governor

Resolution, as amended, ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 23

By Assemblymen Dymally, Rumford, and Ferrell

House Resolution No. 23—Relative to commending Mr Leon H. Washington, Jr, owner and publisher of the *Los Angeles Sentinel*

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

Strike out the fifth and sixth "WHEREAS" clauses of the printed measure, as printed on page 50 of the Assembly Journal for July 11, 1963

House Resolution No. 23, as Amended

By Assemblymen Dymally, Rumford, and Ferrell

House Resolution No. 23

Relative to commending Mr Leon H Washington, Jr., owner and publisher of the *Los Angeles Sentinel*

WHEREAS, Thirty years of dedication to the principles of free press and equality for all loyal Americans by Mr Leon H Washington, Jr., has come to the attention of the members, and

WHEREAS, Mr Washington restyled and stimulated the growth of his newspaper, the *Los Angeles Sentinel*, until it has become the largest Negro newspaper in the West with a circulation of 30,000, and

WHEREAS, This ever-public-minded citizen has energetically devoted his time and resources to politics and has constantly urged others to take an increasing interest in civic and political affairs, and

WHEREAS, Mr Washington, through his paper and through personal activity, long sought the removal of discrimination in retail stores, bus operators, and in housing for members of the armed forces of the United States, and

WHEREAS, A constant stimulator of self-improvement projects, he was a key figure in the saving and restoration of the Vernon Branch Library, and

WHEREAS, This tireless man, through his paper, sponsors with the Los Angeles Lakers professional basketball team a game for the benefit of the Southern Area Boys' Club, and

WHEREAS, His newspaper is a member of the California Newspaper Publishers' Association and annually has been the recipient of an award in competition with newspapers across the Nation, and

WHEREAS, He is a member of the First A M E Church in Pasadena, the Omega Psi Phi Fraternity, and the Californians, composed of persons who have resided in the Golden State for 25 years or more; and

WHEREAS, His ability, initiative, determination and know-how came to the attention of the Chief Executive of the United States, President John F Kennedy, and Mr Kennedy, in acknowledging Mr Washington's accomplishments, placed him on his Committee on Registration and Voter Participation, a truly significant honor and responsibility; and

WHEREAS, This unselfish laborer of justice for all Americans, together with his lovely wife, Ruth, who has provided the moral support and graciousness to enable her husband to enter and complete his activities with the assurance of the full support and vigor of his spouse, have through their joint efforts of no mean magnitude assisted in raising several thousands of dollars for charitable purposes, now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this honorable body do grant due recognition of the personal achievements and accomplishments of Leon Washington and his *Los Angeles Sentinel* newspaper, and bestow upon him and his charming wife well wishes for continued success and true prosperity in all their worthwhile endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr. Leon H Washington, Jr

Resolution, as amended, ordered on file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 28

With amendments with the recommendation Be amended, and that the resolution, as amended, be returned to the committee, and the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Above resolution ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 28

By Assemblyman Soto

House Resolution No. 28—Relating to an interim study of violation of civil rights of citizens in Imperial County

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted·

Amendment No 1

In line 3 of the third WHEREAS clause of the measure as printed on page 54 of the Assembly Journal for July 11, 1963, following the second "and", insert "may"

Amendment No. 2

In line 1 of the fifth WHEREAS clause strike out "is a great and urgent", and insert "may exist a"

Amendment No. 3

Strike out the fourth "WHEREAS" clause

House Resolution No 28, as Amended

By Assemblyman Soto·

House Resolution No 28

Relating to an interim study of violation of civil rights of citizens in Imperial County

WHEREAS, One of the basic privileges of being a citizen of the United States is the right to vote; and

WHEREAS, The whole basis of our democratic form of government is the right of the electorate to vote, and

WHEREAS, It has come to the attention of the Legislature that certain persons and organizations might have, themselves and through agents, made threats, intimidations and menaces, and may have attempted to awe, restrain, hinder and disturb voters in Imperial County from exercising their rights of suffrage, and

WHEREAS, There may exist a need for legislation to see that all United States citizens in California are allowed to exercise their right of suffrage regardless of race, ethnic background, color, creed, or religion, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee the subject matter of this resolution for study of the problems referred to herein, and that such committee report thereon to the Assembly by not later than the 30th calendar day of the 1965 Regular Session, including in the report its recommendations for appropriate legislation

Resolution, as amended, re-referred to the Committee on Rules, and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 16, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 3
And reports the same correctly engrossed.

POWERS, Chairman

Above resolution ordered on file

WAIVER OF MILEAGE

July 16, 1963

Hon Jesse M. Unruh
Speaker of the Assembly

DEAR MR SPEAKER: Through inadvertence I neglected to waive my constitutional mileage on July 8th. However, I have returned my mileage check to the Controller, and I am not claiming mileage for the special session.

ALFRED E. ALQUIST

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Pattee of Salinas to Mr. and Mrs Robert Heston of Watsonville.

On request of Mr. Carrell of San Fernando to Mr and Mrs Ravenscroft of Sherman Oaks.

On request of Mr. Greene of Sacramento to Mrs Harry Hirsch and son, David Hirsch; and Mrs. Fred Wilson, of Carmichael.

On request of Mr Dymally of Los Angeles to Mrs Everett Wigley and her son, Everett Wigley II, of Los Angeles

ADJOURNMENT

At 4.40 p m , on motion of Mr. Waldie, the Acting Speaker declared the Assembly adjourned until 11 a.m., Wednesday, July 17, 1963

JESSE M. UNRUH, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, July 17, 1963

The Assembly met at 11 a m
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Timothy Lemucchi reading.

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Miller, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Yessey, White, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—77

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Robert R. Ferguson

Eternal God, We pray for a resilience to return to creative thought and not suffer from frustration and depression when our most cherished dreams are not realized When we become impatient, may we think of Thy great patience with mankind throughout the millenia We know a different world cannot be achieved by indifferent citizens or legislators May we never be satisfied with the status quo, but ever strive for betterment of man in his condition Help us to forget the things which are behind and press forward to new and higher goals which lie before us.
We pray in His name —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr. Waite then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Cusanovich, seconded by Mr Pattee

LEAVES OF ABSENCE FOR THE DAY

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

Mr Ryan, on motion of Mr Waldie

The following members were granted leaves of absence for the day, and desired to waive their per diems

Mr Dannemeyer, on motion of Mr Allen

Mr Knox, on motion of Mr Waldie

COMMUNICATIONS

The following communications were presented by the Chief Clerk from

Fred Friedheim of Sunland, relative to cigarette taxes Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

Mrs Elizabeth Blaauw, President, San Diego Chapter II of the National Health Federation, and Mrs John T Jewell of Calimesa, relative to anticancer agents Referred by the Speaker pro Tempore to the Assembly Interim Committee on Public Health

RESOLUTIONS

The following resolutions were offered

By Assemblyman Marks

House Resolution No. 53

Relative to compensation received by members of county boards of supervisors

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to the appropriate committee for interim study the subject matter of Assembly Constitutional Amendment No 42 of the 1963 Regular Session, relating to compensation received by members of county boards of supervisors, and to direct such interim committee to report thereon to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Lunardi and Porter, and Assemblywoman Davis

House Resolution No. 54

Relating to an interim study of modifying the Davis-Grunsky Act

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is requested to refer to an appropriate interim committee for study the feasibility of modifying the Davis-Grunsky Act, the State's program of assistance for local water projects, to include grants for basic access roads, and to direct such committee to report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1965 General Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Winton

House Resolution No. 55—Memorializing Mrs Mabel Clarke.

Request for Unanimous Consent

Mr. Winton was granted unanimous consent to take up House Resolution No 55 without reference to committee or file

Resolution read

Members Made Coauthors of House Resolution No. 55

Mr Winton was granted unanimous consent that all members so desiring be placed upon House Resolution No 55 as coauthors

Roll Call

The following members indicated a desire to become coauthors.

AYES—Allen, Alquist, Asheraft, Badham, Bane, Barnes, Bee, Beilenson, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Collier, Cologne, Conrad, Cusanovich, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Mihas, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—69

NOES—None

Consideration of House Resolution No 55, as Amended

By Assemblymen Winton, Allen, Alquist, Asheraft, Badham, Bane, Barnes, Bee, Beilenson, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Collier, Cologne, Conrad, Cusanovich, Assemblywoman Davis, Assemblymen Deukmejian, Dills, Donovan, Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Mihas, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Unruh, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Young, Z'berg, and Zenovich

House Resolution No 55

Memorializing Mrs Mabel Clarke

WHEREAS, The Members of the Assembly of the State of California are deeply grieved to learn of the recent death of Mrs Mabel Clarke wife of former Assemblyman George A. Clarke, of Merced and Madera Counties, and

WHEREAS, Mrs Clarke was born on November 10, 1877, in Independence, California, and was the daughter of P A and Adeline Chalfant, and

WHEREAS, She married George A Clarke on October 22, 1902, and was his loving wife and helpmate for more than 60 years, bearing him six children, Bruce, Lowell, Warren, Kenneth, Vera and Enid, and

WHEREAS, Mabel Clarke was, throughout her married life, tirelessly active in support of her husband's many endeavors on behalf of the members of their community and the citizens of this State and contributed greatly to her husband's years of service as a Member of the Legislature of this State, and

WHEREAS, Mrs Clarke also served her community and this State in many individual capacities, including that of a Worthy Matron of the Mt Whitney Chapter of the Eastern Star, charter member of the Pals Club, member of the First Methodist Church in Merced and a member of the Home Department of the California Farm Bureau Federation, now, therefore be it

Resolved by the Assembly of the State of California, That the members extend their deepest sympathies to George A Clarke and to the members of his family, and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitable copies of this resolution to Mr George A Clarke and his children

Resolution read, as amended, and adopted unanimously.

ANNOUNCEMENT BY MR. BANE

Mr Bane announced that pictures of the individual members at their microphones will be taken today for inclusion in the documentary films of the legislative process.

Mr Bane further announced that individual black and white prints of the pictures will be available to the members at an approximate cost of $1 50 per print

REQUEST FOR UNANIMOUS CONSENT

Mr Bane was granted unanimous consent that permission be granted for the taking of pictures of the members at their desks during the session today

RESOLUTIONS

The following resolutions were offered

By Assemblyman Monagan

House Resolution No. 56

Relating to congratulating John and Adelaide Lyons on their 50th Wedding Anniversary

WHEREAS, On June 23 1963 John and Adelaide Lyons of Linden celebrated their Golden Wedding Anniversary at the home of their son James Lyons with more than 250 guests from the entire valley in attendance, and

WHEREAS, John was born in February 1887, attended Moore School and the Stockton Business College, and has since farmed the ranch purchased by his father in 1880, and

WHEREAS, Adelaide was born in Calaveras County, leaving California for Minnesota where she received most of her education but returning later to Oakland where she was awarded a teaching credential by the Western Normal Teachers College, and

WHEREAS, The couple met and the romance blossomed when John returned to Moore School to see the new teacher, Adelaide, a courtship resulted and was culminated with the exchange of marriage vows on June 13, 1913 in Salt Lake City, Utah, and

WHEREAS, The Lyons have been blessed with two sons, Jack and James, and six grandchildren, Charlene, Richard, Jana, John Henry, Mary and Martha; and

WHEREAS, John was a charter member of the Stockton District Bean Growers Association, one of the first directors of the Linden-Peters Fire District and a member of Farm Bureau since its formation, and

WHEREAS, Mr and Mrs Lyons are both members of the Holy Cross Catholic Church of Linden, where they repeated their marriage vows at Mass on their 50th Anniversary, and

WHEREAS, John and Adelaide Lyons are held in the highest regard and affection by all those who have been privileged to know them, now, therefore, be it

Resolved by the Assembly of the State of California, That the members extend their warmest congratulations to John and Adelaide Lyons on their Golden Anniversary and wish them many more years of wedded bliss, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to John and Adelaide Lyons

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Willson

House Resolution No. 57

Relative to narcotic addiction

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary is directed to study the subject of procedures for commitment of narcotic addicts and persons in imminent danger of narcotic addiction, including particularly such problems as may be involved in medical certification of the condition of addiction or imminent addiction, and that such committee shall report to the Assembly its findings and recommendations no later than the fifth legislative day of the 1965 Regular Session

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Dymally and Ferrell

House Resolution No. 58

Relating to the Stovall Foundation

WHEREAS, The Stovall Foundation was founded in 1933 by the late Dr Leonard Stovall, a pioneer Los Angeles doctor of medicine, and

WHEREAS, The Stovall Foundation exists for the purposes of health and welfare, education, the early diagnosis of diseases, the establishment and maintenance of homes for senior citizens, clinics, rest and convalescent homes, rest camps, nutrition centers and hospitals for all types of chronically ill persons on a nonprofit basis, and

WHEREAS, The Leonard Stovall Home for the Aged and Stovall Foundation head quarters are located in the residential section of the City Terrace community in eastern Los Angeles, 10 minutes from the civic center, and

WHEREAS, Any senior citizen 65 years or older, regardless of race or creed, will be admitted to the Leonard Stovall Home for the Aged and in special circumstances those under 65 years of age may be admitted; and

WHEREAS, Services available to senior citizens at the Leonard Stovall Home for the Aged include board, certain medical care, minor nursing service, physical therapy, research, individual and group activities, occupational therapy, rehabilitation, counseling services and day care service and

WHEREAS, Future plans of the Stovall Foundation are to modernize its existing facilities and to build a second home in the center of the City of Los Angeles with a capacity for use by 200 senior citizens through the aid of a federal loan, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof recognize and commend the Stovall Foundation for its achievements, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to the Leonard Stovall Foundation

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Gonsalves and Cologne

House Resolution No. 59—Relating to the Cabrillo Civic Clubs of California

Request for Unanimous Consent

Mr Gonsalves was granted unanimous consent to take up House Resolution No 59 without reference to committee or file

Resolution read.

Members Made Coauthors of House Resolution No. 59

Mr Gonsalves was granted unanimous consent that all members so desiring be placed upon House Resolution No 59 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Collier, Cologne, Conrad, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Flournoy, Foran, Frew Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Lanterman, Lunardi, Marks, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—72

NOES—None

Consideration of House Resolution No. 59, as Amended

By Assemblymen Gonsalves, Cologne, Allen, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Collier, Conrad, Cusanovich, Danielson, Assemblywoman Davis, Assemblymen Deukmejian, Dills, Donovan,

Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Greene, Henson, Hinckley, Holmes, Johnson, Lanterman, Lunardi, Marks, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Unruh, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, and Zenovich

House Resolution No. 59

Relating to the Cabrillo Civic Clubs of California

WHEREAS, The Cabrillo Civic Clubs of California were organized on January 29, 1934, in honor of John Rodriques Cabrillo, a navigator from Portugal, who was the first Caucasian to set foot on California soil at San Diego Bay in 1542, and

WHEREAS, The principles of the Cabrillo Civic Clubs are dedication to the civic progress of California by Californians of Portuguese descent, the observance of September 28 of each year as "Cabrillo Day," the erection and maintenance of appropriate memorials and landmarks to the Portuguese navigators who discovered and explored California, the teaching and fostering of Americanization so that it will not perish from the earth, the promotion of scholarships and the encouragement of better education, and the perpetuation of the achievements of their pioneer forefathers in California, and

WHEREAS, During the past several years over $50,000 has been given by the clubs to various charitable organizations such as the Heart Fund and Cancer Association, and

WHEREAS, Many thousands of persons have been encouraged and helped to receive their citizenship papers, and others of all nationalities have been given recognition and citizenship folders, and

WHEREAS, A very active youth program is encouraged by the various clubs sponsoring Boys' Camps, Little League baseball teams, Girls' Drill teams, Boy Scouts, Girl Scouts, 4-H Clubs and various other youth activities, and

WHEREAS, All clubs in the State carry out some type of program in connection with Juvenile Halls in their areas, such as supplying small favors and birthday cakes to the unfortunate children there, and

WHEREAS, Since 1946, when the clubs' scholarship fund was started, there have been 174 scholarships given to deserving students, with each grant in the monetary amount of $250 and the opportunity of calling on the loan program for their remaining years in college if needed, now therefore, be it

Resolved by the Assembly of the State of California, That the members thereof recognize and commend the membership of the Cabrillo Civic Clubs of California for their contributions to civic progress and promotion of charitable and youth activities in California, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for presentation by Assemblyman Gonsalves

Resolution read, as amended, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Elliott was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal

OPINION OF LEGISLATIVE COUNSEL

COPY

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 16, 1963

Hon Jack T Casey
Assembly Chamber

Visiting Schools—No. 189

Question

DEAR MR CASEY How far does Assembly Bill No 2446, as passed by the Legislature during the 1963 Regular Session, extend in prevent-

ing parents from going to school to discuss legitimate educational problems with teachers in the classroom?

Opinion

In our opinion Assembly Bill No 2446 in no way lessens the right of a parent to go to school to discuss legitimate educational problems

Analysis

Assembly Bill No 2446 as passed by the Legislature adds Section 13558 5 to the Education Code, to read as follows

> "13558 5 Every minor over 16 years of age or adult who is not a pupil of the school, including but not limited to any such minor or adult who is the parent or guardian of a pupil of the school, who comes upon any school ground or into any schoolhouse and there willfully interferes with the discipline, good order, lawful conduct, or administration of any school class or activity of the school, with the intent to disrupt, obstruct, or to inflict damage to property or bodily injury upon any person, is guilty of a misdemeanor, and is punishable by a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500), or by imprisonment in the county jail for not more than six months, or both "

Before a person commits a misdemeanor under the bill he must willfully interfere with the good order, lawful conduct or administration of a school class or activity and he must do so with the intent to disrupt, obstruct, inflict damage to property or inflict bodily injury upon some person The bill makes certain activity unlawful only in cases where the person actually intends that such activity will have a harmful effect (14 Cal Jur 2d 227-229) In the absence of such specific intent, we do not believe that the bill would interfere with a parent going to school to discuss legitimate educational problems

Very truly yours,

A. C MORRISON, Legislative Counsel
By DON VICKERS, Deputy

Two copies to Hon Edward E Elliott, pursuant to Joint Rule No 34

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time

Assembly Bill No. 20: By Assemblyman Carrell—An act to amend Sections 18433, 18553, 18597, 18686, 18687, 18688, 18831, 23185 23186a, 23281, 25551, 25552 25553, and 25554, and to repeal Sections 18552, 18598, 18599, 25551a, 25552a and 25552b, of the Revenue and Taxation Code relating to the payment of state taxes

Referred by the Speaker pro Tempore to the Committee on Revenue and Taxation

Assembly Bill No. 21. By Assemblywoman Davis, Assemblymen Winton, Lunardi, Bee, Booth, Burgener, Casey, Deukmejian, Dills, Flournoy, Foran, Garrigus, Henson, Hinckley, and Veneman (Senator

Regan, coauthor)—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 C, relating to appropriations for support of the State Scholarship Commission

Referred by the Speaker pro Tempore to the Committee on Ways and Means

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that it was his intention to request that the Rules be temporarily suspended to permit Senate Bill No 5 to be heard in both the Committee on Revenue and Taxation and the Committee on Ways and Means today.

Speaker Unruh further announced that Senate Bill No. 5 would be on third reading for consideration by the Assembly tomorrow, and that this procedure would be in compliance with his agreement with the Republican leaders that no Senate bill would be taken up for consideration until it had been in the Assembly for two days

Speaker Unruh further announced that, if such procedure were agreeable to the Republican membership, the bill could be taken up for consideration later on this day

RECESS

At 11 18 a m , on motion of Mr Conrad, the Assembly recessed until 11 29 a m to permit the holding of a Republican Caucus

REASSEMBLED

At 11 29 a m , the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULES

Mr Unruh was granted unanimous consent that the Rules be temporarily suspended for the purpose of setting Senate Bill No 5 for hearing in the Committees on Revenue and Taxation and Ways and Means this afternoon

POINT OF PERSONAL PRIVILEGE

Mr Britschgi arose to a point of personal privilege

Speaker Presiding

At 11 33 a m , Hon. Jesse M Unruh, Speaker of the Assembly, presiding.

APPOINTMENT OF SELECT COMMITTEE

Speaker Unruh appointed Messrs Barnes, Ashcraft, and Zenovich as a Select Committee to escort Dr Max Rafferty, Mr Paul Terry, and Retired Admiral Richard R Ballinger to the Assembly rostrum

REQUEST FOR UNANIMOUS CONSENT

Mr. Waldie was granted unanimous consent that press and TV representatives be permitted on the floor of the Assembly to take pictures during the presentation of an award to Dr. Rafferty.

RECESS

At 11 34 a m , Speaker Unruh declared the Assembly at recess until 11 44 a m. for the presentation of a Freedoms Foundation Award to Dr Max Rafferty, State Superintendent of Public Instruction Presentation of the award was made by Paul Terry, Vice President of the Freedoms Foundation at Valley Forge and Retired Admiral Richard Ballinger, member of the Executive Reserve, Freedoms Foundation at Valley Forge.

REASSEMBLED

At 11 44 a m , the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee announced that the Secretary of the Interior, Hon Stewart Udall, will address the Assembly at 11 45 a m tomorrow morning, July 18, 1963

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Lanterman was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 6, 1963

Hon Frank Lanterman
Assembly Chamber

Burns-Porter Act—No. 19821

Question

DEAR MR. LANTERMAN. You have asked whether the California Water Resources Development Finance Committee has the legal right to authorize the sale of general obligation bonds pursuant to the California Water Resources Development Bond Act[1] subject to an agreement by the purchasers of the general obligation bonds that they will consent to the power revenues from Oroville Dam being pledged to pay off revenue bonds

Opinion and Analysis

The Burns-Porter Act authorizes the issuance and sale of $1,750,000,000 of general obligation bonds "to provide funds to assist in the construction of a State Water Resources Development System for the State of California" (Sec 12931, Wat C)

[1] Wat C, Secs. 12930-12944, incl, hereinafter referred to as the Burns-Porter Act (see Stats 1959, Res. Ch. 241)

This system includes "a multiple purpose dam and reservoir in the vicinity of Oroville, Butte County" (Sec 12934, (d), (1), Wat C) The Oroville Dam is the major power producing unit of the system

The Department of Water Resources has proposed to issue revenue bonds pursuant to the provisions of the Water Code relating to the Central Valley Project[2] to finance the construction of the Oroville Dam Under this proposal, such revenue bonds would be payable from, and constitute a first lien on, the revenues derived from the sale of electric power generated at the Oroville Dam during the same period that general obligation bonds issued pursuant to the bond act are outstanding

We have stated, however, that in our opinion the revenues derived from the sale of electric power generated at the Oroville Dam could not be so pledged as security for such revenue bonds (see Op Legis Counsel, printed in A J , Mar 28, 1963, pp 1523-1527) In that opinion we concluded that all of the revenues of the State Water Resources Development System, including the power revenues from the Oroville Dam, are pledged for the purposes expressly specified in the bond act (see Sec 12937, subd (b), Wat C), none of which purposes includes the payment of revenue bonds The authority of the bond committee under the bond act is limited to the creating of "a debt or debts, liability or liabilities of the State of California in the aggregate principal amount of one billion seven hundred fifty million dollars ($1,750,000,000) *in the manner and the extent herein provided*" (Sec 12935, Wat C) We, therefore, do not believe that the bond committee has the authority to authorize the issuance of general obligation bonds pursuant to the bond act subject to the agreements in question, for we do not believe that system revenues may be validly pledged to secure revenue bonds

Very truly yours,

A C MORRISON, Legislative Counsel
By ALAN W STRONG, Deputy

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO 19

Mr Bane was granted unanimous consent to take up Assembly Bill No 19 without reference to committee or file, for purpose of amendment

CONSIDERATION OF ASSEMBLY BILL NO 19

Assembly Bill No. 19—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

Bill read second time

[2] Wat C, Secs 11100 to 11857, incl

Motion to Amend

Mr Bane moved the adoption of the following amendment

Amendment No. 1

Before line 1 of the printed bill, insert
"The people of the State of California do enact as follows."

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed.

Rush Order Placed Upon Printing of Assembly Bill No. 19

Mr Bane was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 19.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 30

By Assemblyman Quimby

House Resolution No. 30—Relating to the 76th Anniversary of the City of Colton

NOTE The full text of House Resolution No 30 appears at page 61 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Consideration of House Resolution No. 32

By Assemblyman Veysey

House Resolution No. 32—Relating to the Imperial County Board of Supervisors

NOTE The full text of House Resolution No 32 appears at page 61 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 33

By Assemblyman Veysey

House Resolution No. 33—Relating to the Imperial Valley Development Agency

NOTE The full text of House Resolution No 33 appears at page 62 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 34

By Assemblyman Veysey.

House Resolution No. 34—Relative to the space program achievements at the U S Naval Air Facility, El Centro, California

NOTE The full text of House Resolution No 34 appears at pages 62 and 63 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 36

By Assemblyman Waite.

House Resolution No. 36—Memorializing Floyd Nicholson, Jr.

NOTE The full text of House Resolution No 36 appears at page 65 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Consideration of House Resolution No. 37

By Assemblyman Waite

House Resolution No. 37—Relative to commending Lieutenant Colonel Byron A "Whitey" Hurlbut

NOTE The full text of House Resolution No 37 appears at pages 65 and 66 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Consideration of House Resolution No. 38

By Assemblyman Danielson.

House Resolution No. 38—Relating to congratulating Mr Carroll B Cone on receiving the V F W. American Citizenship Award.

NOTE The full text of House Resolution No 38 appears at page 66 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Consideration of House Resolution No. 39

By Assemblyman Mulford

House Resolution No. 39—Relative to the death of Dean David E. Snodgrass, of the Hastings College of Law

NOTE The full text of House Resolution No. 39 appears at page 73 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Consideration of House Resolution No. 40

By Assemblymen Marks, Gaffney, Foran, Meyers, and Burton

House Resolution No. 40—Relative to congratulating Mr and Mrs Earl C Behrens

NOTE The full text of House Resolution No 40 appears at page 74 of the Assembly Daily Journal for July 15, 1963

Resolution read

Members Made Coauthors of House Resolution No. 40

Mr Marks was granted unanimous consent that all members so desiring be placed upon House Resolution No 40 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Yeager, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—77

NOES—None

The question being on the adoption of the resolution, as amended

Resolution adopted unanimously

Consideration of House Resolution No 42

By Assemblymen Rumford, Bee, Britschgi, Marks, Gaffney, Cusanovich, Z'berg, Greene, Powers, and Waldie

House Resolution No. 42—Relative to commending Mr Norman C Raab

NOTE The full text of House Resolution No 42 appears at pages 74 and 75 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Consideration of House Resolution No 43

By Assemblymen Porter, Thomas, Collier, Danielson, Allen, Bane, Carrell, Chapel, Conrad, Cusanovich, Deukmejian, Dymally, Elliott, Ferrell, Flournoy, Gonsalves, Johnson, Lanterman, McMillan, Moreno, Song, Stevens, Thelin, Unruh, Waite, and Warren

House Resolution No. 43—Relative to providing additional water for the City of Los Angeles

NOTE The full text of House Resolution No 43 appears at pages 76 and 77 of the Assembly Daily Journal for July 15, 1963

Resolution read, and adopted

Assembly Concurrent Resolution No. 8—Relative to state scholarships

Resolution read.

Members Made Coauthors of Assembly Concurrent Resolution No. 8

Mr Cologne was granted unanimous consent that all members so desiring be placed upon Assembly Concurrent Resolution No 8 as coauthors

Roll Call

The following members indicated a desire to become coauthors·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter,

Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—75

NOES—None

Request for Unanimous Consent

Mr Cologne was granted unanimous consent to take up Assembly Concurrent Resolution No 8 without reference to print or file, and that the same be considered re-engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Relative to state scholarships

Resolution read, and adopted by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Mihas, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—75

NOES—None

Resolution ordered reprinted, and transmitted to the Senate

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 amending Section 18 of Article XI, relating to local government

Resolution read

Demand for Previous Question

Messrs. Holmes, Willson, Young, Marks, and Casey demanded the previous question Demand sustained

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote

AYES—Allen, Alquist, Bane, Bee, Beilenson, Booth, Burton, Casey, Crown, Danielson, Dymally, Elliott, Ferrell, Flournoy, Foran, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Marks, McMillan, Meyers, Mills, Moreno, Pattee, Petris, Porter, Powers, Rumford, Song, Soto. Stanton, Thomas, Veneman, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, and Zenovich—47

NOES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Davis, Deukmejian, Dills, Donovan, Frew, Hinckley, Holmes, Lanterman, Lunardi, Mihas, Monagan, Stevens, Thelin, and Veysey—26.

Consideration of House Resolution No. 22

By Assemblyman Dymally:

House Resolution No. 22—Relative to a Human Rights Study Committee

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NOTE The full text of House Resolution No 22, as amended on July 16, appears at page 101 of the Assembly Daily Journal for July 16, 1963

Resolution read, and adopted

Consideration of House Resolution No. 23

By Assemblymen Dymally, Rumford, and Ferrell

House Resolution No. 23—Relative to commending Mr Leon H. Washington, Jr., owner and publisher of the *Los Angeles Sentinel.*

NOTE The full text of House Resolution No 23, as amended on July 16, appears at page 102 of the Assembly Daily Journal for July 16, 1963

Resolution read, and adopted

POINT OF PERSONAL PRIVILEGE

Mr Petris arose to a point of personal privilege

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Petris was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Senate Bills Nos 8 and 10 for hearing in the Committee on Revenue and Taxation this afternoon

NAME PLACED UPON ROLL CALL ON HOUSE RESOLUTION NO 59

Mr Bagley was granted unanimous consent that he be recorded as voting "Aye" on House Resolution No 59

NAME PLACED UPON ROLL CALL ON ASSEMBLY CONCURRENT RESOLUTION NO. 8

Mr Greene was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No 8

Speaker Presiding

At 12 13 p m , Hon Jesse M Unruh, Speaker of the Assembly, presiding

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

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

Assembly Bill No. 22: By Assemblyman Pattee—An act to add Section 87 3 to the Agricultural Code, relating to district agricultural associations

Referred by the Speaker to Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Pattee was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal.

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 16, 1963

Hon Alan G Pattee
Assembly Chamber

Horse Racing—No. 287
Question

DEAR MR PATTEE You ask whether the bill prepared for you under our Request No 287 would be germane to any item on the proclamation calling the 1963 First Extraordinary Session

Opinion

In our opinion the bill is within the scope of Item 1 of the Governor's Proclamation convening the session and therefore may be considered and acted upon at the current special session

Analysis

In *Martin* v *Riley*, 20 Cal 2d 28, at page 39, the California Supreme Court stated:

> " . The duty of the Legislature in special session to confine itself to the subject matter of the call is of course mandatory It has no power to legislate on any subject not specified in the proclamation (*People* v *Curry*, 130 Cal 82 [62 Pac 516]; *Swing* v. *Riley*, 13 Cal. (2d) 513, 518 [90 P (2) 313]) But when the Governor has submitted a subject to the Legislature, the designation of that subject opens for legislative consideration matters relating to, germane to and having a natural connection with the subject proper (*Blackford* v. *Judith Basin County*, 109 Mont 578 [98 P (2d) 872, 877, 126 A L R 639], and cases cited). Any matter of restriction or limitation becomes advisory or recommendatory only and not binding on the Legislature (*People* v *District Court*, 23 Colo 150 [46 Pac 281], *Long* v *State*, 58 Tex Cr R 209 [127 S W 208, 21 Ann Cas 405] ."

It is also to be noted that all presumptions are in favor of the constitutionality of any act passed by the Legislature during the special session, and such act will be held to be constitutional if by any reasonable construction of the language of the proclamation it can be said that the subject of the legislation is embraced therein (*Martin* v *Riley*, above, at p 40).

Item 1 of the Governor's Proclamation convening the 1963 First Extraordinary Session reads

> "To consider and act upon proposals to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963), and *revenue acts*" (Emphasis added)

The subject of this item in our opinion is proposals to amend and supplement the Budget Bill for the 1963-64 fiscal year, and includes *revenue acts* Thus, under the rule of law set out above, any legislation relating to, germane to, and having a natural connection with this subject would be within the scope of the item

We would note, with reference to the portion of Item 1 of the Governor's Proclamation relating to revenue acts, that the term "revenue," as related to governmental bodies, is generally defined to mean the income from taxes, excises, customs, duties and the like which the governmental body collects and receives into its treasury for public use (see *Bates* v *Porter* (1887), 74 Cal 224, 239; 77 C J S 334)

The bill prepared for you under our Request No 287 would authorize the board of directors of a district agricultural association, subject to various conditions, to lease its racetrack for a period not to exceed

14 days per year to a person licensed to conduct a horse racing meet and would permit the California Horse Racing Board to grant that number of additional racing days to such person The bill would require that any revenue derived from any such horse racing be paid into the General Fund and would declare that the proposed act is a revenue act which is enacted to provide funds necessary for the operation of the government of this State

While the bill under consideration would appear to have a double purpose—authorizing the lease of a district agricultural association racetrack and raising revenue necessary for the support of the government of this State—in view of the legislative declaration and the presumption of validity which attends every legislative enactment, it appears to us that a court would hold that the principal purpose of the bill is to provide revenue for the support of the government of this State We are of the opinion, therefore, that the bill would be held to be within the scope of Item 1 of the Governor's Proclamation convening the 1963 First Extraordinary Session

Very truly yours,

A C MORRISON, Legislative Counsel
By STANLEY M. LOURIMORE, Deputy

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

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

Assembly Bill No. 23: By Assemblymen Marks, Gaffney, Foran, Burton, and Meyers—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 E, relating to appropriations for the support of the Alcoholic Detoxification Clinic in San Francisco in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately

Referred by the Speaker to Committee on Ways and Means

RESOLUTIONS

The following resolutions were offered

By Assemblymen Deukmejian and Kennick

House Resolution No. 60

Relative to congratulating the Alamitos Bay Yacht Club

WHEREAS, The waters off the City of Long Beach and Southern California are considered outstanding for yacht racing; and

WHEREAS, The Alamitos Bay Yacht Club, the Yacht Racing Union, the Southern California Yachting Association, and the City of Long Beach are sponsoring the North American Single-handed Sailing Championships (O'Day series) in the waters off the Long Beach area of Southern California, and

WHEREAS, This event has been arranged and is being conducted under the guidance of General Chairman Richard Hanson, assisted by Commodore Charles Kober, who was the only west coast representative on the 1960 United States Sailing Team, Vice Commodore John Davis, and Staff Commodore and Race Committee Chairman, T F Knight, Jr , and

WHEREAS, Twenty participants from all over the North American continent are participating in this sailing event and it is very likely the winner will represent the United States in the 1964 Olympic Games to be held in Japan, and

WHEREAS, This sailing event is of national and international significance and is presently bringing to the attention of the yacht racing world the excellent conditions for yacht racing off the coast of Southern California, now, therefore, be it

Resolved by the Assembly of the State of California, That the Alamitos Bay Yacht Club, the Yacht Racing Union, the Southern California Yachting Association and the City of Long Beach be commended and congratulated upon their sponsoring of the North American Single-handed Sailing Championships (O'Day series) off the Southern California coast; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Alamitos Bay Yacht Club, the Southern California Yachting Association, the Yacht Racing Union, and the City of Long Beach

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Quimby:

House Resolution No. 61

Relative to commending Mrs Anne Shirrells for her work with youth

WHEREAS, It was with profound respect and gratitude that the members learned of the personal career of Mrs Anne Shirrells, and

WHEREAS, Mrs Shirrells was the youngest of 18 children and became orphaned at the age of 10, and

WHEREAS, This determined woman worked during the day, went to the San Bernardino Evening High School and graduated from that school in 1950, and

WHEREAS, Not content with her progress, she pressed forward and in 1952 graduated from San Bernardino Valley College and from the University of Redlands in 1956, no mean feat, and

WHEREAS, She was not satisfied with her own accomplishments, but sought to stimulate youth to excel in their academic pursuits and to make the most of every opportunity and was highly successful in this regard, and

WHEREAS, Her theme to drifting youth has been to adjure them not to think of how much money they can make, but rather how well they can serve their employers, a truly significant concept, and

WHEREAS, Mrs Shirrells has organized a Girl Scout Troop, assisted by organizing community-type councils, has long devoted her time to recreational activities, first as a volunteer and currently as an employee of the San Bernardino Recreation Department, and as an active member of her church and the NAACP, to which she was a delegate to the Chicago Convention during July, 1963, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members grant appropriate recognition for the personal ideals, accomplishments, and tireless efforts of Mrs Shirrells, commend her for her civic activity, and wish her the complete fruition of all her worthwhile plans and programs, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mrs Anne Shirrells

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblymen Z'berg and Meyers

House Resolution No 62

Relative to commending the Capitol Building and Grounds employees

WHEREAS, The Capitol Building and Grounds employees have given to the Members of the Legislature during the 1963 Regular and Special Sessions outstanding co-operation and diligent and energetic services, now, therefore, be it

Resolved by the Assembly of the State of California, That the following employees of the Buildings and Grounds Division of the Department of Finance be and hereby are commended for their fine efforts on behalf of the Members of the Legislature C R Adams, Ira Billick, Meridith Copass, Norman Cunningham, A S Dahl, William Denman, William Duvall, Glen Edwards, Monroe English, Belle Erving, Stella George, A M Gilchrist, M C Hacker, Ernest Hernandez, Lyle Hershberger, Clyde Inman, Nellie Jackson, Everett Jones, C Jury, Bert Kluck, John Lewis, Carl Lake, Joseph LoBue, William Masier, Arleta McKeehan, George Midwinter, Alexander Nichelin, Fields F Noonan, Matt Perkut, Robert Phair, Clarence Ruch,

Robert Shillington, Joseph Simon, Alfred Stephens, Clarence Taylor, Virgil Thomas, Garfield Ware, Jesse White, William Williams, and Robert Winters, and be further

Resolved, That the Chief Clerk is directed to transmit five suitably prepared copies of this resolution to the Buildings and Grounds Division of the Department of Finance

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Quimby.

House Resolution No. 63

Relative to congratulating Mrs Ruth Saville

WHEREAS, It has come to the attention of the Assembly that Mrs Ruth Saville has been chosen as San Bernardino County's first "Mother of the Year", and

WHEREAS, From among 829 letters of nomination submitted by students throughout San Bernardino County, the judges chose that of Mrs Saville's daughter, Winifred, 12, as best depicting the qualities sought for the county's first "Mother of the Year" award recipient; and

WHEREAS, Winifred in the letter described her mother as "forever helping others the most unselfish mommy in the world . never too tired to nurse a broken heart or ease a pain" and "often very tired, she never complains", and

WHEREAS, Mr and Mrs Saville are raising their three children and four nieces and nephews, the children of Mrs Saville's sister, a victim of multiple sclerosis, and

WHEREAS, Mrs Saville maintains membership in the American Legion Auxiliary, Alpha Chi Pi Omega Sorority of San Bernardino, and the Temple Baptist Church, and

WHEREAS, Mrs Saville is Past President of the Arrowhead Temple No 65, Court of Calanthe, and presently is the new President of the Ramona-Alessandro Parent-Teachers Association, now, therefore, be it

Resolved by the Assembly of the State of California, That Mrs Ruth Saville be commended and congratulated upon her invaluable services to her family and community and upon her receipt of the San Bernardino County's "Mother of the Year" award, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs Ruth Saville

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Waldie.

House Resolution No. 64

Relating to an interim study of mental health services in California

WHEREAS, It is anticipated that there will be an increase in the federal aid for mental health services; and

WHEREAS, The scope and quality of programs of mental health services in this State should be re-examined if additional financial support for such programs is forthcoming, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Rules Committee assign to an appropriate interim committee for study and investigation the subject of mental health services and that such interim committee shall report to the Assembly its findings and recommendations no later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Ferrell

House Resolution No. 65

Relative to thrift air fares to Sacramento

WHEREAS, Many citizens of the State would like to see their Legislature in action, and

WHEREAS, A "thrift" fare schedule would enable college and high school students to travel to Sacramento to see their state government in operation, thereby gaining a greater interest in state affairs; and

WHEREAS, The distance from the Capitol to areas of population containing over half the State makes air transportation the most feasible manner of transportation, and

WHEREAS, Many citizens are precluded from making such a trip because of the present expense, and

WHEREAS, The air fare from Los Angeles to San Francisco is almost one-half the rate from Los Angeles to Sacramento because of a special "thrift" fare, and

WHEREAS, The increased air traffic resulting from such a "thrift" plan would more than offset any revenue loss from lower fares, now, therefore, be it

Resolved by the Assembly of the State of California, That the airlines serving Sacramento are requested to consider the feasibility and desirability of establishing a special "thrift" air fare to the Capitol during legislative sessions, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Pacific Airlines, United Airlines and Western Airlines

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblymen Meyers, Marks, Gaffney, Foran, and Burton:

House Resolution No 66

Relative to the 100th Anniversary of Saint Brigid's Church

WHEREAS, The year 1963 marks the 100th Anniversary of the establishment of Saint Brigid's Church in San Francisco, and

WHEREAS, Saint Brigid's first church was a modest wooden building dedicated on February 14, 1864 by Archbishop Alemany when the surrounding Pacific Heights area of San Francisco were immense sand hills, covered by chaparral and the area to the west was no more than an undulating stretch of sand dunes, and

WHEREAS, Saint Brigid's Church was first entrusted to the Dominican Fathers who zealously ministered until 1875 when it was assigned to the Diocesan clergy, and

WHEREAS, The rapidly growing city soon surrounded and continued beyond Saint Brigid's, and the church became one of the busiest parishes in the city, necessitating its growth, and

WHEREAS, Under the pastorate of Father John E Cottle, a large and beautiful stone church was erected and dedicated in December 1904, just a year and a half before the great earthquake of 1906 which wrecked it, throwing its granite gables to the street, causing its parishoners to scatter far and wide to seek shelter from the following holocaust, and

WHEREAS, That terrible disaster could not demolish the spirit of San Francisco's inhabitants who, while the embers of the fire were still glowing set about to rebuild their city, and

WHEREAS, With spirit and determination, Saint Brigid's parishioners rebuilt the church in just eight short months, leaving not a scar to commemorate the disastrous event, and

WHEREAS, In recent years, this beautiful church, famous for her unusual entrance and for her ornate stained glass windows, which stands at Van Ness and Broadway has been enlarged and renovated, adding to its grandeur, and

WHEREAS, To commemorate the beginning of Saint Brigid's second century of life, on May 19, 1963, a Solemn Mass was celebrated by Archbishop Joseph T McGucken, with Father James O'Connor, Pastor of Saint Brigid's, and many other dignitaries of the Church and laity attending and participating, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Saint Brigid's Church of San Francisco on the occasion of its Centennial Anniversary, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Father James O'Connor, Pastor of Saint Brigid's Church

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblymen Meyers, Gaffney, Foran, Burton, and Marks

House Resolution No. 67

Relative to congratulating Mr Russell L Wolden on his 25th Anniversary as Assessor of the City and County of San Francisco

WHEREAS, For the past 25 years, the thriving City by the Golden Gate has been privileged to have Mr Russell L Wolden as its public-minded assessor, and

WHEREAS, Mr Wolden, in a quarter century of service to San Franciscans, exhibited those enviable qualities of intelligence, leadership, and ability to masterfully handle any delicate matter which might come to his attention, and

WHEREAS, In February 1938, this civic leader was appointed by former Mayor Angelo Rossi to succeed Mr Wolden's father in the vitally important office of assessor, and

WHERLAS, He has not confined his energies within the City and County of San Francisco, but has appeared before committees of this Legislature to share with them his long range of experience in the highly specialized field of property assessment, and

WHEREAS, His staff, in recognition of his faithful service and in acknowledgment of his expertness in office, recently assembled to give a testimonial to him in the form of a plaque which he thoughtfully placed in his office, and

WHEREAS, Three of his capable staff, Mr Herman Luft, Mr William T Reed, and Mr Oscar Emanuel, have enjoyed an even greater length of service than Mr Wolden in working for the mutual interests of taxpayer and government, and

WHEREAS, This experienced battery of assistants, along with his other dedicated employees, have been blended into a cohesive, courteous, and competent group of public servants anxious to serve to the fullest extent possible the citizenry of the City by the Bay, now, therefore, be it

Resolved by the Assembly of the State of California, That the members do hereby extend to Mr Wolden their profound congratulations on the occasion of his long service as the Assessor for the City and County of San Francisco, and wish him true prosperity, success, and enjoyment in his many significant endeavors, and be it further

Resolved, That the Chief Clerk shall transmit a suitably prepared copy of this resolution to Mr Russell L Wolden

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblymen Meyers, Gaffney, Foran, Burton, and Marks

House Resolution No. 68

Relative to commending the University of San Francisco, and the Very Reverend John F X Connolly, S J, and the Very Reverend Charles W Dullea, S J

WHEREAS, The University of San Francisco has for more than a century been noted as a leading university of the San Francisco Bay area and has, with distinction and renown, participated in and contributed to the intellectual, spiritual, cultural, educational, and economic life of this State, and

WHEREAS, During the tenure of the Very Reverend John F X Connolly, S J, as President of the University, and through his foresight and ability, the University has met the demands placed upon it in a period of unprecedented increase in higher education needs, and during this period, which commenced shortly after he became President in 1954, he has been responsible not only for the recognition of the need for expansion but also for the planning and administrative leadership in successfully meeting this need by enlarging the physical facilities of the University and by the maintenance of the high degree of excellence of its educational program, and so has preserved into the second century of the University's existence its well-deserved reputation for excellence and progress, and

WHEREAS, The Society of Jesus, which founded the University 107 years ago and which maintained it from that time, has now elevated Father Connolly to the position of Provincial with jurisdiction over the many worthy Jesuit activities in California, Nevada, Utah, and Oregon, and

WHEREAS, The Very Reverend Charles W Dullea, S J, the new President of the University comes to that office with a distinguished record of scholarly and administrative achievement, most recently as Rector of the University, a position in which he has become thoroughly familiar with the tasks he now undertakes as President; and

WHEREAS, The maintenance of the prestige and renown of the University and the continuance of its outstanding educational program is assured by the selection of Father Dullea as President since he is eminently qualified to meet the many new

challenges in higher education which will confront the University in a period of continued growth of the State and the changing conditions which accompany such growth, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California hereby congratulate the University of San Francisco for its 107 years of outstanding contributions to this State and further congratulate the Very Reverend John F X Connolly, S J, on his impressive record of achievement at the University of San Francisco and congratulate the Very Reverend Charles W Dullea on his appointment to the presidency of that renowned institution and to wish him every success in his new position, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to the Very Reverend John F X Connolly, S J, and the Very Reverend Charles W Dullea, S J

Resolution read, and referred by the Speaker to the Committee on Rules

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

The following resolution was offered:

Assembly Constitutional Amendment No. 4: By Assemblyman Marks—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 11½ to Article XIII thereof, relating to income taxes

Referred by the Speaker to Committee on Revenue and Taxation

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 17, 1963

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

Assembly Concurrent Resolution No 3

And respectfully requests your honorable body to concur in said amendments

J A. BEEK, Secretary of the Senate
By R W. LYONS, Chief Assistant Secretary

Above resolution ordered to unfinished business file

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 7

And reports the same correctly engrossed.

POWERS, Chairman

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

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 8

And reports the same correctly engrossed

POWERS, Chairman

Above resolution ordered on file

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Revenue and Taxation reports

Assembly Constitutional Amendment No 2

With the recommendation That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

PETRIS, Chairman

Subject matter of the above resolution referred to the Committee on Rules

ANNOUNCEMENT

Mr. Mulford announced a Republican Caucus at 9 30 a m tomorrow morning, July 18, 1963, in Room 4168

COMMITTEE MEETING ANNOUNCEMENTS

Mr Petris announced that the Committee on Revenue and Taxation would meet at 1 30 p m this afternoon, instead of at 2 p m as previously scheduled

Mr Bane announced a meeting of the Committee on Rules at 10 a m tomorrow morning, July 18, 1963

Mr Crown announced a meeting of the Committee on Ways and Means at 2 p m this afternoon, in Room 4202

APPROVAL OF JOURNALS

On motion of Mr Waldie, the Assembly Daily Journals for Monday, July 8, 1963; Tuesday, July 9, 1963, Wednesday, July 10, 1963, and Thursday, July 11, 1963, were approved, as corrected by the Minute Clerk.

RECESS

At 12 21 p.m , on motion of Mr. Waldie, the Assembly recessed until 3 p.m

REASSEMBLED

At 3 p m., the Assembly reconvened

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

Assistant Clerk Timothy Lemucchi reading

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Revenue and Taxation reports

Senate Bill No 5
Senate Bill No 8
Senate Bill No 10

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

PETRIS, Chairman

Above bills re-referred to the Committee on Ways and Means

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 8
And reports the same correctly engrossed

POWERS, Chairman

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

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER· Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 10
And reports the same correctly engrossed

POWERS, Chairman

By unanimous consent, above bill ordered to third reading

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined
Assembly Concurrent Resolution No. 1—Relative to a legislative study of the effect of the decision in Arizona v California on state water planning,
Assembly Concurrent Resolution No. 6—Relative to a lease of state property to the City of Chino,
And reports the same correctly enrolled, and presented to the Secretary of State on the 17th day of July, 1963, at 2 p m

POWERS, Chairman

Hon. Milton Marks Presiding

At 3 06 p m, Hon Milton Marks, Member of the Assembly from the 21st District, presiding

RECESS

At 3 11 p m, Acting Speaker Marks declared the Assembly at recess until 4 30 p m

REASSEMBLED

At 4 30 p m, the Assembly reconvened.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Timothy Lemucchi reading

Speaker Presiding

At 4 37 p m, Hon Jesse M. Unruh, Speaker of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT

Speaker Unruh was granted unanimous consent that all bills reported from committees this afternoon be read the second time, and that the appropriate actions be taken on each bill

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Ways and Means reports
Senate Bill No 5
Senate Bill No 8
Senate Bill No 10
With the recommendation Do pass

CROWN, Chairman

Above bills ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 5—An act to amend Sections 23185, 23186a, 23225, 23281, 25551, 25552, 25552a, 25553, 25554, 26072, 26073 and 26073c of, to add Sections 25561, 25562, 25563, 25564, 25565, 25951, 25952, 25953, 25954, 25956, 25957 and 26081 to, to add Article 2 5 (commencing with Section 25441) to Chapter 19 of Part 11 of Division 2 of, and to repeal Sections 23112 and 25551a of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts

Bill read second time, and ordered to third reading

Senate Bill No. 8—An act to amend Sections 12202, 12302 and 12305, and to add Article 5 (commencing with Section 12251) to Chapter 3 of Part 7 of Division 2, of the Revenue and Taxation Code, relating to taxation of insurers

Bill read second time, and ordered to third reading.

Senate Bill No. 10—An act to amend Sections 1775 5 and 12974 of, and to add Sections 1775 6 and 1775 7 to, the Insurance Code, relating to surplus line broker taxes, and other revenue received by the Insurance Commissioner.

Bill read second time, and ordered to third reading

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER Your Committee on Ways and Means reports·

Assembly Bill No 7

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

CROWN, Chairman

Above bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 7—An act to amend Sections 17301, 17303, 17303 5, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17901, 17903, 18355, 18356, 18357, and 18358, relating to the public school system and making an appropriation

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on July 16, 1963, after "18358", insert "of the Education Code"

Amendment No. 2

On page 7, line 12, strike out "136", and insert "181"

Amendment No. 3

On page 7, line 36, strike out "17633 5", and insert "17663 5"

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, July 17, 1963

MR SPEAKER Your Committee on Ways and Means reports

Assembly Bill No 9

With the recommendation Do pass

CROWN, Chairman

Above bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 9—An act to add Section 17305 7 to, and Article 15 (commencing with Section 6441) to Chapter 6 of Division 6 of, and Article 14 5 (commencing with Section 18270) to Chapter 3 of Division 14 of, the Education Code, relating to instructional television

Bill read second time, and ordered engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 19

Mr Bane was granted unanimous consent to take up Assembly Bill No 19, at this time, without reference to file

CONSIDERATION OF ASSEMBLY BILL NO. 19

Resolution to Dispense With Constitutional Provision

The following resolution was offered

By Mr. Bane

Resolved, That Assembly 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 third time, and placed upon its passage

Resolution read

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

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Fotan, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Knox, Marks, Meyers, Milias, Mills, Moreno, Petris, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Willson, Winton, Young, Zenovich, and Mr. Speaker—65

NOES—None.

Article IV, Section 15 of the Constitution was declared dispensed with

Asssembly Bill No. 19—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of

the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Knox, Marks, Meyers, Milias, Mills, Moreno, Petris, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Willson, Winton, Young, Zenovich, and Mr Speaker—65

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Knox, Marks, Meyers, Milias, Mills, Moreno, Petris, Powers, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Willson, Winton, Young, Zenovich, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 17, 1963

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

Assembly Concurrent Resolution No 5

J. A BEEK, Secretary of the Senate
By R W. LYONS, Chief Assistant Secretary

Above resolution ordered enrolled

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 17, 1963

MR SPEAKER: Your Committee on Revenue and Taxation reports

Assembly Bill No 14

With amendments with the recommendation: Amend, and do pass, as amended

PETRIS, Chairman

Above bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 14—An act to amend Sections 17041 and 17048 of the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Bill read second time

Request for Unanimous Consent to Temporarily Suspend Rule No. 101

Mr. Petris was granted unanimous consent that Rule No 101 be temporarily suspended for the purpose of permitting an amendment which adds coauthors to the bill.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

Strike out line 5 of the heading of the printed bill, and insert "Warren, Alquist, Barnes, Carrell, Chapel, Donovan, Lanterman, Mulford, Pattee, and Thomas".

Bill ordered reprinted, and engrossed

Assembly Bill No. 14 Re-referred to Committee on Ways and Means

By unanimous consent, Speaker Unruh ordered **Assembly Bill No. 14** re-referred to the Committee on Ways and Means, subsequent to its engrossment

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

The following bill was introduced, and read the first time

Assembly Bill No. 24: By Assemblymen Meyers, Gaffney, Foran, Marks, and Burton—An act to add Section 6023 to the Revenue and Taxation Code, relating to sales and use taxes

Referred by the Speaker to Committee on Revenue and Taxation

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 3

Mr. Deukmejian was granted unanimous consent to take up Senate amendments to Assembly Concurrent Resolution No 3

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Relative to retirement benefits for Long Beach employees

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 3?

Amendment No. 1

In line 2 of the title of the printed measure, strike out "Long Beach", and insert "lifeguard"

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive, and insert

'WHEREAS, Many local agencies have seen fit to take advantage of the retirement coverage for their employees offered by the State Employees' Retirement System under the able guidance of its Board of Administration,'

Amendment No. 3

On page 1, line 4, strike out "Long Beach has", and insert "Cities, particularly, have".

Amendment No. 4

On page 1, line 5, strike out "its", and insert "their".

Amendment No. 5

On page 1, line 9, strike out "are concurrently covered", and insert "frequently have concurrent coverage".

Amendment No. 6

On page 1, line 21, strike out "City of Long Beach", and insert "local contracting agency"

Amendment No. 7

On page 2, line 5, strike out "the City of Long Beach", and insert "local contracting agencies"

Amendment No. 8

On page 2, line 9, strike out "and to the", and strike out line 10, and insert a period

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No 3 by the following vote

AYES—Allen, Alquist, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Cusanovich, Danielson, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Frew, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Kennick, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Quimby, Rumford, Song, Stevens, Thelin, Vasey, Waldie, Whetmore, Williamson, Willson, Winton, Young, Zenovich, and Mr Speaker—60

NOES—None

Assembly Concurrent Resolution No 3 ordered enrolled

ANNOUNCEMENTS

Mr. Waldie announced a Democratic Caucus on adjournment, in the Assembly Lounge

Mr Mulford again announced the Republican Caucus at 9 30 a m tomorrow morning, in Room 4168

WAIVERS OF MILEAGE

Hon Jesse M Unruh
Speaker of the Assembly

DEAR MR SPEAKER Through inadvertence, I neglected to waive my constitutional mileage on July 8th However, I have returned my mileage check to the Controller, and I am not claiming mileage for the special session

Respectfully,

MERVYN M DYMALLY

Hon Jesse M Unruh
Speaker of the Assembly

DEAR MR SPEAKER Through inadvertence I neglected to waive my constitutional mileage on July 8th However, I have returned my mileage check to the Controller, and I am not claiming mileage for the special session

GORDON H WINTON

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day·

On request of Speaker Unruh of Inglewood, and Messrs Ferrell and Dymally of Los Angeles, to City Councilman Gilbert Lindsey of Los Angeles and City Councilman Billy Mills of Los Angeles

On request of Mr Henson of Ventura to Ted Grandsen of Simi, Ventura County

On request of Mr Veneman of Modesto to Mrs. Helen Juette, Ann Juette, Carol Juette, Eileen Juette, John Juette, Bill Juette, Susan Juette, and Mary Juette of Modesto, and Andy Crouch of Sacramento

On request of Mr Rumford of Berkeley to a group of students from the Sobrante Park School of Ford Foundation, accompanied by Mrs Ann Jones, teacher

On request of Mr Quimby of San Bernardino to Lawrence Scodden, formerly of San Bernardino

On request of Messrs Kennick and Deukmejian of Long Beach to Howard Jones of Long Beach

On request of Mr Alquist of San Jose to Peter Bree and Gary Livaich of Sacramento

On request of Mr. Ferrell of Los Angeles to John A Jackson, Director of the Stovall Foundation, Los Angeles, and Jesse R Towns of Los Angeles

On request of Speaker Unruh of Inglewood to Mrs Frances Rafferty, Eileen Rafferty, Bernard J Fitzpatrick, Mrs E T Calvert, Robert Pease, Mrs Louise Fitzpatrick, Tommy Fitzpatrick, and Dr E T Calvert of Sacramento

On request of Speaker Unruh of Inglewood to Dr DeLoach and Dr Harris of the University of California at Davis

On request of Mr Ferrell of Los Angeles to Mrs Nannie Willard, Mrs Goldie Clark, and Thomas J Franklin of Los Angeles

On request of Mr Young of Napa to Gordon Gorkovitch and Dana Ryder of Fairfield

On request of Mr Badham of Costa Mesa to Mrs Donna Price and Miss Jacque Albright of Newport Beach, granddaughters of former member, the late Earl Stanley

On request of Mr Milias of Gilroy to Mrs Beverly Simpson of Sunnyvale and Mrs Laura Cooley of Berkeley

ADJOURNMENT

At 5 p m , on motion of Mr Waldie, the Speaker declared the Assembly adjourned until 11 a m , Thursday, July 18, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, July 18, 1963

The Assembly met at 11 a m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

Assistant Clerk William Greene reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lauterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Vernsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Zberg, Zenovich, and Mr Speaker—77

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Robert R Ferguson

Gracious and Merciful God, May we never lose the incredible sense of mystery and awe that we finite creatures can come into contact with Thee, the infinite Creator, that we pray to Thee without effrontery and Thou art more interested in the least of us than in the universe

When we pray, may we not necessarily receive what we petition but what is right, not that Thou wouldst further our plans but that Thou wouldst help us to plan according to Thy will for the benefit of our people, not that we inform Thee but that we heed Thy commands

Guide us this day in Thy way —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Dannemeyer then led the Assembly in the pledge of allegiance of the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Garrigus, seconded by Mr. Alquist

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness·

Mr Moreno, on motion of Mr Waldie

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

Mr. Holmes, on motion of Mr Conrad

Mr. Dymally, on motion of Mr. Waldie

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 7

And reports the same correctly re-engrossed

POWERS, Chairman

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

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 14

And reports the same correctly engrossed

POWERS, Chairman

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

Committee on Rules

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Rules reports·

House Resolution No. 46	House Resolution No 60
House Resolution No 48	House Resolution No 61
House Resolution No. 49	House Resolution No 63
House Resolution No 51	House Resolution No 65
House Resolution No 52	House Resolution No 66
House Resolution No 56	House Resolution No 67
House Resolution No 58	House Resolution No 68

With the recommendation: Be adopted.

BANE, Chairman

Above resolutions ordered on file

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 53
House Resolution No 54
House Resolution No 64

With the recommendation: That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Rules reports:
Assembly Concurrent Resolution No 10
Assembly Concurrent Resolution No 11
With the recommendation Be adopted

BANE, Chairman

Assembly Concurrent Resolution No 10 ordered engrossed.
Assembly Concurrent Resolution No. 11 ordered on file.

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Rules reports
Senate Concurrent Resolution No 1
With the recommendation: Be adopted

BANE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER: Your Committee on Rules reports
Assembly Concurrent Resolution No 9
With the recommendation: That the resolution be re-referred to the Committee on Ways and Means.

BANE, Chairman

Above resolution re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered

By Assemblyman Bagley (Coauthor, Senator McCarthy)

House Resolution No. 69

Relative to memorializing Walter R. Castro

WHEREAS, It was with a profound sense of loss that the Members of the Assembly learned of the passing of Walter R Castro, and

WHEREAS, With little formal education, but with hard work and sacrifice, he helped support his family from an early date and later developed a successful garage business in San Rafael; and

WHEREAS, He worked untiringly in civic and fraternal projects for the benefit of his native Marin County and devoted continuing efforts to the development and growth of the San Rafael Fire Department, and

WHEREAS, He served the people of Marin County for a tenure of more than 10 years as a member and then chairman of the board of supervisors, and

WHEREAS, In the face of controversy he always stood by his principles, and in that regard was largely responsible for the initiation and completion of the Marin County Civic Center project; and

WHEREAS, He typified the "self-made" man in the highest American tradition, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their condolences and sympathy upon the passing of Walter R Castro to his bereaved widow, Frances, and their son, Walter, Jr, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the widow and son of Walter R Castro

Request for Unanimous Consent

Mr Bagley was granted unanimous consent to take up House Resolution No 69 without reference to committee or file

Resolution read, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the photographer who is taking pictures for the documentary film on the

legislative process be permitted on the floor of the Assembly while the House is in session today.

RESOLUTIONS

The following resolution was offered.

By Assemblyman Stanton:

House Resolution No. 70

Relative to the formation and regulation of corporations

WHEREAS, The Legislature of the State of California has determined that it would facilitate the flow of commerce and serve the public interest to provide business enterprises the right to incorporate and conduct their affairs as corporate instrumentalities; and

WHEREAS, It is the function of the Secretary of State to charter corporations, and

WHEREAS, It is the function of the Commissioner of Corporations to permit corporations to solicit capital for their operations; and

WHEREAS, Both functions are essential to the formation of a corporation, and yet are operated under divided responsibilities; and

WHEREAS, The existing law establishes no requirement of minimum capitalization to assure the financial solvency of corporations adequate to meet their responsibilities to investors, creditors or persons injured by activities of the corporation, and

WHEREAS, No state regulatory agency is charged with the responsibility of safeguarding the public from a corporation's abuse of its corporate franchise, now, therefore, be it

Resolved by the Assembly of the State of California, That the subject matter of the formation and regulation of corporations be referred to the Assembly Committee on Rules for assignment to an appropriate interim committee for study and preparation of a report to the Legislature, to be submitted not later than the fifth legislative day of the 1965 Regular Session.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

ANNOUNCEMENT

Mr Britschgi announced that Assemblyman George W Milias of Gilroy will be married to Mary Ann Karp of Gilroy on Monday, July 22, 1963; whereupon the Members of the Assembly joined in extending congratulations and best wishes to Mr Milias upon this happy event

REQUEST FOR UNANIMOUS CONSENT

Mr. Z'berg was granted unanimous consent to take up Assembly Concurrent Resolution No 11 without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to the creation of the Joint Legislative Committee on the Governor's Mansion.

Resolution read.

Majority Floor Leader Presiding

At 11 26 a m, Hon. Jerome R Waldie, Majority Floor Leader of the Assembly, presiding.

The question being on the adoption of the resolution

Resolution adopted by the following vote:

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan,

Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—77

NOES—None

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Bill No. 8—An act to amend Sections 12202, 12302 and 12305, and to add Article 5 (commencing with Section 12251) to Chapter 3 of Part 7 of Division 2, of the Revenue and Taxation Code, relating to taxation of insurers

Bill read third time, and presented by Mr Petris

Bill passed by the following vote

AYES—Allen, Alquist, Bagley, Bane, Bee, Beilenson, Belotti, Booth Burgener, Burton, Carrell, Casey, Cologne, Crown, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas Veneman, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—65

NOES—Ashcraft, Badham, Barnes, Britschgi, Chapel, Collier, Conrad, Cusanovich, Lanterman, Stevens, Thelin, and Veysey—12

Bill ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 11 35 a m , Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Senate Bill No. 10—An act to amend Sections 1775 5 and 12974 of, and to add Sections 1775 6 and 1775 7 to, the Insurance Code, relating to surplus line broker taxes, and other revenue received by the Insurance Commissioner

Bill read third time, and presented by Mr Petris

Bill passed by the following vote

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Cologne Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Flournoy, Foran, Gaffney, Garrigus, Gonsalves, Greene, Henson Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg Zenovich, and Mr Speaker—72

NOES—Britschgi, Collier, and Thelin—3

Bill ordered transmitted to the Senate

Senate Bill No. 5—An act to amend Sections 23185, 23186a, 23225, 23281, 25551, 25552 25552a, 25553, 25554, 26072, 26073 and 26073c of, to add Sections 25561, 25562, 25563, 25564, 25565, 25951, 25952, 25953, 25954, 25956, 25957 and 26081 to, to add Article 2 5 (commencing with Section 25441) to Chapter 19 of Part 11 of Division 2 of, and to repeal

Sections 23112 and 25551a of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations and Massachusetts trusts

Bill read third time, and presented by Mr Petris

Motion to Amend

Mr Bagley moved the adoption of the following amendments

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on July 11, 1963, strike out ", 25554, 26072, 26073 and 26073c", and insert "and 25554"

Amendment No. 2

In the title, strike out lines 3 to 6, inclusive, and in line 7, strike out "23112 and", and insert "to add Section 25553 5 to, and to repeal Section"

Amendment No. 3

On page 2, strike out lines 29 to 47, inclusive

Amendment No. 4

On page 3, line 3, strike out "SEC 6", and insert "SEC 5"

Amendment No. 5

On page 3, strike out line 24

Amendment No. 6

On page 3, line 25, strike out "SEC 7", and insert "SEC 6"

Amendment No. 7

On page 3, line 26, strike out "SEC 8", and insert "SEC 7"

Amendment No. 8

On page 3, line 44, strike out "SEC 9", and insert "SEC 8"

Amendment No. 9

On page 4, line 11, strike out "SEC 10", and insert "SEC 9"

Amendment No. 10

On page 4, line 38, strike out "SEC 10 5", and insert "SEC 10"

Amendment No. 11

On page 4, strike out lines 48 to 51, inclusive; strike out all of pages 5 to 7, inclusive; and on page 8, strike out lines 1 to 37, inclusive.

Amendment No. 12

On page 8, line 38, strike out "SEC. 27.", and insert "SEC. 12"

Amendment No. 13

On page 9, line 1, strike out "SEC. 28", and insert "SEC 13."

Amendment No. 14

On page 9, line 8, strike out "SEC. 29.", and insert "SEC. 14."

Amendment No. 15

On page 9, strike out lines 14 to 33, inclusive

Amendments read

Roll Call Demanded

Messrs. Bagley, Conrad, and Stevens demanded a roll call.

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

AYES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Carrell, Chapel, Collier, Cologne, Conrad, Cusanovich, Dannemeyer, Deukmejian, Donovan,

Flournoy, Hinckley, Lanterman, Milias, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, Veysey, Whetmore, Willson, and Winton—30.

NOES—Alquist, Bane, Bee, Beilenson, Booth, Burton, Casey, Crown, Danielson, Davis, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lunardi, McMillan, Meyers, Mills, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waldie, Warren, Williamson, Young, Z'berg, Zenovich, and Mr. Speaker—43

Further consideration of Senate Bill No. 5 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that press and TV representatives be permitted to take pictures in the Assembly Chamber during the presentation of, and the address by, Secretary of the Interior Stewart L. Udall

RECESS

At 11 55 a m, Speaker pro Tempore Bee declared the Assembly at recess until 12 15 p m to meet with Members of the Senate to hear an address by the United States Secretary of the Interior, Stewart L. Udall of Arizona.

PROCEEDINGS DURING JOINT MEETING

ASSEMBLY CHAMBER, July 18, 1963

At 11 56 a m, the Members of the Assembly and the Senate met in a joint meeting.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk

Presentation of Speaker of the Assembly

Speaker pro Tempore Carlos Bee then presented the Hon. Jesse M Unruh, Speaker of the Assembly, to the members of the joint meeting.

Presentation of President pro Tempore of the Senate

Speaker Jesse M Unruh then presented the Hon Hugh M Burns, President pro Tempore of the Senate, to members of the joint meeting

Presentation of United States Secretary of the Interior

President pro Tempore Hugh M Burns then presented the Hon. Stewart L Udall, United States Secretary of the Interior, to the members of the joint meeting

Address by Secretary of the Interior

United States Secretary of the Interior Stewart L. Udall then addressed the joint meeting of Senators and Assemblymen

Secretary of Interior Escorted From Rostrum

Upon request of Speaker Unruh, United States Secretary of the Interior Stewart L Udall was then escorted from the rostrum by Speaker pro Tempore of the Assembly Carlos Bee and President pro Tempore of the Senate Hugh M Burns

REASSEMBLED

At 12 15 p m, the Assembly reconvened
Hon Jesse M. Unruh, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.
Assistant Clerk William Greene reading

FURTHER CONSIDERATION OF SENATE BILL NO. 5

Senate Bill No. 5—An act to amend Sections 23185, 23186a, 23225, 23281, 25551, 25552, 25552a, 25553, 25554, 26072, 26073 and 26073c of, to add Sections 25561, 25562, 25563, 25564, 25565, 25951, 25952, 25953, 25954, 25956, 25957 and 26081 to, to add Article 2 5 (commencing with Section 25441) to Chapter 19 of Part 11 of Division 2 of, and to repeal Sections 23112 and 25551a of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations and Massachusetts trusts

The question being on the passage of the bill

Parliamentary Inquiry

Mr Conrad arose to the following parliamentary inquiry How many votes are needed to pass this bill in the Assembly?

Reply by Speaker

The Speaker replied that 41 votes are required for passage of Senate Bill No 5

Request for Unanimous Consent to Print in Journal

Mr Bagley was granted unanimous consent that an opinion of the Legislative Counsel be ordered printed in the Journal

NOTE—The above opinion appears after the vote on Senate Bill No. 5

The question being on the passage of the bill

Bill passed by the following vote

AYES—Alquist, Bane, Bee, Beilenson, Booth, Burton, Casey, Crown, Danielson, Davis, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lunardi, McMillan, Meyers, Mills, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waldie, Warren, Williamson, Wilson, Winton, Young, Zberg, Zenovich, and Mr Speaker—45

NOES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Lanterman, Marks, Milias, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, Veysey, and Whetmore—27

~~Bill ordered transmitted to the Senate~~

NOTE—Later this day, a motion to reconsider the vote on Senate Bill No 5 was offered by Mr Monagan *See* page 146

OPINION OF THE LEGISLATIVE COUNSEL

The following opinion of the Legislative Counsel is hereby printed in the Journal pursuant to permission previously granted to Mr Bagley

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 9, 1963

Hon William T Bagley
Assembly Chamber

Bank and Corporation Taxes—No. 111

Question

DEAR MR BAGLEY: You have asked how many votes would be required to pass a bill which would amend the Bank and Corporation

Tax Law (Secs 23001, et seq, R & T C) * which would make no change except to (1) eliminate installment payments and (2) require the payment this year and in each succeeding year of the tax which would, under present law, be due and payable the following year You ask us to assume that enactment of the bill would result in the collection in a period of three years (e g, the years of 1962, 1963, 1964) of an amount of tax collected equivalent to that which would be collected in four years under present law You further ask us to consider this question with the following alternate assumptions

1 Assuming that the bill would not change the rate or measure of the tax or the year for which the tax is imposed on a bank, corporation or financial institution for the privilege of exercising its franchise

2 Assuming that the bill would not change the rate or the measure of the tax, but would result in two taxes being imposed on a bank, corporation or financial institution in one year for the privilege of exercising its franchise to conduct business during that year

Opinion and Analysis

1 *Assuming that the bill would not change the rate or measure of the tax or the year for which the tax is imposed*

Under the Bank and Corporation Tax Law, speaking generally, a tax is imposed each year on each corporation (other than banks and financial corporations) for the privilege of exercising its franchise The measure of the tax is 5 5 percent of its net income for the preceding income year (Sec 23151) The corporation is required to file a return on or before the 15th day of the third month following the end of the close of the income year (Sec 25401) The tax is paid in two installments, the first installment being payable on the 15th day of the third month following the close of the income year (Sec 25551), and the second installment being payable on the 15th day of the ninth month following the end of the income year (Sec 25551a)

The law also imposes a tax on every bank and financial corporation each year on the basis of income for the next preceding year The rate of the tax applied to such income is (a) the percentage of the net income of other corporations paid as franchise taxes, plus (b) the percentage of the net income paid by other corporations as personal property taxes, not to exceed 9 5 percent (Secs 23181, 23183, and 23186) The returns on this tax are required to be filed on or before the 15th day of the third month following the close of the income year (Sec 25401) The taxes are payable in two installments The first is payable on or before the 15th day of the third month after the close of the income year and includes the amount based on the rate determined to be the percentage paid by other corporations for franchise taxes (Sec 25552) The second installment is payable on or before the 15th day after the Franchise Tax Board determines the percentage of income paid as personal property taxes under Section 23186a, or on or before the 15th day of the ninth month following the close of its income year, whichever is later The second installment of the tax is based on the percentage paid by other corporations as personal property tax (Sec 25552a)

* All section references are to sections of the Revenue and Taxation Code

Under this assumption, the bill in question would not affect the year for which the tax is now imposed or the rate or measure of the tax, but it would alter the time in which the tax is to be paid by requiring the payment of the tax prior to the commencement of the year in which the corporation exercises the franchise for which it is being taxed.

Section 16 of Article XIII of the California Constitution provides, in part:

> "SEC. 16 1. (a) Banks . . shall annually pay to the State a tax, at the rate to be provided by law according to or measured by their net income . . .
>
> "(b) . . .
>
> "2. The Legislature may provide by law for the taxation of corporations, their franchises, or any other franchises . . .
>
> "3. Any tax imposed pursuant to this section must be under an act passed by not less than two-thirds vote of all the members elected to each of the two houses of the Legislature "

The issue thus posed by the bill in question is whether the provisions requiring the "prepayment" of the taxes would constitute the imposition of a tax within the meaning of Section 16 of Article XIII so as to require a two-thirds vote.

We are unaware of any case in which the courts have considered this question. It is possible to argue that only the act that originally imposed the tax would constitute the imposition of a tax within the meaning of Section 16 of Article XIII and that any amendment that changes the rate, amount or basis of the tax or the procedures for its collection would not come within that constitutional requirement that it be passed by not less than two-thirds vote of the members of each house of the Legislature. Such a construction would permit the Legislature to triple the tax on banks and corporations by a simple majority vote, a construction which we do not think would be adopted by the courts as contemplated by the voters in adopting Section 16 of Article XIII.

We have consistently taken the position that any bill which includes provisions amending the Bank and Corporation Tax Law that causes a material change in the tax burden borne by taxpayers under that law imposes a tax within the meaning of the language of subdivision 3 of Section 16 of Article XIII of the State Constitution

On the other hand, we have held that an amendment which merely involves the collection of the tax might be passed by an affirmative vote of a majority of the elected members of each house There is judicial support for such a construction (see *Beecham* v *Commissioners of Internal Revenue*, 28 T C 598, 600, affirmed 255 Fed 2d 103-104) We had in mind in this regard an amendment which, for example, would eliminate provisions such as contemplated by this proposal permitting payment of the tax in installments so as to require payment of the full tax upon the filing of the return. It is possible that the courts might also construe the provisions of the proposed bill which requires the "prepayment" of the taxes as merely involving the collection of the tax and not involving the imposition of a tax, however, the obvious impact of the measure on the taxpayer would be substantial

In view of the lack of judicial authority construing the constitutional provision here involved, the safest course would be to secure the affirmative vote of two-thirds of the members of each house of the Legislature However, if a bill is passed by the majority of the members elected to each house which made no change other than to change the time of payment by eliminating the installment payments and requiring payment of the tax prior to the year in which the corporation exercises the franchise for which it is being taxed, we believe that the courts would sustain it

In this connection, while we have assumed, for the purposes of your question, that over a three-year period the total tax collected from a bank or corporation under the proposed bill would be equivalent to that which would be collected under the present law in four years, the advance payment would be in payment of a tax for the privilege of exercising the franchise in the following year and thus during the three year period, while the tax would amount to that presently collected in four years, it would also actually represent tax payments for the privilege of exercising the franchise for four years Thus the payments would represent no new taxes

2. *Assuming that the bill did not change the rate or measure of the tax, but would result in both taxes being imposed in one year for the privilege of exercising the corporate franchise during that year*

As indicated above, we have consistently taken the position that any bill which includes provisions amending the Bank and Corporation Tax Law that causes material change in the tax burden borne by the taxpayers under that law imposes a tax within the meaning of the language of subdivision (3) of Section 16 of Article XIII of the Constitution Therefore, if a measure would impose, in any given year another tax in addition to that imposed under present law for the privilege of exercising the corporate franchise during that year, we believe that such a measure would clearly impose a new tax within the meaning of Section 16 of Article XIII of the Constitution, and would therefore require an affirmative vote of two-thirds of the members of each house of the Legislature

It should be noted that in discussing the two above assumptions we have distinguished between a bill which would merely affect the collection of the tax by altering the time of payment without changing the rate or measure of the tax and a bill which would in a given year double the tax for that year

Very truly yours,

A C MORRISON, Legislative Counsel
By GEORGE H MURPHY, Chief Deputy

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Conrad was granted unanimous consent that the following statement be ordered printed in the Journal

STATEMENT BY MR. CONRAD

ASSEMBLY, CALIFORNIA LEGISLATURE
July 18, 1963

I raised the point of order as to the number of votes required on Senate Bill No. 5, because in my opinion passage of this measure by less

than a two-thirds vote of the membership of the Assembly raises considerable doubt as to the constitutionality of this bill

CHARLES J CONRAD

NAMES PLACED UPON ROLL CALL ON SENATE BILL NO. 8

Messrs Carrell and Frew were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No 8

VOTE CHANGED UPON ROLL CALL ON SENATE BILL NO. 8

Mr Mulford was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on Senate Bill No 8

MOTION TO RECONSIDER SENATE BILL NO. 5 ON NEXT LEGISLATIVE DAY

Mr. Monagan moved to reconsider on the next legislative day the vote whereby Senate Bill No 5 was this day passed (Assembly Journal, page 142)

Motion to Temporarily Suspend Rule No. 112 to Take Up Motion to Reconsider Senate Bill Bill No 5

Mr Petris moved that Rule No 112 be temporarily suspended for the purpose of taking up the motion to reconsider the vote on Senate Bill No 5 on this day

Mr Waldie seconded the motion

Motion for temporary suspension of Rule No 112 carried by the following vote

AYES—Alquist, Asheraft, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burton, Carrell, Casey, Collier, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Dills, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Pattee, Petris, Porter, Powers, Quimby, Rumford Ryan, Song, Soto, Stevens, Waite, Waldie, Warren, Williamson, Winton, Young, Zberg, Zenovich, and Mr Speaker—65

NOES—Badham, Bagley, Chapel Cologne, Conrad, Deukmejian, Donovan, Flournoy, Hinckley, Milias, Monagan, Thelin, Thomas, Veneman, and Veysey—15

Vote Changed Upon Roll Call on Motion to Suspend Rule

Mr. Gaffney was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the motion that Rule No. 112 be temporarily suspended

Motion to Reconsider Senate Bill No. 5 Withdrawn

Mr Monagan withdrew his motion to reconsider the vote whereby Senate Bill No 5 was passed

Senate Bill No 5 ordered transmitted to the Senate

Speaker pro Tempore Presiding

At 12 53 p m , Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

ANNOUNCEMENT

Speaker pro Tempore Bee announced that Assembly Assistant Clerk Timothy Lemucchi is leaving the employment of the Assembly tomorrow, that Mr Lemucchi will be married to Miss Marianne Wilson on August 30, 1963, in Kansas City, Kansas, and that he will take up

the study of law at the University of Georgetown in the fall, whereupon the Members of the Assembly joined in extending congratulations and best wishes to Mr Lemucchi

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 9—An act to add Section 17305 7 to, and Article 15 (commencing with Section 6441) to Chapter 6 of Division 6 of, and Article 14 5 (commencing with Section 18270) to Chapter 3 of Division 14 of, the Education Code, relating to instructional television

Bill read third time

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 9.

STATE OF CALIFORNIA GOVERNOR'S OFFICE
SACRAMENTO, July 15, 1963

To the Honorable Members of the Assembly and Senate

Assembly Bill No 9X, First Extraordinary Session "An act to add Section 17305 7 to, and Article 15 (commencing with Section 6441) to Chapter 6 of Division 6 of, and Article 14 5 (commencing with Section 18270) to Chapter 3 of Division 14 of the Education Code, relating to instructional television, as amended,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Assembly Bill No 9X as an emergency measure

Respectfully submitted,

EDMUND G BROWN, Governor

The question being on the passage of the bill

Bill passed by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad Crown Cusanovich, Dameison, Dannemeyer, Davis, Deukmejian, Dills, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus Gonsalves Greene, Henson, Huckley, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mihas, Mills, Monagan Mulford Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Young, Zbarg, Zenovich, and Mr Speaker—72

NOES—None

Bill ordered transmitted to the Senate

ANNOUNCEMENT

Mr Foran announced that today is the 23d Wedding Anniversary of Assemblyman and Mrs Joe A Gonsalves of Dairy Valley, whereupon the Members of the Assembly joined in extending congratulations and best wishes to Mr and Mrs Gonsalves

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 18, 1963

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

Assembly Bill No 11

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By LANCE D MACARTHUR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, July 18, 1963

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

Assembly Concurrent Resolution No 7

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By LANCE D. MACARTHUR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, July 18, 1963

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

Senate Joint Resolution No 1

J A BEEK, Secretary of the Senate
By LANCE D MACARTHUR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read

Senate Joint Resolution No. 1—Relative to including Black Butte Dam and Reservoir in the federal Central Valley Project

Request for Unanimous Consent

Mr Booth was granted unanimous consent to take up Senate Joint Resolution No 1 without reference to committee or file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1

Senate Joint Resolution No. 1—Relative to including Black Butte Dam and Reservoir in the federal Central Valley Project

Resolution read, and adopted by the following vote:

AYES—Allen, Alquist Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Dills, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Marks, McMillan, Meyers, Mihas, Mills, Monagan, Mulford, Pattee, Petris, Powers, Quimby, Rumford, Ryan, Soto, Thelin, Thomas, Veneman, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Young, Z'berg, Zenovich, and Mr Speaker—66

NOES—None

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 11

Mr Young was granted unanimous consent to take up Senate amendments to Assembly Bill No 11.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO 11

Assembly Bill No. 11—An act to add Part 15 (commencing with Section 35001) to Division 2 of the Revenue and Taxation Code, relating to pay television

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 11?

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "when a tele-", and strike out lines 8, 9 and 10, inclusive, and insert "when such telephone or telegraph corporation furnishes channels for the transmission of subscription television programs by a subscription television corporation"

Amendment No. 2

On page 2, line 41, after "35003", insert "(a)"

Amendment No. 3

On page 2, line 44, after the period, insert "All amounts required to be paid to the State under this subdivision shall be paid to the State Board of Equalization
(b)"

Amendment No. 4

On page 3, lines 1 and 2, strike out "paragraph", and insert "subdivision"

Amendment No. 5

On page 3, line 5, after the period, insert "The State Board of Equalization shall collect any amount required to be paid to a local agency under this subdivision, and shall transmit to the local agency involved the amount so collected as promptly as feasible.
(c)"

Amendment No. 6

On page 3, line 6, after "Equalization", insert "shall enforce the provisions of this part and"

Amendment No. 7

On page 3, line 9, strike out "to local agencies"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 11 by the following vote·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Dameison, Dannemeyer, Deukmejian, Dills, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson Hinckley, Johnson, Knox, Lanterman, Marks, Mihas, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore Williamson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—69
NOES—None.

Assembly Bill No 11 ordered enrolled

ANNOUNCEMENT

Mr Gonsalves announced that members who desire copies of House Resolution No 59 should place their request with Mrs Anabel Whang, Secretary to the Chief Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER. Your Committee on Rules reports
House Resolution No 47
House Resolution No 62
With amendments with the recommendation. Amend, and be adopted, as amended

BANE, Chairman

Above resolutions ordered on file

CONSIDERATION OF HOUSE RESOLUTION NO. 47 (BY UNANIMOUS CONSENT)

By Assemblyman Burton

House Resolution No. 47—Relative to commending Chief Justice of the United States, Earl Warren

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

Strike out the second "*Resolved*" clause of the measure, as printed in the Assembly Daily Journal, July 16, 1963, on page 87, and insert

"*Resolved*, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Chief Justice Earl Warren, to the President of the American Bar Association, to the President of the State Bar of California, to District Attorney J Frank Coakley of Alameda County, to Governor Edmund G Brown, to Attorney General Stanley Mosk to former President Dwight D Eisenhower, to former United States Senator William F Knowland, to U S Senator Thomas H Kuchel, to U S Senator Clair Engle to Earl Warren, Jr., to James C Warren, to Robert Warren, to Nina Brien, to Dorothy Warren, to Virginia Daly, and to the Justices and Chief Clerk of the United States Supreme Court"

House Resolution No. 47, as Amended

By Assemblyman Burton

House Resolution No. 47

Relative to commending Chief Justice of the United States, Earl Warren

WHEREAS, Chief Justice Earl Warren was born in Los Angeles, California, on March 19, 1891, the son of Methias and Chrystal H Warren and attended Bakersfield public schools and the University of California in Berkeley where he received his J D in 1914 and thereafter was admitted to practice before the Supreme Court of California, and

WHEREAS, Chief Justice Warren began his public career in 1919 as Clerk of the Assembly Judiciary Committee, and later served as Deputy City Attorney for the City of Oakland, Deputy District Attorney of Alameda County from 1920 to 1923, Chief Deputy District Attorney from 1923 to 1925, and District Attorney from 1925 until his election as the Attorney General of California in 1948, and

WHEREAS The people of California elected Earl Warren as California's Governor in 1942, an office which he held and in which he served with great distinction until September 30, 1953, when he was appointed Chief Justice of the United States Supreme Court by President Dwight D Eisenhower, and

WHEREAS, As Chief Justice, Earl Warren has lent the weight and prestige of that high office to the struggle for equal rights for all persons and has been an outspoken defender of the civil liberties guarantees of our Constitution, and

WHEREAS, The 10th anniversary of his appointment to the Supreme Court will coincide with the 36th Annual Meeting of the State Bar of California, which State Bar President William P Gray has announced will be held from September 23d to September 27th in San Francisco, and

WHEREAS, The Associate Justices of the Supreme Court of the United States, together with Chief Justice Phil S Gibson of the Supreme Court of the State of California, flanked by the Associate Justices of his court will join the assembled attorneys on the evening of September 24th in the Masonic Auditorium for an address by the Honorable Chief Justice Earl Warren, and

WHEREAS, It is fitting that the Legislature take note of this gathering of the highest dignitaries of the Judiciary of our State and of our Nation and join in the tribute to this outstanding former Governor of California and great Chief Justice, now therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly welcome the Chief Justice of the Supreme Court of the United States back to California and join in honoring him on the occasion of the 10th Anniversary of his appointment to the highest judicial office in the Nation, and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Chief Justice Earl Warren, to the President of the American Bar Association, to the President of the State Bar of California, to District Attorney J Frank Coakley of Alameda County, to Governor Edmund G. Brown, to Attorney

General Stanley Mosk, to former President Dwight D Eisenhower, to former United States Senator William F Knowland, to U S Senator Thomas H Kuchel, to U S Senator Clair Engle, to Earl Warren, Jr, to James C Warren, to Robert Warren, to Nina Brien, to Dorothy Warren, to Virginia Daly, and to the Justices and Chief Clerk of the United States Supreme Court

Resolution, as amended, ordered on file

CONSIDERATION OF HOUSE RESOLUTION NO. 62 (BY UNANIMOUS CONSENT)

By Assemblymen Z'berg and Meyers

House Resolution No. 62—Relative to commending the Capitol Building and Grounds employees

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted·

Amendment No. 1

On page 1 of the printed measure, as printed on pages 122 and 123 of the Assembly Journal for July 17, 1963, in line 4 of the first "*Resolved*" clause, strike out "Meredith Copass", and insert "Robert Bentley"

House Resolution No. 62, as Amended

By Assemblymen Z'berg and Meyers·

House Resolution No. 62

Relative to commending the Capitol Building and Grounds Employees

WHEREAS, The Capitol building and grounds employees have given to the Members of the Legislature during the 1963 Regular and Special Sessions outstanding co-operation and diligent and energetic services, now, therefore be it

Resolved by the Assembly of the State of California, That the following employees of the Buildings and Grounds Division of the Department of Finance be and hereby are, commended for their fine efforts on behalf of the Members of the Legislature C R Adams, Ira Billick, Robert Bentley, Norman Cunningham, A S Dahl, William Denman, William Duvall, Glen Edwards, Monroe English, Belle Erving, Stella George, A M Gilchrist, M C Hacker, Ernest Hernandez, Lyle Hershberger, Clyde Inman, Nellie Jackson, Everett Jones, C Jury, Bert Kluck, John Lewis, Carl Lake, Joseph LoBue, William Masier, Arleta McKeehan, George Midwinter, Alexander Niebelin Fields F Noonan, Matt Perkut, Robert Phair, Clarence Ruch, Robert Shullington, Joseph Simon, Alfred Stephens, Clarence Taylor, Virgil Thomas, Garfield Ware, Jesse White, William Williams, and Robert Winters, and be it further

Resolved, That the Chief Clerk is directed to transmit five suitably prepared copies of this resolution to the Buildings and Grounds Division of the Department of Finance

Resolution, as amended, ordered on file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 50

With amendments with the recommendation, Amend, and be adopted, as amended

BANE, Chairman

Above resolution ordered on file

CONSIDERATION OF HOUSE RESOLUTION NO. 50 (BY UNANIMOUS CONSENT)

By Assemblyman Veysey

House Resolution No. 50—Relative to the San Diego State College-Imperial Valley Center

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No. 1

In line 3 of the first WHEREAS clause of the measure, as printed in the Assembly Daily Journal, July 16, 1963, on pages 97 and 98, strike out "Committee", and insert "Board"

House Resolution No. 50, as Amended

By Assemblyman Veysey

House Resolution No. 50

Relative to the San Diego State College-Imperial Valley Center

WHEREAS, It has come to the attention of the Assembly of the State of California that San Diego State College and the San Diego State College-Imperial Valley Center Advisory Board are working to promote the best possible educational facilities for the people of Imperial County, and

WHEREAS, Mr Nelson Correll is chairman of the San Diego State College-Imperial Valley Center Advisory Board, working to provide ample opportunity for higher education in Imperial County, and

WHEREAS, The Committee of State College Trustees has voted to accept 22 acres of land near Imperial Valley College, purchased by the Board of Supervisors of Imperial County to provide a site for the Imperial County Center of San Diego State College, and

WHEREAS, There are presently an estimated 200 students attending the temporary off-campus center who, with many new students in the future, would be able to complete four years of college in Imperial County if a permanent facility should be erected on the land provided, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof commend the San Diego State College-Imperial Valley Center Advisory Board, Mr Nelson Correll, its Chairman, the Board of Supervisors of Imperial County, San Diego State College and Dr Malcom Love, its President, for their efforts to provide better educational facilities and opportunities for the citizens of Imperial County and for the citizens of our State, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr Nelson Correll, to Dr Malcom Love, and to the Board of Supervisors of Imperial County

Resolution, as amended, ordered on file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 57

With amendments with the recommendation Be amended, and that the resolution, as amended, be returned to the committee, and the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Above resolution ordered on file

CONSIDERATION OF HOUSE RESOLUTION NO. 57 (BY UNANIMOUS CONSENT)

By Assemblyman Willson

House Resolution No. 57—Relating to narcotic addiction.

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No. 1

In lines 1 and 2 of the *Resolved* clause of the measure, as printed in the Assembly Daily Journal, July 17, 1963, on page 108, strike out "Interim Committee on Judiciary is directed to", and insert "Committee on Rules is directed to assign to an appropriate interim committee for"

House Resolution No 57, as Amended

By Assemblyman Wilson·

House Resolution No. 57

Relative to narcotic addiction

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of procedures for commitment of narcotic addicts and persons in imminent danger of narcotic addiction, including particularly such problems as may be involved in medical certification of the condition of addiction or imminent addiction, and that such committee shall report to the Assembly its findings and recommendations no later than the fifth legislative day of the 1965 Regular Session

Resolution, as amended, re-referred to the Committee on Rules; and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study.

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 10

And reports the same correctly engrossed.

POWERS, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 18, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined **Assembly Concurrent Resolution No. 5**—Relative to budget studies by the Joint Legislative Budget Committee,

And reports the same correctly enrolled, and presented to the Secretary of State on the 18th day of July, 1963, at 11 30 a m

POWERS, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered·

Assembly Concurrent Resolution No. 12: By Assemblymen Kennick and Frew—Relative to improving employment opportunities of older persons.

Referred by the Speaker pro Tempore to Committee on Rules

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

The following bills were introduced, and read the first time

Assembly Bill No. 25: By Assemblywoman Davis, Assemblymen Milias, Badham, Allen, Booth, Johnson, Lunardi, Powers, and Thomas —An act to add Section 251 to the Fish and Game Code, to preserve the revenues of the Department of Fish and Game by continuing the regulations of the Fish and Game Commission, and declaring the urgency thereof, to take effect immediately

Held at desk by order of the Speaker pro Tempore

Assembly Bill No. 26: By Assemblymen Milias, Whetmore, Veneman, Monagan, Belotti, Burgener, Cologne, Donovan, Flournoy, Hinckley, Marks, Mulford, Pattee, and Veysey—An act to amend and sup-

plement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 A, relating to appropriations for the support of the state government in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately

Held at desk by order of the Speaker pro Tempore

Assembly Bill No. 27: By Assemblymen Flournoy, Mulford, Burgener, Cologne, Ashcraft, Bagley, Belotti, Britschgi, Deukmejian, Marks, Milias, Monagan, Pattee, Stevens, Thelin, Veneman, Veysey, and Whetmore—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 B, relating to appropriations for the support of the government of the State of California in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately

Held at desk by order of the Speaker pro Tempore

Assembly Bill No. 28: By Assemblymen Conrad, Ashcraft, Pattee, Hinckley, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Cologne, Deukmejian, Donovan, Flournoy, Gaffney, Lanterman, Marks, Milias, Monagan, Mulford, Stevens, Thelin, Veneman, Veysey, and Whetmore—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 3.B, relating to appropriations for assistance to local agencies for services to handicapped children, in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Held at desk by order of the Speaker pro Tempore

Assembly Bill No. 29: By Assemblymen Conrad, Deukmejian, Badham, Hinckley, Ashcraft, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Cusanovich, Donovan, Flournoy, Gaffney, Lanterman, Marks, Milias, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, Veysey, and Whetmore—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 2 A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Held at desk by order of the Speaker pro Tempore

Assembly Bill No. 30: By Assemblymen Burgener, Gaffney, Belotti, Ashcraft, Bagley, Barnes, Donovan, Flournoy, Marks, Milias, Monagan, and Veneman—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 3 A, relating to appropriations for assistance to local agencies, in accordance with the provisions of Section 34 of Article IV

of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Held at desk by order of the Speaker pro Tempore.

Assembly Bill No. 31: By Assemblymen Burgener, Milias, Flournoy, Barnes, Ashcraft, Belotti, Deukmejian, and Veneman—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 C, relating to appropriations for the support of the government of the State of California in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately

Held at desk by order of the Speaker pro Tempore

RESOLUTIONS

The following resolutions were offered:

By Assemblymen Meyers, Gaffney, Burton, Marks, and Foran·

House Resolution No. 71

Relative to a study relating to towing and disposition of motor vehicles

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to refer for study to an appropriate interim committee the subject of towing away of motor vehicles alleged to be involved in a parking violation or to be abandoned, or for other reason, and the storage and treatment thereof; and that such interim committee shall report its findings and recommendations to the Assembly no later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Petris, Z'berg, Powers, and Greene

House Resolution No. 72

Relative to the International Boy Scout Jamboree in Athens, Greece

WHEREAS, The International Boy Scout Jamboree will be held in Athens, Greece from August 1st to 11th, 1963, and

WHEREAS, The outstanding Boy Scouts from every country in the Free World will gather at the Jamboree to share experiences and ideas by living and working together, and

WHEREAS, The purpose of the World Jamboree is to promote the spirit of World Brotherhood through the development of personal friendships and co-operation among the youths of the many nations, and

WHEREAS, The State of California will be represented by 59 outstanding young men from all parts of the State who were chosen after intense competition and who reflect not only the highest standards of individual achievement but the quality of the aspirations of their local communities and of the State of California, and

WHEREAS, These young men will be accompanied by Mr Sterling B Doughty, Jr, of Sacramento, who is the Assistant National Director of the International Jamboree, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof hereby express their pride and confidence in the California delegation to the International Boy Scout Jamboree as ambassadors of the State of California and of the United States, and be it further

Resolved, That the members of the delegation be requested to convey to their fellow Boy Scouts in Greece from other nations the friendly greetings and the warm support of the people of California for the ideal of World Brotherhood through the principles of World Scouting, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr Sterling B. Doughty, Jr.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

ANNOUNCEMENTS

Mr Waldie announced a Democratic Caucus on adjournment, in the Assembly Lounge

Mr. Mulford announced that the Republican Caucus has been canceled, and that the Caucus will meet on call at a later date

COMMITTEE MEETING ANNOUNCEMENTS

Announcements were made by Messrs Petris and Crown, respectively, that the meetings of the Committees on Revenue and Taxation and Ways and Means, heretofore scheduled for this afternoon, have been canceled; and that the meeting times of these two committees will be announced on Monday

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day·

On request of Mr Flournoy of Claremont to Robert L Maurer, Mrs Robert L Maurer, and Miss Lynette Maurer of Pomona

On request of Mr. Donovan of Chula Vista to John Peak of Chula Vista

On request of Mr Ashcraft of Rancho Santa Fe to Lawrence Patton, Mrs Patton, and their daughter, all of San Diego

On request of Mr Dannemeyer of Fullerton to Paul J Wishek, City Councilman of the City of Buena Park.

On request of Mr Alquist of San Jose to Mrs. Donna Brewer, Michael Brewer and Steven Brewer, of Sacramento, and Marsha Brewer and Nancy Brewer, of Los Angeles

On request of Mr Rumford of Berkeley to Mrs Faracita Wyatt and Mrs Tarea-Hall Pittman of Berkeley

On request of Mr Waldie of Antioch to Mr. and Mrs Don Skinner of Concord

On request of Mr Burton of San Francisco to Mr and Mrs Adolphus Thomas and Mr and Mrs Fred Jackson of San Francisco

On request of Mr Stanton of San Jose to Dr and Mrs Albert Porter of San Jose

On request of Mr. Cologne of Indio to Commander and Mrs Claude Wilkinson of Riverside

On request of Mr Flournoy of Claremont to Mayor William Lancaster of the City of Duarte

On request of Mr Belotti of Eureka to Dwight Hulse and J K Richardson of Ukiah.

On request of Mr Dannemeyer of Fullerton to Burt Herbst, Mayor of the City of Fullerton; and Duane Winters, Councilman, and Herman Hiltscher, City Administrator, of the City of Fullerton

On request of Mr. Frew of Dinuba to Supervisor Chas J. Cummings of Porterville

On request of Mr Bagley of San Rafael to John McCarthy and family of Marin County.

On request of Speaker pro Tempore Bee of Hayward to John Anson Ford of Los Angeles, Chairman of the Fair Employment Practice Commission, State of California

On request of Mr Milias of Gilroy to Mr and Mrs Hal St Clair and children, of Los Altos

On request of Mr. Bane of North Hollywood to Paula Whang, Gloria Lee, and Brenda Lee of Sacramento

ADJOURNMENT

At 1 07 p m , the Speaker pro Tempore declared the Assembly adjourned until 3 p m , Monday, July 22, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, July 22, 1963

The Assembly met at 3 p m

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

Assistant Clerk William Greene reading.

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burtschin, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—76

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev. Robert R Ferguson:

Eternal God, Our Loving Father, May there be a greater correlation between our intentions and our actions, between our words and our deeds We pray for strength so that we may have more consistency of life. We must make decisions many times when we have inadequate information, or we vote on occasion against our better judgment Give us strength to hold to the image of truth and right against the pressures which swirl about us Help us to fear no man, but only fear inadequately representing the people and Thy self

Through Christ our Lord —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr. Song then led the Assembly in the pledge of allegiance to the Flag.

RECESS

At 3 08 p m, on motion of Mr Mulford, the Assembly recessed until 3 45 p m for the purpose of permitting a Republican Caucus in the Assembly Lounge

REASSEMBLED

At 3 45 p m , the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk William Greene reading

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with, by unanimous consent

LEAVES OF ABSENCE FOR THE DAY

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

Mr Moreno, on request of Speaker pro Tempore Bee.

Mr Gonsalves, on request of Speaker pro Tempore Bee

The following members were granted leaves of absence for the day, and desired to waive their per diems

Mr Milias, on motion of Mr Conrad

Mr. Knox, on motion of Mr Waldie

RESOLUTIONS

The following resolutions were offered

By Assemblyman Stanton·

House Resolution No. 73

Relative to the improvement of a state highway

WHEREAS, State Highway Route 115 runs from San Jose to Patterson , and

WHEREAS, The portion of the route from San Jose to Mt Hamilton is used by buses carrying school children as well as other motor vehicles , and

WHEREAS, Because of the terrain in this location, the route is at substantial grade and necessarily has many curves , and

WHEREAS, It is generally recognized that it would be desirable to widen the road at the more critical curves , and

WHEREAS, It is also recognized that the use of funds for this purpose must be balanced with other highway needs in this area , now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works and the California Highway Commission are requested to investigate the availability of funds to improve or widen the more critical curves at the earliest practical date on State Highway Route 115 from San Jose to Mt Hamilton, if the use of highway funds for such purpose is consistent with other highway needs in that area , and be it further

Resolved, That the Clerk of the Assembly is directed to transmit a copy of this resolution to the California Highway Commission and the Department of Public Works

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Henson·

House Resolution No. 74

Relating to congratulating the Police Department of the City of Ventura

WHEREAS, It has come to the attention of the Members of the Assembly that the Police Department of the fair City of Ventura has been awarded by the International Association of Chiefs of Police, a certificate of achievement for its excellent work in traffic supervision; and

WHEREAS, Only 31 cities in the entire Nation have received such certificates of achievement, and

WHEREAS, The City of Ventura Police Department was the only police department in the Western States in the group of cities having a population of 25,000 to 50,000, to receive a certificate of achievement; and

WHEREAS, Since 1952 the Police Department of Ventura has received annually either a certificate of achievement or an outstanding achievement award, now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereby express their warmest congratulations and commendations to the Police Department of the City of Ventura and to Chief of Police Strevell G Taylor upon the outstanding work of the department in traffic supervision and upon winning the certificate of achievement of the International Association of Chiefs of Police; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Police Department of the City of Ventura and the Chief of Police Strevell G. Taylor.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 2: By Assemblyman Bane—Relative to the primary place of business of Members of the California Legislature.

Referred by the Speaker pro Tempore to Committee on Rules.

Rush Order Placed Upon Printing of Assembly Joint Resolution No. 2

Mr. Bane was granted unanimous consent that a rush order be placed upon the printing of Assembly Joint Resolution No. 2.

ANNOUNCEMENT

Mr. Pattee announced that today is the birthday of Assemblyman Milton Marks of San Francisco; whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Marks.

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Philip Gordon, Secretary, Citrus Bar Association, enclosing a resolution by the Association relative to compensation for municipal court judges Referred by the Speaker pro Tempore to the Committee on Ways and Means.

P. Inya of Brawley, relative to restrictions on dove and pheasant hunting. Referred by the Speaker pro Tempore to the Assembly Interim Committee on Fish and Game.

The following telegram was presented by the Chief Clerk from.

L. C. Wayne, President, California State Employees Association, Sacramento, relative to salaries for state employees. Referred by the Speaker pro Tempore to the Committee on Ways and Means

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Chapel:

House Resolution No. 75

Relative to commending Justus A. Smith upon his retirement from public service

WHEREAS, Justus A Smith was born in LeRoy, Kansas, where he attended high school and formulated the ideals which were to guide him in later life; and

WHEREAS, Justus A Smith came to Redondo Beach in 1925 where he became interested in law enforcement work, serving on the Redondo Beach Police Department from 1927 to 1934; and

WHEREAS, His outstanding abilities as a law enforcement officer were recognized and in 1941, he was appointed to the Police Department of Palos Verdes Estates and was elevated in rank to Chief of Police on June 1, 1942, a position in which he served with distinction until his retirement on March 1, 1963, and

WHEREAS, Since his association with the Palos Verdes Estates Police Department, Justus A Smith has been an outstanding citizen of that community; and

WHEREAS, In addition to his abiding interest in law enforcement matters, Justus A. Smith has been prominent in the Free and Accepted Masons, Lodge Number 328, Redondo Beach, the Royal Arch Masons, Lodge Number 101, Redondo Beach, is a Knight Templar, a member of Al Malaikah Temple, the Shrine, and was President in 1957 of the Los Angeles County Peace Officers Shrine Club, and

WHEREAS, Justus A Smith is a man of many and interesting hobbies, including guns and shooting, automobiles, and photography; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof recognize and thank Justus A. Smith for his contributions to society through law enforcement and take this opportunity to wish him well during his years of retirement; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare ten suitably embossed copies of this resolution.

Request for Unanimous Consent

Mr. Chapel was granted unanimous consent to take up House Resolution No 75 without reference to committee or file

Resolution read, and adopted

By Assemblyman Chapel

House Resolution No. 76

Relative to commending Shirley R Chilton

WHEREAS, Shirley R Chilton was born in Vancouver, Washington, received her education in Washington and graduated from the University of Washington with distinction, and

WHEREAS, After World War II, during which she served as secretary to the United States Navy Procurement Officer at Bremerton Navy Yard in Bremerton, Washington, she was employed in the airline business until 1950 when she became Corporate Secretary and Accountant for three television and appliance distributors in Oakland, San Francisco, and Seattle, and

WHEREAS, From 1956 she has been associated with Hayden, Stone and Co., Inc., members of the New York Stock Exchange, as manager of the Palos Verdes Estates and Rolling Hills Estates offices, director of the women's investment division and director of advertising; and

WHEREAS, She is a nationally recognized lecturer and columnist in the field of finance and investments, as witnessed by her membership on the New York Stock Exchange Speakers Bureau and her selection as main speaker for an investment forum under the sponsorship of the *Los Angeles Times* at Shrine Auditorium, and

WHEREAS, She has taken an active role in many diverse public activities as shown by her membership and interest in the Los Angeles Investment Board, Alpha Chi Omega, Spastic Children's Clinic, Palos Verdes-Redondo Soroptimists Club and by her leadership in a High School "S" club for students seeking business careers in community service, her presidency of the Palos Verdes Peninsula Chamber of Commerce and her participation in the Bank of America Achievement Awards program in which she has served as final judge, and

WHEREAS, In addition to her active business and public life Shirley Chilton is married and has three sons, now, therefore, be it

Resolved by the Assembly of the State of California, That its members congratulate Mrs Shirley Chilton for her many outstanding accomplishments in the financial business and commend her for her many public spirited contributions to her community and in particular on behalf of students; and be it further

Resolved, That the Chief Clerk is directed to prepare 10 suitably prepared copies of this resolution

Request for Unanimous Consent

Mr Chapel was granted unanimous consent to take up House Resolution No 76 without reference to committee or file.

Resolution read, and adopted

By Assemblymen Kennick and Belotti

House Resolution No. 77

Relative to improving employment opportunities of older persons

WHEREAS, Legislation is now pending before the Congress of the United States which would provide new grant programs for experimental and demonstration projects to stimulate employment opportunities for older persons, and

WHEREAS, In California, it is known that many older applicants seeking employment are not placed in proportion to the number of those needing employment, and

WHEREAS, There is a need for more specific information relating to the increasing effects of automation and technological changes affecting employment of older persons, and

WHEREAS, There is a need for current data concerning employer and union attitudes and action in providing employment for older workers, and

WHEREAS, Such data would be valuable in the stimulation of community understanding and support of employment opportunities for older persons, now, therefore be it

Resolved by the Assembly of the State of California, That the Department of Employment and the Citizens' Advisory Committee on Aging are requested to undertake jointly a study of how and where employment opportunities for older persons may be improved and expanded throughout the State, and to report their joint findings and recommendations thereon to the Assembly on or before the fifth legislative day of the 1965 Regular Session

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Porter, Garrigus, Conrad, and Flournoy:

House Resolution No. 78

Relative to an interim study of the cost of weekend and holiday guides in the Capitol Building

WHEREAS, The people of the State of California are justly proud of, and actively interested in, their Capitol Building, and

WHEREAS, The Capitol Building and grounds are the most beautiful in the Nation and the offices, halls, and chambers are the most modern, and

WHEREAS, Although the Capitol Building and its many points of interest are visited by people from throughout the State, the Nation, and the world, certain very interesting areas of the Capitol Building are closed to these visitors on weekends and holidays, which days are naturally the most popular for visiting points of public interest, and

WHEREAS, There is a clear need for qualified guides to greet and assist visitors to the Capitol Building on weekends and holidays, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Rules Committee is directed to assign to the appropriate interim committee the duty of studying, investigating and reporting on, the cost of employing qualified guides, including but not limited to, college students, as weekend and holiday guides in the Capitol Building and to direct such interim committee to report thereon to the Assembly, no later than the fifth day of the 1965 Regular Session

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 19, 1963

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 11—An act to add Part 15 (commencing with Section 35001) to Division 2 of the Revenue and Taxation Code, relating to pay television.

And reports the same correctly enrolled, and presented to the Governor at 1 30 p.m., July 19, 1963

POWERS, Chairman

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

The following resolutions were offered·

Assembly Concurrent Resolution No. 13: By Assemblyman Porter—Relative to a joint interim study of the cost of weekend and holiday guides in the Capitol Building

Referred by the Speaker pro Tempore to Committee on Rules

Assembly Concurrent Resolution No. 14: By Assemblymen Kennick and Belotti—Relative to improving employment opportunities of older persons

Referred by the Speaker pro Tempore to Committee on Rules

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 46

By Assemblyman Dymally

House Resolution No. 46—Relative to commending Mr. and Mrs Roy Tuck on their 25th Wedding Anniversary

NOTE The full text of House Resolution No 46 appears at pages 84 and 85 of the Assembly Daily Journal for July 16, 1963

Resolution read, and adopted

Consideration of House Resolution No. 48

By Assemblymen Williamson and Casey·

House Resolution No. 48—Relative to congratulating Jesse D. Stockton upon his retirement

NOTE· The full text of House Resolution No 48 appears at pages 92 and 93 of the Assembly Daily Journal for July 16, 1963

Resolution read, and adopted

Consideration of House Resolution No. 51

By Assemblymen Burton and Marks

House Resolution No. 51—Relative to commending Sol Silverman of the San Francisco Bar Association for his long service to the public

NOTE The full text of House Resolution No 51 appears at page 98 of the Assembly Daily Journal for July 16, 1963

Resolution read, and adopted.

NOTE—Later this day, Mr Marks was made a coauthor of House Resolution No 51 by unanimous consent *See* page 168

Consideration of House Resolution No. 52

By Assemblymen Rumford, Gaffney, Meyers, and Mulford.

House Resolution No. 52—Relative to commending Sister Mary Carmelita Drew.

NOTE The full text of House Resolution No 52 appears at pages 98 and 99 of the Assembly Daily Journal for July 16, 1963.

Resolution read, and adopted

Consideration of House Resolution No. 56

By Assemblyman Monagan·

House Resolution No. 56—Relating to congratulating John and Adelaide Lyons on their 50th Wedding Anniversary.

NOTE: The full text of House Resolution No 56 appears at page 108 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 58

By Assemblymen Dymally and Ferrell:

House Resolution No. 58—Relating to the Stovall Foundation

NOTE The full text of House Resolution No 58 appears at page 109 of the Assembly Daily Journal for July 17, 1963.

Resolution read, and adopted

Consideration of House Resolution No. 60

By Assemblymen Deukmejian and Kennick.

House Resolution No. 60—Relative to congratulating the Alamitos Bay Yacht Club.

NOTE The full text of House Resolution No 60 appears at pages 121 and 122 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 61

By Assemblyman Quimby

House Resolution No. 61—Relative to commending Mrs Anne Shirrells for her work with youth

NOTE The full text of House Resolution No 61 appears at page 122 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 63

By Assemblyman Quimby

House Resolution No. 63—Relative to congratulating Mrs Ruth Saville

NOTE The full text of House Resolution No 63 appears at page 123 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted

Consideration of House Resolution No. 65

By Assemblyman Ferrell

House Resolution No. 65—Relative to thrift air fares to Sacramento

NOTE The full text of House Resolution No 65 appears at pages 123 and 124 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted

Consideration of House Resolution No. 66

By Assemblymen Meyers, Marks, Gaffney, Foran, and Burton

House Resolution No. 66—Relative to the 100th Anniversary of Saint Brigid's Church

NOTE The full text of House Resolution No 66 appears at page 124 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted

Consideration of House Resolution No. 67

By Assemblymen Meyers, Gaffney, Foran, Burton, and Marks.

House Resolution No. 67—Relative to congratulating Mr Russell L. Wolden on his 25th anniversary as Assessor of the City and County of San Francisco

NOTE The full text of House Resolution No 67 appears at page 125 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted

Consideration of House Resolution No. 68

By Assemblymen Meyers, Gaffney, Foran, Burton, and Marks

House Resolution No. 68—Relative to commending the University of San Francisco, and the Very Reverend John F X Connolly, S J, and the Very Reverend Charles W Dullea, S J

NOTE The full text of House Resolution No 68 appears at pages 125 and 126 of the Assembly Daily Journal for July 17, 1963

Resolution read, and adopted

Assembly Concurrent Resolution No. 10—Relative to the Diamond Jubilee of the City of Long Beach.

Resolution read, and adopted

Resolution ordered transmitted to the Senate

Consideration of House Resolution No. 47

By Assemblyman Burton

House Resolution No. 47—Relative to commending Chief Justice of the United States, Earl Warren

NOTE The full text of House Resolution No 47, as amended July 18, appears at pages 150 and 151 of the Assembly Daily Journal for July 18, 1963

Resolution read, and adopted

Consideration of House Resolution No. 62

By Assemblymen Z'berg and Meyers.

House Resolution No. 62—Relative to commending the Capitol Building and Grounds Employees.

NOTE The full text of House Resolution No 62, as amended July 18, appears at page 151 of the Assembly Daily Journal for July 18, 1963

Resolution read, and adopted

Consideration of House Resolution No. 50

By Assemblyman Veysey

House Resolution No. 50—Relative to the San Diego State College-Imperial Valley Center

NOTE The full text of House Resolution No 50, as amended July 18, appears at page 152 of the Assembly Daily Journal for July 18, 1963.

Resolution read, and adopted

Consideration of House Resolution No 49

By Assemblymen Dymally, Ferrell, and Rumford

House Resolution No. 49—Relative to congratulating the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of the State of California, on their 108th Communication

Resolution read

Motion to Amend

Mr Dymally moved the adoption of the following amendment:

Amendment No 1

In the fourth "WHEREAS" clause of the measure, as printed on pages 95 and 96 of the Assembly Journal for July 16, 1963, in line 1, strike out "has", and insert "have"

Amendment read, and adopted.

Members Made Coauthors of House Resolution No. 49

Mr Dymally was granted unanimous consent that all members so desiring be placed upon House Resolution No 49 as coauthors

Roll Call

The following members indicated a desire to become coauthors·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr. Speaker—71.

NOES—None

Consideration of House Resolution No. 49, as Amended

By Assemblymen Dymally, Ferrell, Rumford, Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Danielson, Dannemeyer, Assemblywoman Davis, Assemblymen Deukmejian, Dills, Donovan, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Quimby, Ryan, Song, Soto, Stanton, Stevens, Thomas, Unruh, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, and Zenovich

House Resolution No. 49

Relative to congratulating the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of the State of California, on their 108th Communication

WHEREAS, It has been brought to the attention of the Members that the Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons is holding their 108th Communication in Sacramento, and

WHEREAS, This fraternal group was organized in San Francisco in 1855 and first met in Sacramento in 1856, where a constitution and by-laws were adopted, and

WHEREAS, The 80th Annual Communication of the Golden State Grand Chapter of the Order of the Eastern Star and the 38th Annual Communication of the Grand High Court Heroines of Jericho are also being held in conjunction with the Lodge Communication, and

WHEREAS, The objectives of this organization have been to encourage its members to actively participate in community activities, maintain a high moral standard within the family, and energetically pursue civic duties and social co-operation within the framework of law; and

WHEREAS, The organization also devotes vast amounts of time and resources to the cause of human relations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their congratulations to the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of the State of California, on the occasion of their 108th Annual Communication, welcome them to the "Camellia City," and hope that their program will be truly fruitful and significant, and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr. Walter C. Taylor, Most Worshipful Grand Master of the fraternal organization

Resolution read, as amended, and adopted

MEMBER MADE COAUTHOR OF HOUSE RESOLUTION NO. 51

Mr Burton was granted unanimous consent that Mr Marks be placed upon House Resolution No. 51 as a coauthor

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Lanterman

House Resolution No. 79

Relative to the retirement of Don C McMillan, City Manager of the City of Pasadena

WHEREAS, Don C McMillan, City Manager of the City of Pasadena, after a long and distinguished career, is retiring from this public service October 1st, 1963, and

WHEREAS, Having served as City Manager of the City of Pasadena since July 16, 1948, with such an outstanding record of constructive achievement that Pasadena has become nationally recognized for its efficient and superlative municipal administration, and

WHEREAS, Prior to coming to Pasadena Don McMillan has served as City Manager of Alameda, California, for five years, City Manager of Ventura, California, for nine years following seven years as City Engineer, and

WHEREAS, Don McMillan has served as President of the Engineer's Section of the League of California Cities, City Managers Section, League of California Cities, California Sewage Work Association, and the International City Managers' Association, and

WHEREAS, Don C McMillan has rendered service beyond the normal call of duty during the many years of his official capacity by also serving as a member of the Manpower Commission of the Federal Government from 1938-1943, member of the California State Water Pollution Control Board 1949-1959, as Chairman of the Los Angeles County and Cities Civil Defense Planning Board 1950-1961, and as Chairman of the Los Angeles County and Cities Disaster and Civil Defense Commission, member of the Salvation Army, Pasadena Advisory Board, Director of the Pasadena Community Chest and Council Board, member of the Pasadena Lions Club and Pasadena Tournament of Roses Association, now, therefore, be it

Resolved by the Assembly of the State of California, That Don C McMillan be commended for his distinguished career of public service in municipal management based on the solid foundation of training and education as a graduate civil engineer, and as a man of exceptional talent and integrity, and that the Chief Clerk of the Assembly be instructed to have prepared a suitable illuminated scroll

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Burton:

House Resolution No. 80

Commending the Bayview Neighborhood Center

WHEREAS, The Bayview Neighborhood Center in San Francisco is an outstanding example of a voluntary citizens civic organization dedicated to helping all persons with respect to housing, employment, education, and the many other problems wherein neighbors can lend each other a helping hand, and

WHEREAS, Ably led by a staff of unpaid officers, particularly Mrs Ardath Nichols its executive director the Center has over the past nine years contributed immeasurably to the well-being and future happiness of the people of San Francisco's Hunter's Point-Bayview area; and

WHEREAS, Over the years the Center has initiated many worthwhile programs, including those of arranging to have college students help students through study halls, inducing local employers to employ local people, attempting to solve housing needs of low income families, helping register voters in the area and increasing voter turnout at elections, and fostering community activities at a building purchased by the Center to aid in its endeavors, now, therefore, be it

Resolved by the Assembly of the State of California, That its members commend the Bayview Neighborhood Center for its many fine activities on behalf of the citizens of the Hunter's Point-Bayview area of San Francisco and extend to the Center every good wish in its future endeavors, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Bayview Neighborhood Center at 1201 Mendell in San Francisco, to each of the following officers Benjamin Criswell, President, Ardath Nichols, Executive Director, William Hammons, Vice President, Ethel Garlington, Secretary, Essie Webb, Assistant Secretary, and to each of the following members of the Board of Directors of the Center Tena Watkins,

Sam Jordan, Dr Arthur Coleman, Mrs Julia Commer Attorney Valena Ellis, Eloise Westbrooks, Ruth Williams, Marcelle Cashmere, Mrs Burdette, Attorney James Herndon, Enoch Cole, Dr Carlton Goodlett, Daisy Lariente, Dr Nathaniel Burbridge, Eloise Gadsen, Doris R Thomas, Leroy Jackson, Jesse Johnson, the Reverend R J Johnson, Calvin Jones, Ethel Kay, Orville Luster, Percy Moore, the Reverend Robert Morgan, Oceola Washington, Joseph Malmstrom and Emmett Watkins

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 1—Relative to a study of compensation for legal examiners, hearing officers, and referees

Resolution read, presented by Mr Willson, and adopted

Resolution ordered transmitted to the Senate

REFERENCE OF ASSEMBLY BILL NO. 25 TO COMMITTEE

The Speaker pro Tempore ordered the following bill referred to committee

Assembly Bill No. 25 to the Committee on Ways and Means

Rush Order Placed Upon Printing of Assembly Bill No. 25

Mrs Davis was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 25

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mrs Davis was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No. 25 for hearing in the Committee on Ways and Means tomorrow

REFERENCE OF BILLS TO COMMITTEE

The Speaker pro Tempore ordered the following bills referred to committee

Assembly Bills Nos. 26, 27, 28, 29, 30, and 31 to the Committee on Ways and Means

PARLIAMENTARY INQUIRY

Mr Unruh arose to the following parliamentary inquiry Is Senate Bill No 4 at the desk?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the bill had not, as yet, been received from the Senate

COMMITTEE MEETING ANNOUNCEMENTS

Mr Petris announced a meeting of the Committee on Revenue and Taxation at 1 30 p m tomorrow, July 23, 1963, in Room 2170

Mr Crown announced a meeting of the Committee on Ways and Means at 2 p m tomorrow, July 23, 1963, in Room 4202

Mr Crown further announced that the committee would hear the Budget Bill (Assembly Bill No. 5) at tomorrow's meeting, and that the proceedings of the committee would be televised

Mr. Waldie announced a meeting of the Committee on Rules at 10.30 a m. tomorrow, July 23, 1963, in Room 3188.

ANNOUNCEMENT BY SPEAKER UNRUH

Mr Unruh announced that, with the consent of the House, the Assembly would remain in session today until the Senate Budget Bill has been received, and if there be no objection, the bill would be set for hearing in the Committee on Ways and Means tomorrow, along with the Assembly Budget Bill

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Petris was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of hearing all bills set for hearing in the Committee on Revenue and Taxation tomorrow

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 22, 1963

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

Senate Bill No 4

J A BEEK, Secretary of the Senate
By GORDON F ENGLISH, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time

Senate Bill No. 4—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2 2 A, 2 25.A, 2 3 A, 10.2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Referred by the Speaker pro Tempore to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Unruh was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Senate Bill No 4 for hearing in the Committee on Ways and Means tomorrow

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day.

On request of Mr. Cologne of Indio to Thomas E. Selman of Indio.

On request of Mr Powers of North Sacramento to Brent Limbocker of North Sacramento.

On request of Mr. Rumford of Berkeley to Mr and Mrs Leslie Turner of New York City, New York, and Mr. and Mrs Esaw Carman of Oakland

On request of Mr Powers of North Sacramento to Paul Pulati of North Sacramento

On request of Mr Collier of Los Angeles and Mr Song of Monterey Park to Mr Frank A. Seymour of San Gabriel.

On request of Mr. Cusanovich of Van Nuys to Fraulein Gertrud Popp of Hof, West Germany.

On request of Mr. Alquist of San Jose to Fred Harris and Stephen Clayton of Sacramento.

On request of Mr Badham of Costa Mesa to Margaret Crane of Corona del Mar

On request of Mr Waite of Tujunga to Monty Odett of Palmdale, James Fulcher of Little Rock, and U S Commissioner Bill Wright of Lancaster.

On request of Mr. Frew of Dinuba to the Hon Harlan Hagen, Congressman from the 18th Congressional District, and former member of the Assembly from the 35th Assembly District

On request of Mr Allen of Los Angeles to Mr Charles M Weber of Stockton, former Member of the Assembly

ADJOURNMENT

At 4 15 p m , the Speaker pro Tempore declared the Assembly adjourned until 4 p m , Tuesday, July 23, 1963.

JESSE M UNRUH, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, July 23, 1963

The Assembly met at 4 p m.

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk.

Assistant Clerk Charles Winner reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Bellenson, Belotti, Booth, Brutschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Wilson, Winton, Young, Zberg, Zenovich, and Mr Speaker—78

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Robert R Ferguson.

Eternal Father, Help us to recall two lessons from history

The mills of God grind slowly, but they grind exceeding fine, when it gets black enough we can see the stars

May we not wait until the extremities of life compel us to look up May we not use our faith as a mere fire escape Rather may we receive daily strength and guidance as we seek on this pilgrim road to walk in Thy way and be in fellowship with Thee and our fellow man

In our Master's name—AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Flournoy then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Garrigus, seconded by Mr Alquist

LEAVES OF ABSENCE FOR THE DAY

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

Mr Holmes, on request of Speaker pro Tempore Bee

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

Mr Milias, on request of Speaker pro Tempore Bee

MEMBERS EXCUSED FOR COMMITTEE MEETINGS

Speaker pro Tempore Bee was granted unanimous consent that Messrs Crown (Chairman), Britschgi (Vice Chairman), Bane, Belotti, Collier, Conrad, Mrs Davis, Messrs Gaffney, Kennick, Lanterman, McMillan, Mills, Petris, Porter, Thelin, Waldie, Williamson, and Winton be excused, for the purpose of holding a meeting of the Committee on Ways and Means, at this time

Speaker pro Tempore Bee was granted unanimous consent that Messrs Bane (Chairman), Casey, Cologne, Cusanovich, Frew, and Waldie be excused, for the purpose of holding a meeting of the Committee on Rules, at this time

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal

DEPARTMENT OF STATE
WASHINGTON, July 18, 1963

Mr Arthur A Ohnimus, Chief Clerk
Assembly, California Legislature

DEAR MR OHNIMUS Thank you for making available to the Department of State a copy of Assembly Joint Resolution No 45, relative to the California grape and wine industry, which was adopted by the California Legislature on June 14 1963

We are bringing the resolution to the attention of the interested officials in the Department, and also to the attention of the Office of the President's Special Representative for Trade Negotiations

Sincerely yours,

For the Secretary of State
CLARENCE W NICHOLS Acting Director
Office of International Trade

The following communication was presented by the Chief Clerk from:

Henry T Elmore of Pasadena, relative to cruelty to farm animals

Referred by the Speaker pro Tempore to the Assembly Interim Committee on Livestock and Dairies

RESOLUTIONS

The following resolution was offered.

By Assemblyman Casey·

House Resolution No. 81

Relative to study of courses of study

Resolved by the Assembly of the State of California, That the Committee on Rules is hereby directed to refer to an appropriate interim committee the subject of what school districts have done to implement Chapter 2207 of the 1961 Regular Session of the Legislature relating to courses of study in school districts and in particular to investigate what has been done to implement the provisions of Chapter 2207 relating to the study of foreign languages, and to direct such interim committee to report its finding and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Revenue and Taxation reports

Senate Bill No 6

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means

PETRIS, Chairman

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

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 3—Relative to retirement benefits for lifeguard employees,

And reports the same correctly enrolled, and presented to the Secretary of State on the 23d day of July, 1963, at 9 a m

POWERS, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 23, 1963

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 R W LYONS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read

Senate Concurrent Resolution No. 3—Relative to final adjournment of the 1963 First Extraordinary Session of the Legislature

Held at desk by order of the Speaker pro Tempore

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 22, 1963

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

Senate Bill No 12

J A BEEK, Secretary of the Senate
By R. W. LYONS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time·

Senate Bill No. 12—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955 1, 17261, 17301, 17301 3, 17303, 17303 5, 17352, 17353, 17402, 17405, 17411, 17456, 17601, 17607, 17611, 17655, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17667, 17702, 17703 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990, 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18455, and 18460 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17612, 17613, 17666, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to add Sections 17401, 17404, 17407, 17601 1, and 17665 5 to, and to add Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of, the Education Code, relating to the public school system, and making an appropriation

Referred by the Speaker pro Tempore to the Committee on Ways and Means

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 23, 1963

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

Assembly Bill No 19

J A BEEK, Secretary of the Senate
By LANCE D MACARTHUR, Assistant Secretary

Above bill ordered enrolled

REMARKS ON CONDITION OF FILE

Mr Allen spoke on the condition of the file

PARLIAMENTARY INQUIRY

Mr Allen arose to the following parliamentary inquiry Does Senate Joint Resolution No. 3 provide for sine die adjournment at 5 p m tomorrow night?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that adjournment sine die was so provided for in the resolution, and that the resolution had been ordered held at the desk without reference to committee

MOTION

Mr Allen moved to take up Senate Concurrent Resolution No 3 without reference to file

Motion died for lack of a second

RESOLUTIONS

The following resolutions were offered

By Assemblyman Stanton·

House Resolution No 82

Relative to the making of consumer loans by Savings and Loan Associations

WHEREAS, Legislation was introduced at the 1963 Regular Session which would have permitted Savings and Loan Associations to make loans for the purchase of consumer durable goods; and

WHEREAS, Such authorization would permit such institutions to diversify their activities, thus improving their economic stature, and would promote additional competition in the consumer loan field, now, therefore, be it

Resolved, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of this resolution, including the need for such legislation, the extent to which such loans may be made without security and the maximum limits, if any, of such type of loans, and to direct such interim committee to report its findings thereon together with its suggestions for proposed legislation to the Legislature not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Beilenson

House Resolution No 83

Relative to Savings and Loan Associations

WHEREAS, The Savings and Loan Industry in California currently finances approximately 70 percent of the residential construction now being performed in the State, and

WHEREAS, State regulated savings and loan associations have received over $10,850,000,000 from public investors who must rely upon savings and loan officers for prudent management and investment of these funds, and

WHEREAS, It appears that 77 percent of the assets of California Savings and Loan Associations are controlled by holding companies that have formed within the last eight years, and

WHEREAS, A study of the structure and control of these holding companies has indicated that 40 percent of the companies are controlled by no more than three men, and

WHEREAS, Some investigations have concluded that underwriting practices of some associations disregard the basic tests of credit extension, and

WHEREAS, In recent years legislation has permitted higher loan to value ratios and extended periods of repayment, and

WHEREAS, Home foreclosures and builder bankruptcies are occurring with greater frequency and have resulted in Congressional inquiries, now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign to the appropriate interim committee for study the subject matter of savings and loan association management and lending practices and to direct such committee to submit its report to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Moreno:

House Resolution No. 84

Relative to congratulating Mr Karl Holton on his selection for the Presidential Medal of Freedom

WHEREAS, The Members of the Assembly have learned that Mr Karl Holton has been notified by the President of the United States, John F Kennedy, that he has been selected to receive the Presidential Medal of Freedom; and

WHEREAS, Mr Holton is one of 31 persons scheduled to receive the highest peacetime civilian honor conferred by the Chief Executive; and

WHEREAS, He was the first director of the California Youth Authority and the former Chief County Probation Officer for Los Angeles County, and

WHEREAS, This significant award marks another highlight in the long career of Mr Holton; and

WHEREAS, His constant devotion and application of his intelligence, capability, interest and general know-how to the problems of the wayward and misadventurous youths who find themselves transgressing the laws of our society and who need help to return and remain unswerving upon the path of life best for themselves and the world; now, therefore, be it

Resolved by the Assembly of the State of California, That the members express their deep gratitude for the past service and accomplishments of Karl Holton in dealing with the youth of this State and most profoundly congratulate him upon

this truly signal and salutatory award, and wish him continued success in all of his worthwhile labors, recognizing that an investment in youth today will tomorrow reap dividends to this State and our Country as these youngsters step across the threshold of maturity to take active and responsible positions in life; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr Karl Holton

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Waldie

House Resolution No. 85

Relative to the commemorative stamp honoring John Muir

WHEREAS, The year 1964 will mark the 50th anniversary of the death of John Muir, the world renowned naturalist and conservationist whose dedication to the cause of preserving the natural resources of our scenic forests and wilderness areas was responsible in great part for the many national parks and reservations in California and throughout our Country, and

WHEREAS, The Members of the Assembly of the State of California are informed that the United States Post Office plans to issue a postage stamp memorializing John Muir, and

WHEREAS, Near Martinez, California, is located Muir Manor, the lovely home of John Muir and the place where he wrote much of the many writings wherein he awakened his countrymen to the great inheritance available to us all in our vast, green forests and our immense mountain ranges, and

WHEREAS, It is therefore most fitting and proper, in view of Martinez's and Muir Manor's special place in John Muir's life, that Martinez, California, be chosen as the site for the first day's release of the commemorative stamps memorializing John Muir, now, therefore, be it

Resolved by the Assembly of the State of California, That the members respectfully request that Martinez, California, be chosen for the first day's release of the John Muir commemorative stamp, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Postmaster General of the United States, United States Senators Thomas H Kuchel and Clair Engle, and Representative John F Baldwin, Jr

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Veneman·

House Resolution No. 86

Relative to Hershey Chocolate Company's new plant at Oakdale, California

WHEREAS, The Hershey Chocolate Company has chosen Oakdale, California, as the site of its new 10 million dollar, and 400,000 square foot, plant from whence will come the well-known and delicious Hershey chocolate products for the 11 Western States; and

WHEREAS, The Hershey plant will contribute substantially to the economic and community life of Oakdale and our State and employ several hundred persons and substantial amounts of milk and almonds from the area, and

WHEREAS, This welcome addition to California has resulted in large part from the devoted efforts of the Oakdale District Chamber of Commerce and Mr Robert E Chicou, its manager, who labored long and well to secure this new industry for Oakdale and our State; now, therefore, be it

Resolved by the Assembly of the State of California, That the members extend a most hearty welcome to the Hershey Chocolate Company and wish it well in its future endeavors; and be it further

Resolved, That the Members congratulate the citizens of Oakdale on the arrival of the new Hershey plant and commend the Oakdale District Chamber of Commerce and Mr Robert E Chicou upon their efforts on behalf of Oakdale and our State; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Samuel F. Hinkle, President

and Chairman of the Board of Directors of the Hershey Chocolate Company, to the City of Oakdale, and to the Oakdale District Chamber of Commerce.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the photographer for the taking of documentary pictures of the legislative process be permitted to take pictures on the floor of the Assembly today

Hon. Milton Marks Presiding

At 4 20 p m, Hon Milton Marks, Member of the Assembly from the 21st District, presiding.

RESOLUTIONS

The following resolution was offered

By Assemblyman Belotti

House Resolution No. 87

Relative to the display of the National Flag

WHEREAS, It has come to the attention of the Legislature that there is no provision for issue of the National Flag to the California State Military Reserve from federal sources; and

WHEREAS, A question exists as to the authority of the Military Department of California to provide and issue National Flags to such reserve, now, therefore, be it

Resolved by the Assembly of the State of California, That the Adjutant General is hereby directed to provide both National and State Flags to the California State Military Reserve, and to insure that the National Flag shall be displayed by such reserve whenever the State Flag is displayed, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Governor Edmund G Brown and the Adjutant General

Resolution read, and referred by the Acting Speaker to the Committee on Rules

Speaker pro Tempore Presiding

At 4 24 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Speaker Presiding

At 4 30 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

APPOINTMENT OF STANDING COMMITTEE

Speaker Unruh announced the activation and appointment of the Standing Committee on Constitutional Amendments, with the same membership as the Assembly Interim Committee on Constitutional Amendments

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that, when Assembly Constitutional Amendment No 1 is reported from the Committee on Revenue and Taxation, it will be re-referred to the Committee on Constitutional Amendments pursuant to Assembly Rule No 67.1.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Collier was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal·

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 17, 1963

Hon John L E. Collier
Assembly Chamber

State Property Taxes—No. 408

Question

DEAR MR COLLIER You have asked us whether Assembly Constitutional Amendment No. 1, as introduced, would preclude the Legislature from requiring the imposition of countywide taxes by county boards of supervisors for state public school district purposes as prepared by Assembly Bills Nos 2 or 8 or Senate Bill No 1 of the 1963 First Extraordinary Session of the Legislature

Opinion

No

Analysis

Assembly Constitutional Amendment No 1 would, among other things, add a Section 1 9 to Article XIII of the State Constitution to read as follows

> "1 9 The Legislature shall have no power to impose a *statewide* tax on real property, including but not limited to improvements, according to the value thereof." (Emphasis added)

The term "statewide" is not defined for the purposes of this proposed constitutional provision In the absence of such a definition it is to be presumed that such term is used in the ordinary and generally accepted sense (*Hammond* v *McDonald* (1942), 49 Cal App 2d 671, 684)

The term "statewide" is defined by Webster's to mean "Extending throughout the length and breadth of a state, including all parts of a state" (Webster's New International Dictionary, 2d Ed)

In view of this definition, we think that it is clear that the courts would construe the proposed Section 1 9 of the State Constitution to prohibit the Legislature from imposing a state tax on real property which would extend throughout the length and breadth of the State, including all parts of the State

The bills in question (A B 2, A B 8, and S B 1) would each require the board of supervisors of a county, except a county or city and county which comprises a single district with a prescribed tax rate, to levy and collect a tax in the county for state public school district purposes (see proposed Sec 20911, Ed C , as added by A B 2, A B 8, S B 1)

Since the tax which the bills would require to be levied in a county would be a separate and distinct tax which would not extend beyond the boundaries of the county, and the bills would not require certain counties and cities and counties to levy and collect such a tax, we

would conclude that the bills would not impose a state tax on real property which would extend throughout the State

Thus, it is our opinion that Assembly Constitutional Amendment No 1 would not preclude the Legislature from requiring the imposition of countywide taxes by county boards of supervisors for state public school district purposes as proposed by Assembly Bills No 2 or 8 or Senate Bill No. 1.

Very truly yours,

A C MORRISON, Legislative Counsel
By STANLEY M LOURIMORE, Deputy

Two copies to Hon Gordon H Winton, Jr, Hon Charles B Garrigus, and Hon Donald L Grunsky, pursuant to Joint Rule 34

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 7—Relative to the Citizens Advisory Commission on Revision of the California Constitution.

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 7?

Amendment No. 1

In the heading of the printed measure, insert
"(Coauthors Senators Burns, Dolwig, McCarthy, and O'Sullivan)"

Amendment No. 2

On page 1, strike out lines 5 to 13, inclusive, and insert "appoint a Constitutional Revision Commission to provide the joint committee and the Legislature with facts and recommendations relating to the revision of the Constitution of the State of California The commission shall consist of not less than 25, and not more than 50 citizens, excluding legislative members, and all of the nonlegislative members shall be appointed by the Joint Committee on Legislative Organization The members of the Joint Committee on Legislative Organization shall be ex officio members of the commission The commission shall, in addition, include three other Members of the Senate appointed by the Committee on Rules thereof, and three other Members of the Assembly, appointed by the Speaker thereof Not more than two of such other Members of the Senate and not more than two of such other Members of the Assembly shall be of the same party. Vacancies in the commission shall be filled by the respective appointing powers The commission membership shall be broadly representative of the various political, economic and social groupings within the State.

The commission shall select its own chairman, who may appoint an executive committee and such other committees as the commission shall determine The commission shall assist and advise the Joint Committee on Legislative Organization in its deliberations as to revision of the California Constitution and shall report its findings and recommendations to the Joint Committee on Legislative Organization from time to time The members of the commission shall serve without compensation but each member shall be allowed actual expenses incurred in the discharge of his duties, including travel expenses

The Joint Committee on Legislative Organization shall provide the commission with the necessary staff, equipment and supplies to carry on its work. All expenses of the commission including the expenses of its members both legislative and nonlegislative shall be paid from the money allocated to the Joint Committee on Legislative Organization from the Senate and Assembly Contingent Funds

The existence of the commission shall terminate 90 days after the termination of the 1965 Regular Session of the Legislature"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No 7 by the following vote

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown,

Cusanovich, Danielson, Dannemeyer, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Marks, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—71

NOES—None

Assembly Concurrent Resolution No. 7 ordered enrolled

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burton

House Resolution No. 88

Relative to the printing of code changes

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to authorize the Assembly Interim Committee on Social Welfare to compile and cause to be printed pamphlets showing the changes made at the 1963 Regular Session of the Legislature in Welfare and Institutions Code sections affecting public assistance programs for which federal funds are available and affecting the aid to the potentially self-supporting blind program.

Resolution read, and referred by the Speaker to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Rules reports

Assembly Joint Resolution No. 2

With the recommendation · Be adopted

BANE, Chairman

Request for Unanimous Consent

Mr Bane was granted unanimous consent to take up Assembly Joint Resolution No 2 without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 2

Assembly Joint Resolution No. 2—Relative to the primary place of business of Members of the California Legislature

Resolution read, and adopted by the following vote.

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, Marks, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, and Zenovich—72

NOES—None

Resolution ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER. Your Committee on Rules reports

Assembly Concurrent Resolution No 14

With the recommendation · Be adopted.

BANE, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER. Your Committee on Rules reports

Assembly Concurrent Resolution No 13

With amendments with the recommendation Amend, and be adopted, as amended

BANE, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER. Your Committee on Rules reports

House Resolution No 35

With amendments with the recommendation Amend, and be adopted, as amended

BANE, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 72
House Resolution No 73
House Resolution No 74
House Resolution No 77
House Resolution No 79
House Resolution No 80

With the recommendation Be adopted

BANE, Chairman

Above resolutions ordered on file

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER· Your Committee on Rules reports

House Resolution No. 70
House Resolution No 71
House Resolution No 78

With the recommendation That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr Lanterman was granted unanimous consent to take up House Resolution No 79 without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 79

By Assemblyman Lanterman:

House Resolution No. 79—Relative to the retirement of Don C McMillan, City Manager of the City of Pasadena

NOTE The full text of House Resolution No 79 appears at page 169 of the Assembly Daily Journal for July 22, 1963

Resolution read, and adopted

REQUEST FOR UNANIMOUS CONSENT

Mr Petris was granted unanimous consent to take up House Resolution No 72 without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 72

By Assemblymen Petris, Z'berg, Powers, and Greene

House Resolution No. 72—Relative to the International Boy Scout Jamboree in Athens, Greece

NOTE· The full text of House Resolution No 72 appears at page 155 of the Assembly Daily Journal for July 18, 1963

Resolution read.

Speaker pro Tempore Presiding

At 4.55 p m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Members Made Coauthors of House Resolution No. 72

Mr Petris was granted unanimous consent that all members so desiring be placed upon House Resolution No. 72 as coauthors

Roll Call

The following members indicated a desire to become coauthors·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—76.

NOES—None

The question being on the adoption of the resolution, as amended Resolution adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Williamson was granted unanimous consent that the following two opinions of the Legislative Counsel be ordered printed in the Journal

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 21, 1963

Hon John C Williamson
Assembly Chamber

Small Craft Harbor Revolving Fund—No. 511

Question

DEAR MR WILLIAMSON You have asked us whether, if Assembly Bill No 538 is enacted, the unappropriated balance of the money in the Small Craft Harbor Revolving Fund will revert, or be required to be transferred, to the General Fund at the end of each fiscal year?

Opinion

No

Analysis

Section 5882 of the Public Resources Code, at present, continuously appropriates all moneys in the Small Craft Harbor Revolving Fund to the Department of Parks and Recreation for the support of the department, the Division of Small Craft Harbors, and the Small Craft Harbors Commission for the purposes of the Small Craft Harbors Law, for a program which the division is authorized to develop regarding the operation of vessels, and for refunds The section, however, with certain exceptions, prohibits the expenditure of any money from the fund for the acquisition of real property for, and the construction

and development of, small craft harbors or for loans to local agencies unless a specific appropriation is made therefor by the Legislature (Secs 501 1 and 5882, P R C)

Assembly Bill No 538 would amend Section 5882 to read as follows.

"5882 All moneys in the Small Craft Harbor Revolving Fund shall be available *when appropriated by the Legislature* for expenditure by the Department of Parks and Recreation, the Division of Small Craft Harbors Commission for the purposes of this division [Small Craft Harbors Law] and Section 684 of the Harbors and Navigation Code, including refunds " (Emphasis added)

Under Section 5882, as it would be amended by Assembly Bill No 538, the money in the Small Craft Harbor Revolving Fund would no longer be continuously appropriated, but it would only be available for expenditure when specifically appropriated by the Legislature

Assembly Bill No 538 would not, however, require, nor are we aware of any provision of state law which would require, that the unappropriated balance of the money in the Small Craft Harbor Revolving Fund at the end of each fiscal year revert, or be transferred, to the General Fund

In the absence of any such provision in the bill or in the present law we would conclude that, if Assembly Bill No 538 is enacted, the unappropriated balance of the money in the Small Craft Harbor Revolving Fund will not revert or be required to be transferred, to the General Fund at the end of each fiscal year.

Very truly yours,

A. C MORRISON, Legislative Counsel
By STANLEY M LOURIMORE, Deputy

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 19, 1963

Hon. John C. Williamson
Assembly Chamber

Small Craft Harbor Revolving Fund—No. 495

Question

DEAR MR WILLIAMSON You have asked us whether, if Assembly Bill No 538 is enacted, the unused portion of any money appropriated from the Small Craft Harbor Revolving Fund will revert to the General Fund at the end of each fiscal year

Opinion

No

Analysis

Section 5882 of the Public Resources Code, at present, continuously appropriates all moneys in the Small Craft Harbor Revolving Fund to the Department of Parks and Recreation for the support of the department, the Division of Small Craft Harbors, and the Small Craft Harbors Commission for the purposes of the Small Craft Harbors Law, for

a program which the division is authorized to develop regarding the operation of vessels, and for refunds The section, however, with certain exceptions, prohibits the expenditure of any money from the fund for the acquisition of real property for, and the construction and development of, small craft harbors or for loans to local agencies unless a specific appropriation is made therefor by the Legislature (Secs 501 1 and 5882, P R C)

Assembly Bill No 538 would amend Section 5882 to read as follows

> "5882 All money in the Small Craft Harbor Revolving Fund shall be available *when appropriated by the Legislature* for expenditure by the Department of Parks and Recreation, the Division of Small Craft Harbors Commission for the purposes of this division [Small Craft Harbors Law] and Section 684 of the Harbors and Navigation Code, including refunds " (Emphasis added)

Under Section 5882, as it would be amended by Assembly Bill No 538, the money in the Small Craft Harbor Revolving Fund would no longer be continuously appropriated, but it would only be available for expenditure when specifically appropriated by the Legislature

Assembly Bill No 538 would not, however, affect the provisions of the state law which governs the availability of appropriations of state funds for expenditure These provisions are contained in Sections 16304 and 16304 1 of the Government Code *

Section 16304 of the Government Code provides, in part, that. "An appropriation shall be available for expenditure during the period specified therein, or, if not otherwise limited by law, for three years after the date upon which it first became available for expenditure "

Section 16304 1 of the Government Code now provides.

> "16304 1 *Upon the expiration of two years following the last day of the period of its availability, the undisbursed balance in any appropriation shall revert to and become a part of the fund from which the appropriation was made.* Subsequent to reversion any unpaid encumbrance against the appropriation may be paid, with the approval of the Board of Control, from any appropriations available for the same purpose." (Emphasis added)

Chapter 400, Statutes 1963, which will become effective September 20, 1963, will amend Section 16304 1 of the Government Code to read as follows:

> "16304 1 Disbursements in liquidation of encumbrances may be made before or during the two years following the last day an appropriation is available for encumbrance When-

* Amendments to these sections were enacted by Chapter 191, Statutes 1961 Section 3 of that act, however, provided that the amendments shall not become operative until designated regulations are adopted by the Director of Finance and become operative We have been advised by the Department of Finance that the regulations have not, as yet, been adopted by the Director of Finance The amendments to Sections 16304 and 16304 1 of the Government Code, which were enacted by Chapter 191, Statutes 1961, thus have not become operative

ever, during such two-year period, the Director of Finance determines that the project for which the appropriation was made is completed and that a portion of the appropriation is not necessary for disbursements, such portion shall, upon order of the Director of Finance, revert to and become a part of the fund from which the appropriation was made *Upon the expiration of two years following the last day of the period of its availability, the undisbursed balance in any appropriation shall revert to and become a part of the fund from which the appropriation was made* Subsequent to reversion any unpaid encumbrance against the appropriation may be paid, with approval of the Board of Control, from any current apppropriations available for the same purposes

"To the extent that appropriations are exempt from limitations as to periods of availability under Section 16304, they shall not be subject to the provisions of this section." (Emphasis added)

It would appear clear from Section 16304 1 of the Government Code, both as it now reads, and as it will be amended by Chapter 400, Statutes, 1963, that the unused portion of any money appropriated from the Small Craft Harbor Revolving Fund will, at the expiration of two years following the last day of the period of its availability, revert to and become a part of the fund from which the appropriation was made, the Small Craft Harbor Revolving Fund

Thus, we would conclude that, if Assembly Bill No 538 is enacted, the unused portion of any money appropriated from the Small Craft Harbor Fund will not revert to the General Fund at the end of each fiscal year.

Very truly yours,

A C MORRISON, Legislative Counsel
By STANLEY M LOURIMORE, Deputy

RESOLUTIONS

The following resolutions were offered

By Assemblymen Meyers, Foran, Marks, Gaffney, and Burton.

House Resolution No 89

Relative to the 25th Anniversary of the May Day Festival of the Parkside Improvement Club

WHEREAS, The Parkside Improvement Club was organized in San Francisco in 1908 to bring to the Parkside District of San Francisco many needed municipal services, and

WHEREAS, Through foresight, skillful planning and diligent effort the Parkside Improvement Club has brought to the San Francisco Parkside District adequate transportation, street lights, sewers, telephone service daily mail service, schools and various other improvements, and

WHEREAS, The Parkside Improvement Club celebrated the 25th Anniversary of its May Day Festival on May 5, 1963, and

WHEREAS, The annual May Day Festival, which was started under the leadership of Russell A Powell and Ray Schiller, has attained great popularity, and

WHEREAS, One of the highlights of the festival is the selection of the May Day Queen, and it was appropriate that this year's queen was Laura Shales, six years old, whose mother, Barbara Caselli Shales, was the first May Day Queen 25 years ago and that many former May Day Queens were present and were presented with corsages by Mrs Schiller, widow of Ray Schiller; and

WHEREAS, The May Day Festival is participated in by many residents of the Parkside District, including all of the dancing schools in the area and the Lincoln High School R O T C ; now, therefore, be it

Resolved by the Assembly of the State of California, That its members congratulate the Parkside Improvement Club upon the 25th Anniversary of its May Day Festival, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Parkside Improvement Club of San Francisco, Mr Russell A Powell, Mrs Ray Schiller, widow of Ray Schiller, Mrs Barbara Caselli Shales, and Miss Laura Shales

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Meyers, Marks, Foran, Gaffney, and Burton

House Resolution No. 90

Congratulating Ruth Church Gupta

WHEREAS, The Members of the Legislature have recently learned of the election of Mrs Ruth Church Gupta as President of the 15,000-member California Federation of Business and Professional Women's Clubs, and

WHEREAS, Ruth Church Gupta is presently engaged in private law practice in San Francisco with her husband, Kamini K Gupta, and

WHEREAS, Mrs Gupta is a past president of the San Francisco Council of District Merchants Association and is active in many other civic associations, and

WHEREAS, She is well known to the people of her community and the State for her many activities on behalf of the working woman, and

WHEREAS, As legislative representative for the State Federation of Business and Professional Women's Clubs, she has put in thousands of hours at Sacramento as champion of such causes as equal pay for equal work, and equal inheritance tax laws for men and women, and

WHEREAS, One of her present goals is the promotion of women for nonpartisan local office, and

WHEREAS, Mrs Gupta is to be commended for her diligent and devoted services to the many civic and community programs in which she has participated, now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereby extend to Ruth Church Gupta their heartiest congratulations on her selection as President of the California Federation of Business and Professional Women's Clubs, and wish her continued success in her future activities, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs Ruth Church Gupta

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Meyers, Foran, Marks, Gaffney, and Burton.

House Resolution No. 91

Relating to the 187th Birthday Ceremonies of San Francisco

WHEREAS, On June 29, 1963 the people of San Francisco celebrated the 187th Birthday of that fair city in ceremonies sponsored by the California Historical Society and Citizens' Committee, and

WHEREAS, On June 29, 1776, the first permanent colonists under the leadership of Captain Jose Joaquin Moraga and Fray Francisco Palou arrived and held the first mass in a rough brush chapel, and

WHEREAS, An anniversary mass was held by the Most Reverend Merlin J Guilfoyle, Auxiliary Bishop of San Francisco and pastor of Mission Dolores, on Saturday, June 29, 1963, and

WHEREAS, Additional birthday ceremonies were conducted in the Presidio which was named by Colonel Juan Bautista de Anza the founder of San Francisco, including a birthday luncheon, a concert by the Sixth Army Band and a cake cutting ceremony, and

WHEREAS, Author Oscar Lewis was the honored recipient of the Laura Bride Powers Memorial Award in recognition of his service enhancing the general interest and historic renown of the Great City of San Francisco, and

WHEREAS, The final ceremony consisting of the laying of a wreath on the Serra Statue at the Music Concourse in Golden Gate Park and a concert of Spanish

music and pageantry, sponsored by the Native Sons and Daughters of the Golden West, was held on Sunday, July 7, 1963, now, therefore, be it

Resolved by the Assembly of the State of California, That the people of San Francisco be congratulated on the 187th Birthday of their fine city, and that the California Historical Society and Citizens' Committee and the Native Sons and Daughters of the Golden West be commended for the imaginative and colorful ceremonies which they sponsored, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Most Reverend Merlin J Guilfoyle, Reverend Hans Ludwig Wagner, the Honorable John J Ferdon, Mrs George A Applegarth, Albert T Shumate, M D, Alexander T Leonard, M D, Mrs William L Hatch, the Honorable George Christopher Lieutenant General John L Ryan, Jr, USA, Colonel William S McElhenny, USA, Miss Patricia Oliver Vallejo McGettigan, the Reverend Lionel Moroney, Henry M Bowles, Mrs James Thum, Mrs Lee Brice, Joseph Oeseliger, Emmett P Joy, the California Historical Society, and the Citizens' Committee

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Casey, Meyers, and Belotti.

House Resolution No. 92

Relative to commending Grace Stall, Chief Assembly Stenographer, and her staff

WHEREAS, During the recent 1963 Regular Session of the Legislature, the fine work of Grace Stall, Chief Assembly Stenographer, and her hard working staff of stenographers was of inestimable value to the Legislature, and

WHEREAS, The printed word is an essential part of the legislative process and thus an efficient, effective stenographic pool is an essential feature in the smooth functioning of the Legislature of this State; and

WHEREAS, Ably led by Mrs Stall and her two assistants, Madeline Alberti and Norlene LeGate, the Assembly Stenographic Pool repeatedly accomplished prodigious amounts of work in very short periods of time and for long hours each day, and

WHEREAS, To recruit and organize a new staff so soon after the 1963 Regular Session to handle the problems of the 1963 First Extraordinary Session placed a tremendous burden upon Mrs Stall which she handled in her outstandingly efficient manner, now, therefore, be it

Resolved by the Assembly of the State of California, That the members extend to Grace Stall and her staff their sincere appreciation and thank them for a job well done, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs Grace Stall

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Ways and Means reports

Assembly Bill No 17
Assembly Bill No 18
Assembly Bill No 25

With the recommendation Do pass

CROWN, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Ways and Means reports

Senate Bill No 6

With the recommendation Do pass

CROWN, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT

Mr. Donovan was granted unanimous consent to take a picture on the floor of the Assembly while the Assembly is in session

RESOLUTIONS

The following resolution was offered

By Assemblymen Porter, Unruh, Deukmejian, Gonsalves, Ferrell, Kennick, Moreno, and Thomas

House Resolution No. 93

Relative to congratulating Colonel C. S Smith and the Herald American Newspapers on the opening of new production facilities in Bellflower

WHEREAS, It has come to the attention of the Assembly that the Herald American Newspapers have added a new 80-page rotary color press and production plant in the City of Bellflower, at 9834 Flower Street, to augment the two large rotary presses at the newspaper's Compton facility, and to better serve the growing readership of these newspapers; and

WHEREAS, The new press and production plant, including advertising and editorial offices, will be officially opened on August 21, 1963, and

WHEREAS, The Herald American Newspapers were founded in the City of Compton in 1933 by Colonel C. S Smith, and

WHEREAS, The Herald American Newspapers, under the dedicated personal leadership of Colonel Smith, have grown into one of the largest and finest community newspaper groups in the Nation and now serve the Cities of Compton, Lynwood, Bellflower, North Long Beach, Norwalk, Downey, Lakewood, Los Altos, Paramount, La Mirada, Wilmington, Harbor City, Dominguez, Artesia, Signal Hill, Victoria Park, Avalon Village, Rossmoor, Santa Fe Springs, Willowbrook and Watts; and

WHEREAS, The Herald American Newspapers have expanded rapidly in recent years through the frequent introduction of new editions and construction of additional production facilities to keep pace with the vigorous growth of the southern cities and harbor area of Los Angeles County, and

WHEREAS, The Herald American Newspapers are published on Thursdays and Sundays with individual offices located in Compton, Lynwood, Bellflower, Lakewood-Long Beach, Downey and Compton; and

WHEREAS, The Herald American Newspapers and President and Publisher Smith have produced a long and distinguished record of community service in the highest tradition of American journalism, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their heartiest congratulations to Colonel C S Smith and the Herald American Newspapers on the addition of these fine new facilities in Bellflower and express their good wishes for continued growth and success, and, be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Colonel C S Smith

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

Hon. Richard J Donovan Presiding

At 5 12 p m, Hon. Richard J. Donovan, Member of the Assembly from the 77th District, presiding

Speaker pro Tempore Presiding

At 5 15 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

PARLIAMENTARY INQUIRY

Mr Mulford arose to the following parliamentary inquiry: Will the members receive explanations of the committee amendments to the Budget Bill so that they will be aware of the changes made by the committee?

Speaker Presiding

At 5 20 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

Reply by Speaker

The Speaker directed the inquiry to Mr Crown, who replied that the explanations would be supplied

ANNOUNCEMENT

Mr Mulford announced a Republican Caucus at 9 a m tomorrow morning, July 24, 1963

PARLIAMENTARY INQUIRY

Mr Conrad arose to the following parliamentary inquiry: During consideration of the Budget Bill tomorrow will the consideration of amendments which add more than 25 words be permitted without the necessity of placing copies thereof on the members' desks?

Reply by Speaker

The Speaker replied that such would be the procedure, and that those provisions of Rule No 77 would not be invoked.

Parliamentary Inquiry

Mr Chapel arose to the following parliamentary inquiry· Will the members have an opportunity to consider the Budget Bill item by item?

Reply by Speaker

The Speaker replied that, since the bill is relatively short, such procedure would not be necessary

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that there would be no further attempt to amend the withholding tax into any bill before this House

REQUEST FOR UNANIMOUS CONSENT

Mr Porter was granted unanimous consent to take up Assembly Concurrent Resolution No 13 without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

Assembly Concurrent Resolution No. 13—Relative to a joint interim study of the cost of weekend and holiday guides in the Capitol Building

Resolution read

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted·

Amendment No. 1

On page 1, line 17, of the printed measure, strike out "Rules Committees of both", and strike out lines 18 and 19, and insert "Joint Committee on Legislative Organization is directed to study, investigate, and report on,"

Amendment No. 2

On page 1, line 22, strike out "to direct such interim committee"

Resolution ordered reprinted, and engrossed.

ANNOUNCEMENT

Mr Mills announced a Democratic Caucus on adjournment, in the Assembly Lounge.

APPROVAL OF JOURNALS

On motion of Mr Waldie, the Assembly Daily Journals for Monday, July 15, 1963; Tuesday, July 16, 1963; Wednesday, July 17, 1963; and Thursday, July 18, 1963, were approved, as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 25

Mrs Davis was granted unanimous consent to take up Assembly Bill No 25 without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO 25

Assembly Bill No. 25—An act to add Section 251 to the Fish and Game Code, to preserve the revenues of the Department of Fish and Game by continuing the regulations of the Fish and Game Commission, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Resolution to Dispense With Constitutional Provision

The following resolution was offered

By Mrs Davis.

Resolved, That Assembly Bill No 25 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage

Resolution read

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

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Dannemeyer, Davis, Deukmejian, Dills, Donovan, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stevens, Thelin, Thomas, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Young, Zberg, Zenovich, and Mr Speaker—67

NOES—None

Article IV, Section 15 of the Constitution was declared dispensed with

Assembly Bill No. 25—An act to add Section 251 to the Fish and Game Code, to preserve the revenues of the Department of Fish and Game by continuing the regulations of the Fish and Game Commission, 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—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Cusanovich, Dannemeyer, Davis, Denkmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Waite, Waldie, Warren, Whetmore, Williamson, Young, Z'berg, Zenovich, and Mr Speaker—70

NOES—None

The question being on the passage of the bill

Bill passed by the following vote·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Burgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Cusanovich, Dannemeyer, Davis, Denkmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Waite, Waldie, Warren, Whetmore, Williamson, Young, Z'berg, Zenovich, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER· Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No 14

And reports the same correctly engrossed

POWERS, Chairman

Above resolution ordered on file

Committee on Ways and Means

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Ways and Means reports

Assembly Bill No 5

With amendments with the recommendation · Amend, and do pass, as amended

CROWN, Chairman

Above bill ordered to second reading

SECOND READING OF ASSEMBLY BILL NO. 5 (BY UNANIMOUS CONSENT)

Assembly Bill No. 5—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2 2 A, 2 25 A, 2 3 A, 10 2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

(Item .5)
Amendment No. 1

On page 2, after line 8, of the printed bill, insert

" 5—For contingent expenses of the Assembly including personal services for officers, clerks and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly, in augmentation of Item 8, Section 2, Budget Act of 1963 ..... 125,000"

(Item 2.1)
Amendment No. 2

On page 2, after line 18, insert

"2 1—For support of Poultry Improvement Commission, in carrying out the functions of the commission relating to turkey testing, payable from the Poultry Testing Project Fund, in augmentation of Item 41, Section 2, Budget Act of 1963, in accordance with the following schedule 34,500

Schedule

(a) Personal Services	19 143
(b) Operating Expenses and Equipment	15,357
Total of schedule	34,500"

(Item 2.2)
Amendment No. 3

On page 2, after line 18, insert

"2 2—For augmentation of the Poultry Testing Project Fund 17,997
to be transferred by the State Controller to the Poultry Testing Project Fund "

(Item 3)
Amendment No. 4

On page 2, line 32, strike out "384,577", and insert "504,577"

Amendment No. 5

On page 2, line 43, strike out "3,551", and insert "72,551"

Amendment No. 6

On page 2, line 44, strike out "5,343", and insert "56,343"

Amendment No. 7

On page 3, line 7, strike out "384,577", and insert "504,577"

(Item 6 5)
Amendment No. 8

On page 3, after line 51, insert

"6 5—For an evaluation study of time and motion studies of farm labor designed to provide the basis for improving the productiveness of farm workers, University of California, exempt from Section 31 of this act ..... 25,000"

(Item 7)
Amendment No. 9

On page 4, line 8, strike out "1,704,943", and insert "1,210,943"

Amendment No. 10

On page 4, strike out line 10

Amendment No. 11

On page 4, line 18, strike out "1,704,943", and insert "1,210,943"

(Items 9-21)
Amendment No. 12

On page 4, strike out lines 28 through 49, inclusive; on page 5, strike out lines 2 through 49, inclusive, on page 6, strike out lines 2 through 45, inclusive, and on page 7, strike out lines 2 through 30, inclusive.

(Item 23)

Amendment No. 13

On page 7, strike out lines 40 through 48, inclusive

(Item 26)

Amendment No. 14

On page 8, line 26, strike out "50,000", and insert "411,944"

Amendment No. 15

On page 8, line 29, strike out "50,000", and insert "411,944"

Amendment No. 16

On page 8, line 31, strike out "50,000", and insert "411,944"

(Item 26.1)

Amendment No. 17

On page 8, after line 22, insert

"26.1—For the payment of severance pay, upon the completion of the San Pedro-Terminal Island Toll Bridge and the discontinuance of the operation of the existing ferry system between San Pedro and Terminal Island operated by the Harbor Department of the City of Los Angeles, by the Department of Public Works to each city employee employed in connection with the operation of such ferry system who is laid off from employment by the city as a result of the construction and operation of the toll bridge and the discontinuance of the ferry system, an amount equal to one month's pay for each year of service in connection with such ferry system up to a maximum of 15 years, the sum of $50,000, or so much thereof as may be necessary, payable from the Motor Vehicle Transportation Tax Fund

These funds shall not be used to pay severance pay to any city employees who are offered permanent employment and who become permanent employees of any state agency under the following conditions:

1. The rate of pay shall be substantially the same as that received at the time operations are discontinued

2. The place of employment shall be within a radius of 50 miles of San Pedro unless the employee, at his option, accepts employment at a place outside said 50-mile radius

Any employee who accepts employment with a state agency and whose employment is terminated by said agency prior to the expiration of his probationary period for any reason which is the fault of said employee shall not be entitled to severance pay

An employee eligible for retirement under the City Employees' Retirement System of the City of Los Angeles and accepts such retirement shall not be entitled to severance pay"

(Item 27)

Amendment No. 18

On page 8, line 35, strike out "117,269", and insert "75,000"

Amendment No. 19

On page 8, line 37 strike out "77,245, and insert "39,276"

Amendment No. 20

On page 8, line 39, strike out "40,024", and insert "35,724"

Amendment No 21

On page 8, line 41, strike out "117,269", and insert "75,000"

(Item 28)

Amendment No. 22

On page 8, line 45, strike out "5,000", and insert "29,980"

Amendment No. 23

On page 8, after line 46, insert

"(a) Personal Services ..... 18,360"

Amendment No. 24

On page 8, line 48, strike out "5,000", and insert "11,620"

Amendment No. 25

On page 8, line 50, strike out "5,000", and insert "29,980"

(Item 30 5)

Amendment No. 26

On page 9, after line 21, insert

"30 5—For expenditure by the Department of Public Works for investigating and planning landslide remedial measure projects which will afford protection to state highways, payable from the School Land Fund 240,000

provided, that no money shall be expended from this appropriation for the investigation and planning of any project unless and until a county, city, or district has executed an agreement with the department under which it agrees to repay the amount expended by means of deferred payments within 25 years, with repayments to be made in such amounts and at such times as specified, together with a charge fixed by the Pooled Money Investment Board in an amount estimated by it to equal the revenue which the State would have derived by investing the total deferred payment at the interest rate prevailing for legal state investments at the time the money was expended All money received from the county, city, or district shall be deposited in the State Treasury to the credit of the School Land Fund"

(Item 31 5)

Amendment No. 27

On page 9, after line 31, insert

"31 5—For transfer to the Water Resources Revolving Fund to be transferred by the State Controller in such amounts as the Department of Finance may authorize for support of the Department of Water Resources for a final feasibility study for actual construction on the Box Canyon Project on the Sacramento River in the County of Siskiyou ..... 75,000".

(Item 35)

Amendment No. 28

On page 10, strike out lines 5 through 51, inclusive, and on page 11, strike out lines 2 through 33, inclusive

(Item 35.1)

Amendment No. 29

On page 11, after line 33, insert

"35 1—For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service whose compensation, or a portion thereof, is chargeable to the General Fund, the increase in compensation provided for in any increased salary range or rate including retirement contributions established during the 1963-64 fiscal year by a salary-fixing authority 4,883,391

provided, that money made available by this item shall be allocated to provide for increase in salary ranges only for the occupational groups of correctional officer, psychiatric technician, medical technical assistant, food and personal service and nurse, provided further, that increases shall not be granted to classes with salary ranges on June 1, 1963, which have a maximum in excess of $510 per month, provided further, that increases in compensation provided by increased salary ranges or rates established during the 1963-64 fiscal year shall not result in total annual salary increases of more than $5,327,316

For state officers and employees whose compensation or portion thereof, is chargeable to special funds, there is hereby appropriated from each special fund, to which such compensation is chargeable, an amount sufficient to provide increases in

compensation including retirement contributions for each such officer or employee, in accordance with this item, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes."

(Item 35.2)

Amendment No. 30

On page 11, after line 33, insert

"35.2—For university salary increases, to be allocated by the Department of Finance to the Regents of the University of California, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range established during the 1963-64 fiscal year by the regents ---------- 588,500

provided, that increase in compensation provided by increased salary ranges established during the 1963-64 fiscal year shall not result in total annual salary increases of more than $642,000

Allocations to the University of California shall be made by the Department of Finance upon certification by the regents that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment including the California state services."

(Item 35.3)

Amendment No. 31

On page 11 after line 33, insert

"35.3—For California state colleges' salary increases, to be allocated by the Department of Finance to the Trustees of the California State Colleges, in augmentation of appropriations for support or for other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range established during the 1963-64 fiscal year by the Trustees of the California State Colleges ---------- 46,750

provided, that increases in compensation provided by increased salary ranges established during the 1963-64 fiscal year shall not result in total annual salary increases of more than $51,000

Allocations to the Trustees of the California State Colleges shall be made by the Department of Finance upon certification by the Trustees of the California State Colleges that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment including the California state services, provided, that such allocations may be further allocated or reallocated upon order of the Trustees of the California State Colleges to state colleges."

(Item 36)

Amendment No. 32

On page 11, line 43, strike out "3,700,000", and insert "3,391,667"

Amendment No. 33

On page 11, strike out line 48, and insert "$3,700,000"

(Item 37)

Amendment No. 34

On page 12, line 17, strike out "2,900,000", and insert "2,658,334"

Amendment No. 35

On page 12, strike out line 22, and insert "$2,900,000"

(Item 38)

Amendment No. 36

On page 12, strike out lines 35 through 48, inclusive, and on page 13, strike out lines 2 through 20, inclusive

(Item 39)

Amendment No. 37

On page 13, strike out lines 21 through 43, inclusive.

(Item 40)

Amendment No. 38

On page 14, line 18, after "the", insert "State, its"

(Item 41.5)

Amendment No. 39

On page 14, after line 36, insert

"41 5—For augmentation of Service Revolving Fund in augmentation of Item 291, Section 2, Budget Act of 1963, to be transferred by the State Controller in such amounts as the Department of Finance may authorize for purchase and modification and expense related to operation, of an executive airplane..... 475,000".

(Item 47.5)

Amendment No. 40

On page 16, after line 7, insert

"47 5—For capital outlay, California Museum of Science and Industry in augmentation of Item 338, Section 2 1, Budget Act of 1963, in accordance with the following schedule..... 200,000

Schedule

(b) Construct Hall of Health.....	200,000
Total of schedule	200,000"

(Item 48 5)

Amendment No. 41

On page 16, after line 15, insert

"48 5—Of the amount appropriated by Section 10 7 of the Budget Act of 1963, $95,000 may be expended by the Military Department for construction of an armory at Porterville"

(Item 50)

Amendment No. 42

On page 17, line 6, strike out "1,000,000", and insert "800,000"

(Item 51.5)

Amendment No. 43

On page 17, after line 51, insert

"51 5—For site acquisition, to be expended by the Trustees of the California State Colleges for the acquisition of the following described real property approximately 17 acres along Zelzah Avenue, lying between the south boundary of state property formerly known as the 51st District Agricultural Association Fair Grounds and the north line of the campus of San Fernando Valley State College in the City of Los Angeles, payable from the State Construction Program Fund..... 500,000 provided, that the appropriation made by this item shall be in lieu of, and no expenditures shall be made from, the appropriation contained in Section 3 of Assembly Bill No 2490 of the 1963 Regular Session It is the intent of the Legislature in making this appropriation that an amount equal or nearly equal thereto will be reimbursed to the State Construction Program Fund in accordance with the provisions of Section 2 of "An act authorizing the acquisition and disposal of real property by the State, and making an appropriation therefor," as proposed to be enacted by Assembly Bill No 2490 of the 1963 Regular Session, which provides that all money received from the sale of the property described in said Section 2 shall be paid into the State Construction Program Fund, except that any costs or expenses necessarily incurred in the sale shall be reimbursed from the proceeds of sale"

(Item 56)

Amendment No. 44

On page 18, strike out lines 42 through 51, inclusive

(Item 56.5)
Amendment No. 45

On page 18, after line 51, insert

"56 5—For capital outlay for junior colleges, to the Department of Education for expenditure pursuant to Chapter 6 (commencing with Section 25546 01) of Division 18 5 of the Education Code, as added by Senate Bill No 1515 of the 1963 Regular Session, payable from the State Construction Program Fund..... 20,000,000
provided, that the appropriation made by this item shall be in lieu of, and no expenditure shall be made from, the appropriation of $20,000,000 from the State Construction Program Fund contained in Section 2 of Chapter 1790 of the Statutes of 1963 (S B 1515 of the 1963 Regular Session) "

(Item 67)
Amendment No. 46

On page 21, after line 51, insert

"67—For loan to cities, counties, or districts pursuant to Section 5827 of the Public Resources Code, Department of Parks and Recreation, Division of Small Craft Harbors, payable from the Small Craft Harbor Revolving Fund..... 75,000"

(Item 68)
Amendment No. 47

On page 21, after line 51, insert

"68—For grants to cities, counties, or districts pursuant to Section 5865 of the Public Resources Code, Department of Parks and Recreation, Division of Small Craft Harbors, payable from the Small Craft Harbor Revolving Fund..... 250,000"

(Sec. 7.5)
Amendment No. 48

On page 22, after line 8, insert

"SEC 7 5 In addition to any other money provided therefor, not to exceed forty-five thousand dollars ($45,000) of the amount heretofore appropriated for the contingent expenses of the Senate and Assembly may be expended for the expenses of the Citizens Advisory Commission appointed by the Joint Committee on Legislative Organization to assist the committee in its studies of revision of the California Constitution"

Bill ordered reprinted, and engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 6

Unanimous consent was granted to take up Senate Bill No 6 without reference to file, and that the bill be read the second time

CONSIDERATION OF SENATE BILL NO. 6

Senate Bill No. 6—An act to amend Sections 18433, 18553, 18597, 18686, 18687, 18688, and 18831, and to repeal Sections 18552, 18598, and 18599, of the Revenue and Taxation Code, relating to the payment of personal income taxes

Bill read second time, and ordered to third reading.

Speaker pro Tempore Presiding

At 5 28 p m , Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Belotti of Eureka to Mrs Fred Baulden and Sharon Baulden of Fairfield, and Don Latona of Fresno

On request of Mr Powers of North Sacramento to Mr Burt Liebert of Sacramento.

On request of Mr Conrad of Sherman Oaks to Mr and Mrs Max H Voyce and sons, Russell and Kenneth Voyce, of Tarzana

On request of Mr Lunardi of Roseville to William De Wood of Roseville

On request of Mr. Gonsalves of Dairy Valley to Stan Powell of Norwalk

On request of Mr Ferrell of Los Angeles to Mr and Mrs Fernanda Ellis and son, of Los Angeles

On request of Mr. Stevens of Los Angeles to Miss Barbara Bullock of Santa Monica

On request of Mr Rumford of Berkeley to Leverett Smith, Hugh Spitzer, David Smith, Margaret Smith, Mrs Ralph I Smith and Malcolm Smith of Berkeley, and Nancy Gunn of Kensington

ADJOURNMENT

At 5 30 p m, on motion of Mr Waldie, the Speaker pro Tempore declared the Assembly adjourned until 9 30 a m, Wednesday, July 24, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, July 24, 1963

The Assembly met at 9 30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk William Greene reading

ROLL CALL

The roll was called

Call of the Assembly

Mr Waldie moved a call of the Assembly
Mr Bane seconded the motion
Motion carried Time, 9 43 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members

Call of the Assembly Dispensed With

At 9 52 a m , on motion of Mr Waldie, further proceedings under the call of the Assembly were dispensed with.

The morning roll call was completed, and the following answered to their names

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Deukmejian, Dills, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Wilson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—78

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Rev. Michael Anderson, Minister to College Students, Fremont Presbyterian Church.

O God, As we reflect upon our lives of constant conflict, perpetual threat of anxiety, shaking foundations, and unknown tomorrows, we readily admit the insufficiency of ourselves apart from Thee

In hope we pray for the peace of this world Guide our Nation in the way of truth and peace, so that we may never fail in the blessing which Thou hast promised to that people whose God is Lord

In sorrow we pray for deliverance from the demonic alienation at work in our Nation where we are at enmity with ourselves, our brothers, with our Lord, where we express contempt for small things and worship glamorous things, our cowardly disconcern for those of lesser privilege, and our prideful patronage of those of higher privilege

In joy we pray for faith, which works through abundant love, and for creative existence which works through faith, through Jesus Christ, our Lord —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr. Dannemeyer then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Ferrell, seconded by Mr Greene

LEAVES OF ABSENCE

The following member was granted leave of absence for the morning session, because of legislative business elsewhere

Mrs. Davis, on motion of Mr Waldie

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

Mr Milias, on motion of Mr. Conrad

RESOLUTIONS

The following resolution was offered

By Assemblyman Dannemeyer

House Resolution No 94

Relative to a study of the subject of establishing public technical, agricultural and natural resource conservation schools

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the establishment, by the State, or local school districts of technical, agricultural and natural resource conservation schools, with the essential purpose of providing education and training for young people to ameliorate the harmful consequences of the growing school pupil dropout rate, and to provide such youth with useful skills so necessary for effective citizenship in the complex modern society, with such committee to report its findings and recommendations thereon to the Assembly on or before the fifth legislative day of the 1965 Regular Session

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 13
And reports the same correctly engrossed

POWERS, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, July 24, 1963

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 5
And reports the same correctly engrossed

POWERS, Chairman

Above bill ordered to third reading

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 17—An act to add Chapter 5 (commencing with Section 10301) to Division 8 of, and to amend Section 18106 of, the Education Code, relating to specialized teaching materials.

Bill read second time, and ordered engrossed

Assembly Bill No. 18—An act to amend Sections 18102 and 18103 of the Education Code, relating to allocations for blind pupils

Bill read second time, and ordered engrossed.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 13—Relative to a joint interim study of the cost of weekend and holiday guides in the Capitol Building

Resolution read, and adopted
Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 14—Relative to improving employment opportunities of older persons

Resolution read, and adopted
Resolution ordered transmitted to the Senate

Consideration of House Resolution No. 35

By Assemblyman Moreno

House Resolution No. 35—Relating to requesting the Attorney General of the State of California to appear as Amicus Curiae in any suit filed in Imperial County wherein there might be possible violations of the civil rights of certain citizens

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No. 1

On page 1 of the printed measure, as printed on page 63 of the Assembly Journal for July 15, 1963, strike out the third "WHEREAS" clause

Consideration of House Resolution No. 35, as Amended

By Assemblyman Moreno

House Resolution No. 35

Relating to requesting the Attorney General of the State of California to appear as Amicus Curiae in any suit filed in Imperial County wherein there might be possible violations of the civil rights of certain citizens

WHEREAS, It has come to the attention of the Legislature that an action has been filed in Imperial County for the removal of a number of citizens from the registration lists on the ground that they are unable to read and comprehend the California Constitution, and

WHEREAS, Article II, Section 1 of the California Constitution establishes the qualifications necessary to the right to vote as being able to read the Constitution in the English language and write his or her name; and

WHEREAS, There is a great and urgent need to protect the electorate's right to vote, now, therefore, be it

Resolved by the Assembly of the State of California, That the Attorney General of the State of California be respectfully requested to appear as Amicus Curiae in any suit filed in Imperial County involving the right to vote

Resolution read, as amended, ~~and adopted~~

NOTE—Later this day, the action was rescinded whereby House Resolution No 35 was adopted *See* page 208

Consideration of House Resolution No. 73

By Assemblyman Stanton:

House Resolution No. 73—Relative to the improvement of a state highway.

NOTE: The full text of House Resolution No 73 appears at page 160 of the Assembly Daily Journal for July 22, 1963.

Resolution read, and adopted

Consideration of House Resolution No. 74

By Assemblyman Henson:

House Resolution No. 74—Relating to congratulating the Police Department of the City of Ventura.

NOTE. The full text of House Resolution No 74 appears at pages 160 and 161 of the Assembly Daily Journal for July 22, 1963

Resolution read, and adopted.

Consideration of House Resolution No. 77

By Assemblymen Kennick and Belotti·

House Resolution No. 77—Relative to improving employment opportunities of older persons.

NOTE· The full text of House Resolution No 77 appears at page 163 of the Assembly Daily Journal for July 22, 1963.

Resolution read, and adopted.

Consideration of House Resolution No. 80

By Assemblyman Burton·

House Resolution No. 80—Commending the Bayview Neighborhood Center.

Resolution read

Motion to Amend

Mr Burton moved the adoption of the following amendment·

Amendment No. 1

In the second *"Resolved"* clause of the measure, as printed on pages 169 and 170 of the Assembly Daily Journal for July 22, 1963, lines 9 and 10, strike out "Dr Carlton Goodlett, Daisy Larente, Dr Nathaniel Burbridge, Eloise Gadsen, Doris R Thomas,".

Amendment read, and adopted

Consideration of House Resolution No 80, as Amended

By Assemblyman Burton

House Resolution No. 80

Commending the Bayview Neighborhood Center

WHEREAS, The Bayview Neighborhood Center in San Francisco is an outstanding example of a voluntary citizens civic organization dedicated to helping all persons with respect to housing, employment, education, and the many other problems wherein neighbors can lend each other a helping hand, and

WHEREAS, Ably led by a staff of unpaid officers, particularly Mrs Ardath Nichols its executive director, the Center has over the past nine years contributed immeasurably to the well-being and future happiness of the people of San Francisco's Hunter's Point-Bayview area; and

WHEREAS, Over the years the Center has initiated many worthwhile programs, including those of arranging to have college students help students through study halls, including local employers to employ local people, attempting to solve housing needs of low income families, helping register voters in the area and increasing voter turnout at elections, and fostering community activities at a building purchased by the Center to aid in its endeavors, now, therefore, be it

Resolved by the Assembly of the State of California, That its members commend the Bayview Neighborhood Center for its many fine activities on behalf of the citizens of the Hunter's Point-Bayview area of San Francisco and extend to the Center every good wish in its future endeavors, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Bayview Neighborhood Center at 1201 Mendell in San Francisco, to each of the following officers Benjamin Criswell, President, Ardath Nichols, Executive Director, William Hammons, Vice President; Ethel Garlington, Secretary, Essie Webb, Assistant Secretary, and to each of the following members of the Board of Directors of the Center· Tena Watkins, Sam Jordan, Dr Arthur Coleman, Mrs Julia Conmer, Attorney Valena Ellis, Eloise Westbrooks, Ruth Williams, Marcelle Cashmere, Mrs Burdette, Attorney James Herndon, Enoch Cole, Leroy Jackson, Jesse Johnson, the Reverend R J Johnson, Calvin Jones, Ethel Kay, Orville Luster, Percy Moore, the Reverend Robert Morgan, Oceola Washington, Joseph Malmstrom and Emmitt Watkins

Resolution read, as amended, and adopted

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 24 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 17
Assembly Bill No 18

And reports the same correctly engrossed

POWERS, Chairman

Above bills ordered to third reading

STATEMENT BY MR. MULFORD

Mr Mulford apologized to the Speaker pro Tempore and the Democratic Members of the Assembly for the delay in proceedings this morning, occasioned by the lateness of the Republican Caucus

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 6—An act to amend Sections 18433, 18553, 18597, 18686, 18687, 18688, and 18831, and to repeal Sections 18552, 18598, and 18599, of the Revenue and Taxation Code, relating to the payment of personal income taxes

Bill read third time, and presented by Mr Petris

Bill passed by the following vote.

AYES—Alquist, Bagley, Bane, Bee, Beilenson, Belotti, Booth, Burton, Carrell, Casey, Crown, Danielson, Danneneyer, Dills, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Veneman, Waldie, Warren, Williamson, Wilson, Young, Z'berg, Zenovich, and Mr Speaker—54

NOES—Ashcraft, Badham, Barnes Burgener, Collier, Cologne, Conrad, Cusanovich, Donovan, Holmes, Lanterman, Mulford, Pattee, Stevens, Thelin, and Veysey—16

Bill ordered transmitted to the Senate

Name Placed Upon Roll Call on Senate Bill No. 6

Mr Z'berg was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No 6

Explanations of Vote on Senate Bill No. 6

When the roll was called on Senate Bill No 6 by Senator O'Sullivan, I was off the floor of the Assembly, in the Assembly Chamber, on legislative business If I had been present I would have voted "NO", repeat "NO" Actually, my absence at roll call was practically the same as a "NO" vote

CHARLES EDWARD CHAPEL

When the roll was called on Senate Bill No 6 by Senator O'Sullivan, I was off the floor of the Assembly, in the Assembly Chamber on legislative business

If I had been present, I would have voted "Aye"

C GEORGE DEUKMEJIAN

PARLIAMENTARY INQUIRY

Mr Conrad arose to the following parliamentary inquiry: Will the House be in session later this afternoon or evening?

Reply by Speaker

The Speaker pro Tempore directed the inquiry to Speaker Unruh, who replied that, at the conclusion of business this morning, the House would probably recess until 4 p m

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 23 1963

MR SPEAKER· Your Committee on Revenue and Taxation reports

Assembly Constitutional Amendment No 1

With amendments with the recommendation Amend, and be adopted, as amended

PETRIS, Chairman

Above resolution ordered on file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

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 amending Section 34a of Article IV thereof, and by adding Section 1 9 to Article XIII thereof, relating to state imposed property taxes

Resolution read

Request for Unanimous Consent to Temporarily Suspend Rule No. 101

Mr Collier was granted unanimous consent that Rule No 101 be temporarily suspended for the purpose of permitting an amendment which adds coauthors to the resolution.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted·

Amendment No. 1

In the heading of the printed measure, strike out "and Cusanovich", and insert "Cusanovich, Carrell, Chapel, Donovan, Lanterman, Mulford and Rumford (Coauthor Senator Burns)".

Amendment No 2

On page 1, between lines 16 and 17, insert

"Not more than 25 percent of the total appropriations from all funds of the State shall be raised by means of taxes on personal property according to the value thereof"

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments pursuant to Assembly Rule No 67 1.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 23, 1963

MR SPEAKER Your Committee on Revenue and Taxation reports

Assembly Constitutional Amendment No 4

With the recommendation That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

PETRIS, Chairman

Subject matter of the above resolution referred to the Committee on Rules

ASSEMBLY CHAMBER, July 23, 1963

MR. SPEAKER Your Committee on Revenue and Taxation reports·

Assembly Bill No 15
Assembly Bill No 24

With the recommendation That the bills be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

PETRIS, Chairman

Subject matter of the above bills referred to the Committee on Rules

PARLIAMENTARY INQUIRY

Mr Conrad arose to the following parliamentary inquiry Were all of the House resolutions on file today adopted while the Republican Caucus was being held?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that all resolutions on file this morning had been adopted

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON HOUSE RESOLUTION NO. 35

Messrs Conrad and Waldie were granted unanimous consent to rescind the action whereby the Assembly, on this day, adopted House Resolution No 35 (Assembly Journal, page 204)

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 35

By Assemblyman Moreno:

House Resolution No. 35—Relating to requesting the Attorney General of the State of California to appear as Amicus Curiae in any suit filed in Imperial County wherein there might be possible violations of the civil rights of certain citizens

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NOTE The full text of House Resolution No 35, as amended today, appears at page 204 of the Assembly Daily Journal for this day

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Resolution read, as amended

Roll Call Demanded

Messrs. Conrad, Collier, and Cusanovich demanded a roll call

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

AYES—Alquist, Bane, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Cologne, Crown, Danielson, Dannemeyer, Dills, Donovan, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lunardi, McMillan, Meyers, Mills, Moreno, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Veysey, Waite, Waldie, Warren, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—56

NOES—Ashcraft, Badham, Bagley, Barnes, Chapel, Collier, Conrad, Cusanovich, Deukmejian, Holmes, Lanterman, Stevens, Thelin, and Veneman—14.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 5—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2 2 A, 2 25 A, 2 3 A, 10 2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Bill read third time.

Request for Unanimous Consent

Mr Crown was granted unanimous consent that Mr Post, Legislative Analyst, and Messrs Bell and Beach from the Department of Finance, be permitted on the floor of the Assembly during the consideration of Assembly Bill No 5

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Allen, Alquist, Bane, Bee, Beilenson, Belotti, Booth, Burton, Carrell, Casey, Crown, Danielson, Dannemeyer, Dills, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Mills, Moreno, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Veneman, Waite, Waldie, Warren, Williamson, Willson, Winton, Young, Zberg, Zenovich, and Mr Speaker—56

NOES—Ashcraft, Badham, Bagley, Barnes, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Holmes, Lanterman, Monagan, Mulford, Stevens, Thelin, Veysey, and Whetmore—21

The question being on the passage of the bill

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

AYES—Allen, Alquist, Bane, Bee, Beilenson, Belotti, Booth, Burton, Carrell, Casey, Crown, Danielson, Dannemeyer, Dills, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Mills, Moreno, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Veneman, Waite, Waldie, Warren, Williamson, Willson, Winton, Young, Zberg, Zenovich, and Mr Speaker—56

NOES—Ashcraft, Badham, Bagley, Barnes, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Holmes, Lanterman, Monagan, Mulford, Stevens, Thelin, Veysey, and Whetmore—21

Bill ordered transmitted to the Senate

APPRECIATION EXPRESSED

Mr Crown expressed his appreciation to all members of the Committee on Ways and Means for their diligence and co-operation during the consideration of the Budget Bill

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time

Assembly Bill No. 32: By Assemblymen Monagan, Holmes, Bagley, Ashcraft, Barnes, Belotti, Burgener, Chapel Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Pattee, Thelin, Veysey, and Whetmore—An act to amend Sections 17041 and 17048 of the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined **Assembly Concurrent Resolution No. 7**—Relative to the Citizens Advisory Commission on Revision of the California Constitution

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of July, 1963, at 11 a m

POWERS, Chairman

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 19—An act making an appropriation for the payment of the expenses of the Senate and Assembly and Members of the Senate and Assembly necessarily incurred by them while attending the 1963 First Extraordinary Session of the Legislature, to take effect immediately

And reports the same correctly enrolled, and presented to the Governor at 11 a m, July 24, 1963

POWERS, Chairman

COMMITTEE MEETING ANNOUNCEMENTS

Mr Crown announced a meeting of the Committee on Ways and Means at 2 p m this afternoon, in Room 4202, at which meeting the Education Bills by Senator Rattigan, by Mr Winton, and by Mr Collier will be heard Mr Crown further announced that the meeting of the committee will be televised

Mr Waldie announced a meeting of the Committee on Rules at 3 p m this afternoon, in Room 3188

Mr Gaffney announced a meeting of the Committee on Constitutional Amendments at 3 45 p m this afternoon, in Room 4168

APPRECIATION EXPRESSED

Mr Holmes expressed appreciation to Mr Crown for his fairness, co-operation, and the dignified manner in which he has conducted the meetings of the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Gaffney was granted unanimous consent that the following communications be ordered printed in the Journal

COMMUNICATION FROM ACTING REPRESENTATIVE OF UNITED STATES TO UNITED NATIONS

THE REPRESENTATIVE OF THE
UNITED STATES OF AMERICA
TO THE UNITED NATIONS
NEW YORK, N Y, July 16, 1963

The Honorable Edward M Gaffney
Member of Assembly, 18th District
State Capitol, Sacramento, California

DEAR MR GAFFNEY On behalf of Governor Stevenson, who is now in Europe, I wish to thank you for sending him the official copy of California Assembly Concurrent Resolution 58 It is a noteworthy document and we greatly appreciate having it at the U S Mission

We are delighted that plans are progressing on the proposal to hold a 1965 United Nations commemorative session in San Francisco We look forward to working closely with the Mayor and the various civic organizations in a joint effort to make this historic event a success.

Sincerely yours,

FRANCIS T. P PLIMPTON, Acting

COMMUNICATION FROM THE TAOISEACH, DUBLIN, IRELAND

ROINN AN TAOISIGH
DEPARTMENT OF THE TAOISEACH
BAILE ATHA CLIATH 2, DUBLIN 2
15th July, 1963

Honourable Edward M Gaffney
Member of the California State Assembly
Sacramento, California

MY DEAR ASSEMBLYMAN The Taoiseach, Mr Seán F Lemass, has asked me to let you know that he was very pleased to receive from the Chief Clerk of the Assembly the specially prepared copy of Assembly Concurrent Resolution No 24 relative to St Patrick's Day, and to convey to you his thanks for sponsoring this tribute to Ireland's National Patron It is a source of pride to all Irishmen that the Legislature of the great State of California should pause in its deliberations to recall the debt which Western civilization owes this great Saint

Yours very truly,

R FOLEY, Private Secretary

COMMUNICATIONS RELATIVE TO HOUSE RESOLUTION NO. 628 OF THE 1963 REGULAR SESSION

APOSTOLIC DELEGATION
UNITED STATES OF AMERICA
WASHINGTON 8, D C, July 19, 1963

The Honorable Edward M Gaffney
Member of Assembly, California Legislature
State Capitol, Sacramento, California

DEAR MR GAFFNEY I have the honor to acknowledge receipt of the resolution adopted by the Assembly, California Legislature, on the occasion of the election of His Holiness, Pope Paul VI, as Supreme Pontiff of the Roman Catholic Church, and to give assurance that this resolution will be forwarded to the Holy See

Accept, sir, the renewed assurances of my high consideration

Most Reverend EGIDIO VAGNOZZI, D D
Apostolic Delegate

ARCHDIOCESE OF LOS ANGELES
LOS ANGELES, July 19, 1963

The Honorable Edward M Gaffney
California Legislature
State Capitol, Sacramento, California

MY DEAR ASSEMBLYMAN May I express to you and your associates our sincere gratitude for the splendid copy of the resolution adopted by your esteemed body on June 21st, of this year, in expression of recognition and appreciation of the designation of Giovanni Battista Cardinal Montini as the 262nd Pontiff of the Roman Catholic Church under the title of Paul VI

Your recognition of this historical occasion is most welcome, and we thank you and your associates most sincerely

Faithfully yours,

J FRANCIS MCINTYRE
Archbishop of Los Angeles

DIOCESE OF SAN DIEGO
SAN DIEGO, July 18, 1963

The Honorable Edward M Gaffney
Member of the Assembly
State of California, 18th District
State Capitol, Sacramento

DEAR MR GAFFNEY My cordial thanks for your courtesy of July 15, 1963 in which you indicate that you are mailing me a copy of House Resolution No 628

This resolution—undoubtedly the first of its kind in the history of our California Assembly—is a beautiful tribute to the Head of our Church.

We are very much encouraged by your timely thought and its significance

Thanking the Holy Spirit of Wisdom for you, I remain, with a triple blessing to all the members of the California State Legislature.

Sincerely,

The Most Reverend CHARLES F BUDDY
Bishop of San Diego

ARCHDIOCESE OF SAN FRANCISCO
SAN FRANCISCO, July 15, 1963

Hon. Edward M. Gaffney
Assembly of the State of California
State Capitol, Sacramento

DEAR MR GAFFNEY · I am very happy to receive the very appropriate and beautifully worded Resolution of the California Assembly on the election of His Holiness, Pope Paul VI

I wish to thank you and all your confreres in the Assembly for this beautiful document, and especially for the fine sentiment which prompted it

Yours sincerely,

JOSEPH T MCGUCKEN
Archbishop of San Francisco

DIOCESE OF SACRAMENTO
SACRAMENTO, July 23, 1963

The Honorable Edward M Gaffney
Assemblyman, 18th District
State Capitol, Sacramento

DEAR ASSEMBLYMAN GAFFNEY May I acknowledge my appreciation for the thoughtfulness expressed in the House Resolution No 628 on the occasion of the election of Pope Paul VI as our revered Pontiff.

This expression of good will is heartening, and I am sure appreciated by His Holiness personally

Yours sincerely,

Most Reverend ALDEN J BELL
Bishop of Sacramento

ARCHDIOCESE OF LOS ANGELES
LOS ANGELES, July 17th, 1963

Mr Edward M Gaffney
Assemblyman, 18th District
California Legislature
State Capitol, Sacramento

MY DEAR MR GAFFNEY Thank you very much for your kind letter and for the beautifully composed and beautifully illustrated Resolution on the occasion of the election of Pope Paul VI We are all honored in the significance of it

Very sincerely yours,

TIMOTHY MANNING
Auxiliary Bishop of Los Angeles
Vicar General

DIOCESE OF OAKLAND
OAKLAND, July 23, 1963

The Honorable Edward M Gaffney
Member of Assembly, 18th District
State Capitol, Sacramento

DEAR ED In the absence of our Most Reverend Bishop, I am seizing this happy opportunity to extend his sentiments of gratitude to you. He will be very pleased I am sure to see the copy of House Resolution No 628 It is a beautiful document to have Your thoughtfulness is appreciated.

Sincerely yours in Christ,

(Very Rev Msgr) JOHN S CUMMINS

DIOCESE OF STOCKTON
STOCKTON, July 17, 1963

Mr Edward M Gaffney
Assembly, California Legislature
State Capitol, Sacramento

DEAR MR GAFFNEY · I wish to thank you for sending the copy of House Resolution No 628 with regard to the election of Pope Paul VI.

With every best wish and blessing, I am

Sincerely yours in Christ,

Most Reverend HUGH A DONOHOE, D D
Bishop of Stockton

DIOCESE OF SANTA ROSA
SANTA ROSA, July 18, 1963

Mr Edward M Gaffney
Chairman, Committee on Constitutional Amendments
State Capitol, Sacramento

DEAR MR. GAFFNEY I am very grateful to you for the letter of July 15th and the resolution which the Assembly has adopted in reference

to Pope Paul VI It is indeed most impressive and I appreciate receiving it very much

Praying every blessing upon you and the Members of the Assembly, I am

Sincerely yours in Christ,

LEO T MAHER
Bishop of Santa Rosa

RECESS

At 11 01 a m, Speaker pro Tempore Bee declared the Assembly at recess until 4 p m

REASSEMBLED

At 4 p m, the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk William Greene reading

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined
Assembly Constitutional Amendment No 1
And reports the same correctly engrossed

POWERS Chairman

Above resolution re-referred to the Committee on Constitutional Amendments pursuant to Assembly Rule No 67 1

RESOLUTIONS

The following resolution was offered
By Assemblyman Stanton

House Resolution No. 95

Relative to study of the selection of jury lists

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to refer for study to an appropriate interim committee the subject of whether the selection of jury lists bears any relationship to voter registration lists, whether, if such relationship exists, it has any effect on voter registration, whether such relationship is desirable, and to direct such interim committee to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

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

The following bills were introduced, and read the first time

Assembly Bill No. 33: By Assemblyman Britschgi—An act creating the Tax Revenue Fund of 1963, and restricting the disposition of funds transferred thereto.

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation

Assembly Bill No. 34: By Assemblymen Stanton, Alquist, and Dymally—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 B, relating to appropriations for the support of the government of the State of California in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately

Referred by the Speaker pro Tempore to Committee on Ways and Means.

Assembly Bill No. 35: By Assemblymen Alquist, Stanton, and Dymally—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 2 C, relating to appropriations for the support of the government of the State of California in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately

Referred by the Speaker pro Tempore to Committee on Ways and Means

Majority Floor Leader Presiding

At 4 15 p m, Hon Jerome R. Waldie, Majority Floor Leader of the Assembly, presiding

RESOLUTIONS

The following resolution was offered:

By Assemblymen Stanton and Dymally.

House Resolution No. 96

Relating to an experimental college within the California State Colleges

WHEREAS, In view of the projection of attendance at the California State Colleges, it is known that this institution, now one of the largest in the Nation, will continue to expand at a tremendous rate in the foreseeable future, and

WHEREAS, It is desirable to forestall any possible tendency of an institution of higher education as large as the California State Colleges to become rigid and inflexible, and

WHEREAS, One method of insuring that flexibility will accompany the growth of the California State Colleges is by the establishment within the California State Colleges of a small experimental college for the purpose of promoting excellence in the arts and sciences, developing to the fullest the intellectual capabilities of gifted students, and fostering more effective methods of instruction and research, and offering leadership and new horizons to the California State Colleges, now, therefore, be it

Resolved by the Assembly of the State of California, That the Trustees of the California State Colleges are hereby requested to study and investigate the feasibility of building and staffing a small experimental college within the California State Colleges and to report thereon to the Legislature not later than the fifth legislative day of the 1965 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to each of the Trustees of the California State Colleges.

Resolution read, and referred by the Acting Speaker to the Committee on Rules

MEMBER EXCUSED FOR BALANCE OF DAY

At 4.18 p m, on motion of Mr Pattee, Mr Dills was excused for the balance of the day because of personal business elsewhere.

RESOLUTIONS

The following resolution was offered

By Assemblyman Belotti

House Resolution No. 97

Relative to the Ferndale Seismograph Station of the University of California

WHEREAS, Because of technological advances made in the field of seismography, the Ferndale Seismograph Station of the University of California has been rendered obsolete and has been discontinued by the University, and

WHEREAS, The two Bosch-Omori seismographs used at the station have been housed in the Ferndale City Hall for over 30 years where they have been operated and maintained by local persons, and

WHEREAS, The University of California has no further use for the seismographs and if they are removed from Ferndale, they will be deposited in museums for display purposes, and

WHEREAS, Since there is considerable local interest in the seismographs it is proposed that they be allowed to remain in Ferndale, to be installed at the fairgrounds of the Humboldt County Fair where they would provide a continuous display and educational attraction, now, therefore, be it

Resolved by the Assembly of the State of California, That the University of California is requested to allow the two Bosch-Omori seismographs used at its Ferndale Seismograph Station to remain in Ferndale in order that they may be installed and maintained locally at the Humboldt County Fairgrounds, and be it further

Resolved That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Regents of the University of California and to Dr Bruce A Bolt, Director of Seismographic Stations of the University of California

Resolution read, and referred by the Acting Speaker to the Committee on Rules

Speaker pro Tempore Presiding

At 4 24 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 81
House Resolution No 82
House Resolution No 83

With the recommendation That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Rules reports·

House Resolution No 87

With the recommendation That the resolution be re-referred to the Committee on Ways and Means

BANE, Chairman

Above resolution re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER: Your Committee on Rules reports

House Resolution No 94

With the recommendation That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolution referred to the Committee on Rules

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 84
House Resolution No 85
House Resolution No 86
House Resolution No 89
House Resolution No 90
House Resolution No 91
House Resolution No 92
House Resolution No 93

With the recommendation · Be adopted

BANE, Chairman

Above resolutions ordered on file

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 24, 1963

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

Assembly Concurrent Resolution No 11

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By DARRYL R WHITE, Assistant Secretary

Above resolution ordered to unfinished business file

SENATE CHAMBER, July 24, 1963

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

Assembly Joint Resolution No 1
Assembly Concurrent Resolution No 8
Assembly Concurrent Resolution No 10

J A BEEK, Secretary of the Senate
By DARRYL R WHITE, Assistant Secretary

Above resolutions ordered enrolled

Majority Floor Leader Presiding

At 4 28 p m, Hon. Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY BILL NO 33

Mr Britschgi was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 33

Speaker pro Tempore Presiding

At 4 35 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Ways and Means reports

Senate Bill No 12

With amendments with the recommendation Amend, and do pass, as amended

CROWN, Chairman

Above bill ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE BILL NO. 12

Speaker pro Tempore Bee was granted unanimous consent that Senate Bill No 12 be read the second time, at this time

PARLIAMENTARY INQUIRY

Mr Conrad arose to the following parliamentary inquiry If the committee amendments to Senate Bill No 12 be adopted by a voice vote, may not further amendments relative to the countywide tax be offered and considered tonight?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that such procedure complies with the Rules.

Parliamentary Inquiry

Mr. Conrad arose to the following parliamentary inquiry Since the amended bill will not be available until later this evening, will the presentation of amendments adding more than 25 words be permitted?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the amendments would be received and identified with the part of the bill to be amended; and that the Rule would be temporarily suspended for their consideration tonight

SECOND READING OF SENATE BILL NO. 12 (BY UNANIMOUS CONSENT)

Senate Bill No. 12—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955.1, 17261, 17301, 17301 3, 17303, 17303 5, 17352, 17353, 17402, 17405, 17411, 17456, 17601, 17607, 17611, 17655, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17667, 17702, 17703, 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990, 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18455, and 18460 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17612, 17613, 17666, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to add Sections 17401, 17404, 17407, 17601 1, and 17665 5 to, and to add Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of, the Education Code, relating to the public school system, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 39 of the printed bill, as amended in the Senate on July 17, 1963, after line 31, insert

"SEC 82 The provisions of this act shall not be construed as impairing or otherwise affecting the validity of any school district budget proceedings undertaken pursuant to Division 16 (commencing with Section 20501) of the Education Code for the fiscal year 1963-64 Notwithstanding the provisions of Sections 20951 and 21001 or any provision of the Education Code to the contrary, the governing board of any school district may budget and use any unbudgeted apportionments from the State School Fund provided during the 1963-64 fiscal year pursuant to the provisions of this act without the requirement for repetition of any publication or other budgeting procedures"

Amendment No. 2

In line 9 of the title, strike out "and 18460", and insert "18460 and 20901".

Amendment No. 3

On page 24, lines 7 and 8, strike out "in excess of 2 percent of such total assessed valuation,"

Amendment No. 4

On page 38, between lines 33 and 34, insert

"SEC 77 5 Section 20901 of said code is amended to read·

20901 The county auditor may impound the disputed revenues of school district taxes, upon secured or unsecured ~~personal~~ property, levied and collected in the 1954-1955 fiscal year, and thereafter, whenever, pursuant to Chapter 5, Part 9, Division 1 of the Revenue and Taxation Code, a claim or action is filed for the return of such revenues, or the taxes have been paid under protest ~~on the ground that such personal property is exempt from taxation because title thereto is in the United States Government, or any agency thereof~~. The county auditor may continue to impound such revenues until the final disposition of such claim or action If, under such final disposition, it is determined that such taxes were properly levied against such ~~personal~~ property, the auditor shall release such revenues to the school district, and he shall thereupon immediately notify, in writing, the Superintendent of Public Instruction and the State Controller of such release"

Amendment No. 5

In line 3 of the title, after "17261," insert "17262, 17263, 17263.1,".

Amendment No. 6

In line 9 of the title, after "of," insert "to amend the heading of Article 3 (commencing with Section 17701), of Chapter 3 of Division 14 of,".

Amendment No. 7

In line 13 of the title, after "17601 1," insert "17611 5,"

Amendment No. 8

In line 14 of the title, strike out "Section 17654 5", and insert "Sections 17654 5, 17702 1, 17702 2, and 17706"

Amendment No. 9

In line 15 of the title, after "add", insert "Article 2 5 (commencing with Section 17680) and"

Amendment No. 10

In line 16 of the title, after the second "of," insert "to add Chapter 3 5 (commencing with Section 20910) to Division 16 of,".

Amendment No. 11

On page 6, between lines 15 and 16, insert

"SEC. 6 6 Section 17262 of said code is amended to read

17262 Any state *or county* department, board, or agency which allocates funds to any school district on the basis of the assessed valuation of property within the *county or the* district, or which makes any computation on this basis for school building fund repayment purposes, first shall modify that part of the valuation of the *county or* district shown upon the *county or* local roll by application of the factor certified for that roll as required in Section 17261 If a district is located in more than one county, this modification shall be made by applying the factor appropriate for the assessed value of the property upon the local roll of each county within which the district is located

SEC 6 7 Section 17263 of said code is amended to read·

17263 Notwithstanding any other provision of this code, whenever the assessed valuation of the ~~district~~ *county* has been modified ~~upward~~ under Section 17262, ~~measures to provide additional local tax revenues to provide the funds required to offset the decrease in school equalization aid resulting from such modification of the assessed value shall be undertaken pursuant to Section 17263 1~~ *the county taxes required to be collected for the support of the elementary schools and high schools shall be determined pursuant to Section 20911*

SEC 6 8. Section 17263 1 of said code is amended to read

17263 1 ~~Whenever the assessed valuation of a district has been modified upward pursuant to Section 17262, the governing board of the district shall certify to the county superintendent of schools the amount of funds required by the district to offset the decrease in school equalization aid resulting from such modification of the assessed value.~~ *Whenever the relationship transmitted pursuant to Section 1817 of the Revenue and Taxation Code is greater than the statewide average assessment level of the preceding fiscal year, the governing board of the district shall determine and certify to the county superintendent of schools, using the data transmitted pursuant to Section 1817 of the Revenue and Taxation Code, divided by the statewide average assessment level of the preceding fiscal year, to modify the assessed valuation of the district or county, the amount of funds required by the district to offset the decrease in state equalization aid and any decrease in supplementary support resulting from such modification of assessed value In elementary districts and high school districts, beginning with the fiscal year 1964-1965, and each fiscal year thereafter, the certification shall apply only to supplemental support* The county superintendent of schools shall certify to the county auditor of the county in which the districts are included the amounts required to offset ~~the~~ *such* decrease of equalization aid, *or supplemental support, or both,* in all the districts under his jurisdiction The county auditor shall certify such amounts to the county board of supervisors who shall, at the time other taxes are levied, levy a tax upon all the assessed valuation of the county sufficient to provide the total of the amounts certified Upon the collection of such taxes the county auditor shall pay to each school district the amount certified as required to offset the decrease in equalization aid *or supplemental support*."

Amendment No. 12

On page 15, between lines 3 and 4, insert

"SEC 29 5 Section 17611 5 is added to said code, to read

17611 5 Notwithstanding any provision of this division to the contrary, the amount allowed from the State School Fund to a school district for the fiscal year 1963-1964 as basic state aid and state equalization aid on account of grades 13 and 14 of a junior college, shall not, solely as a result of a reorganization involving the maintenance of said grades 13 and 14, be less than the total of basic state aid and state equalization aid allowed to the district for the 1962-1963 fiscal year on account of the average daily attendance in said grades 13 and 14"

Amendment No 13

On page 15, line 17, strike out "six thousand dollars ($6,000)", and insert "six thousand one hundred seventy-five dollars ($6,175)".

Amendment No. 14

On page 15, line 26, strike out "twelve thousand dollars ($12,000)", and insert "twelve thousand three hundred fifty dollars ($12,350)"

Amendment No. 15

On page 15, line 35, strike out "eighteen thousand dollars ($18,000)", and insert "eighteen thousand five hundred twenty-five dollars ($18,525)"

Amendment No. 16

On page 15, line 44, strike out "twenty-four thousand dollars ($24,000)", and insert "twenty-four thousand seven hundred dollars ($24,700)"

Amendment No. 17

On page 17, lines 1 and 2, strike out "six thousand dollars ($6,000)", and insert "six thousand one hundred seventy-five dollars ($6,175)"

Amendment No. 18

On page 17, line 13, strike out "twelve thousand dollars ($12,000)", and insert "twelve thousand three hundred fifty dollars ($12,350)"

Amendment No. 19

On page 17, line 25, strike out "eighteen thousand dollars ($18,000)", and insert "eighteen thousand five hundred twenty-five dollars ($18,525)"

Amendment No. 20

On page 17, line 37, strike out "twenty-four thousand dollars ($24,000)", and insert "twenty-four thousand seven hundred dollars ($24,700)"

Amendment No. 21

On page 17, line 50, strike out "two hundred forty dollars ($240)", and insert "two hundred forty-seven dollars ($247)".

Amendment No 22

On page 18, line 8, strike out "two hundred fifty dollars ($250)", and insert "two hundred fifty-seven dollars ($257)".

Amendment No. 23

On page 18, line 22, strike out "two hundred forty dollars ($240)", and insert "two hundred forty-seven dollars ($247)"

Amendment No 24

On page 18, line 35, strike out "two hundred fifty dollars ($250)", and insert "two hundred fifty-seven dollars ($257)"

Amendment No. 25

On page 18, lines 48 and 49, strike out "two hundred forty dollars ($240)", and insert "two hundred forty-seven dollars ($247)"

Amendment No. 26

On page 19, line 12, strike out "two hundred fifty dollars ($250)", and insert "two hundred fifty-seven dollars ($257)"

Amendment No. 27

On page 19, lines 27 and 28, strike out "thirty-three thousand three hundred twenty dollars ($33,320)", and insert "thirty-three thousand four hundred sixty dollars ($33,460)".

Amendment No. 28

On page 19, lines 36 and 37, strike out "thirty-eight thousand seven hundred ninety-three dollars ($38,793)", and insert "thirty-nine thousand ninety-seven dollars ($39,097)"

Amendment No. 29

On page 19, lines 45 and 46, strike out "forty-four thousand two hundred sixty-six dollars ($44,266)", and insert "forty-seven thousand seven hundred thirty-four dollars ($47,734)".

Amendment No. 30

On page 20, lines 3 and 4, strike out "forty-nine thousand seven hundred forty dollars ($49,740)", and insert "fifty thousand three hundred seventy dollars ($50,370)"

Amendment No. 31

On page 20, line 12, strike out "fifty-five thousand two hundred thirteen dollars ($55,213)", and insert "fifty-six thousand seven dollars ($56,007)"

Amendment No 32

On page 20, lines 20 and 21, strike out "sixty thousand six hundred eighty-six dollars ($60,686)", and insert "sixty-one thousand six hundred forty-four dollars ($61,644)".

Amendment No. 33

On page 20, lines 30 and 31, strike out "sixty-six thousand one hundred sixty dollars ($66,160)", and insert "sixty-seven thousand two hundred eighty dollars ($67,280)".

Amendment No 34

On page 20, lines 40 and 41, strike out "seventy-one thousand six hundred thirty-three dollars ($71,633)", and insert "seventy-two thousand nine hundred seventeen dollars ($72,917)"

Amendment No. 35

On page 21, lines 1 and 2, strike out "seventy-seven thousand one hundred six dollars ($77,106)", and insert "seventy-eight thousand five hundred fifty-four dollars ($78,554)".

Amendment No 36

On page 21, lines 10 and 11, strike out "eighty-two thousand five hundred eighty dollars ($82,580)", and insert "eighty-four thousand one hundred ninety dollars ($84,190)"

Amendment No 37

On page 21, lines 19 and 20, strike out "eighty-eight thousand fifty-three dollars ($88,053)", and insert "eighty-nine thousand eight hundred twenty-seven dollars ($89,827)".

Amendment No 38

On page 21, lines 29 and 30, strike out "ninety-three thousand five hundred twenty-six dollars ($93,526)", and insert "ninety-five thousand four hundred sixty-four dollars ($95,464)"

Amendment No. 39

On page 21, lines 38 and 39, strike out "ninety-nine thousand dollars ($99,000)", and insert "one hundred one thousand one hundred dollars ($101,100)"

Amendment No. 40

On page 21, lines 46 and 47, strike out "five thousand four hundred seventy-three dollars ($5,473)", and insert "five thousand six hundred thirty-seven dollars ($5,637)".

Amendment No. 41

On page 22, line 11, strike out "three hundred thirty dollars ($330)", and insert "three hundred thirty-seven dollars ($337)"

Amendment No. 42

On page 22, line 19, strike out "three hundred forty dollars ($340)", and insert "three hundred forty-seven dollars ($347)"

Amendment No. 43

On page 22, line 38, strike out "three hundred forty dollars ($340)", and insert "three hundred forty-seven dollars ($347)"

Amendment No. 44

On page 22, lines 46 and 47, strike out "three hundred forty dollars ($340)", and insert "three hundred forty-seven dollars ($347)".

Amendment No. 45

On page 23, between lines 39 and 40, insert

"SEC 41 3 Article 2 5 (commencing with Section 17680) is added to Chapter 3 of Division 14 of said code, to read

Article 2 5 County Elementary School and High School Foundation Programs

17680 For the purpose of apportionments during the fiscal year 1964-1965 and fiscal years thereafter, the Superintendent of Public Instruction shall compute a countywide foundation program for elementary school districts and a countywide foundation program for high school districts The countywide foundation program in each instance shall be the total of the foundation programs computed under Article 2 (commencing with Section 17651) of this chapter for elementary school districts and high school districts under the jurisdiction of each county superintendent of schools irrespective of whether the territorial boundaries of any of the school districts involved extend across county boundary lines

SEC 41 5 The heading of Article 3 (commencing with Section 17701) of Chapter 3 of Division 14 of said code is amended to read

Article 3 Computation of District Aid and County Aid"

Amendment No. 46

On page 23, strike out line 51, and insert

"This section shall be operative until June 30, 1964

SEC 42 5 Section 17702 1 is added to said code, to read

17702 1 The Superintendent of Public Instruction shall compute for each junior college district the amount, to be known as district aid, which would be produced by a tax of twenty-five cents ($0 25) levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the fiscal year modified where necessary pursuant to Section 17262

SEC 42 6 Section 17702 2 is added to said code, to read

17702 2 Commencing with the fiscal year 1964-1965, the Superintendent of Public Instruction shall compute the total county aid to be utilized in determining state apportionments to be made for the support of elementary school districts and high school districts Countywide aid shall be the amount which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation for the tax year, modified where necessary pursuant to Section 17262, of the area comprising all of the elementary school districts and all of the high school districts under the jurisdiction of the county superintendent of schools for which a countywide foundation program was computed under Article 2 5 (commencing with Section 17680) of this chapter would produce, if levied, if such tax were.

(a) Sixty cents ($0 60) in the case of the elementary school districts.

(b) Fifty cents ($0 50) in the case of the high school districts"

Amendment No. 47

On page 24, line 2, after "district", insert "in respect to the computation of district aid, or upon request of the county superintendent of schools in respect to the computation of county aid,"

Amendment No. 48

On page 24, line 3, after "aid", insert "or county aid"

Amendment No. 49

On page 24, line 29, after "taxes", insert "and county taxes".

Amendment No. 50

On page 24, line 35, after "district", insert "in respect to the computation of district aid, or upon request of the county superintendent of schools in respect to the computation of county aid,"

Amendment No. 51

On page 24, line 36, after "aid", insert "or county aid".

Amendment No. 52

On page 24, line 38, after "aid", insert "or county aid"

Amendment No. 53

On page 24, line 39, after "district", insert "or the county"

Amendment No. 54

On page 24, line 45, after "district", insert "in respect to the computation of district aid, or upon request of the county superintendent of schools in respect to the computation of county aid"

Amendment No. 55

On page 24, line 46, after "aid", insert "or county aid"

Amendment No. 56

On page 24, line 47, after "district", insert "or county"

Amendment No. 57

On page 25, line 1, after "taxes", insert "or county taxes"

Amendment No. 58

On page 25, line 8, after "district", insert "or county"

Amendment No. 59

On page 25, line 11, after "district", insert "or county"

Amendment No. 60

On page 25, between lines 16 and 17, insert

"SEC. 45.5. Section 17706 is added to said code, to read

17706. Commencing with the fiscal year 1964-1965, the Superintendent of Public Instruction shall determine the individual county aid for each elementary district, by (1) dividing the total county aid derived by the elementary school districts under the jurisdiction of the county superintendent of schools under Section 17702.2, by (2) the countywide elementary school foundation program, and (3) multiplying the quotient by the foundation program of the district.

He shall determine the individual county aid for each high school district under the jurisdiction of the county superintendent of schools, by (1) dividing the total county aid derived for the high school districts under the jurisdiction of the county superintendent of schools under Section 17702.2, by (2) the countywide high school foundation program, and (3) multiplying the quotient by the foundation program of the district."

Amendment No. 61

On page 26, line 8, after "17702", insert "or 17706, whichever are operative"

Amendment No. 62

On page 26, line 12, after "17702", insert "or 17706"

Amendment No. 63

On page 26, line 16, after "17702", insert "or 17706"

Amendment No. 64

On page 26, line 23, after "17702", insert "or 17706, whichever is operative,"

Amendment No. 65

On page 26, line 28, after "17702", insert "or 17706,"

Amendment No. 66

On page 26, line 32, after "17702", insert "or 17706,".

Amendment No. 67

On page 26, line 41, strike out "17702", and insert "17702.1"

Amendment No. 68

On page 26, line 45, strike out "17702", and insert "17702.1"

Amendment No. 69

On page 26, line 48, strike out "17702", and insert "17702.1"

Amendment No. 70

On page 37, strike out line 37

Amendment No. 71

On page 38, line 13, strike out "18426", and insert "18458"

Amendment No. 72

On page 38, between lines 33 and 34, insert

"SEC 77 5 Chapter 3 5 (commencing with Section 20910) is added to Division 16 of said code, to read

CHAPTER 3 5 COUNTY SUPPORT FOR ELEMENTARY SCHOOLS AND HIGH SCHOOLS

Article 1 County Taxes

20910 For purposes of this chapter

(a) Each elementary school district shall be deemed to comprise the kindergartens and grades one to eight, inclusive, maintained by the district, and the seventh and eighth grades of the district not maintained by the district because of the attendance upon a junior high school of pupils who would otherwise attend upon seventh and eighth grades maintained by the district

(b) Each high school district shall be deemed to comprise all of grades 9 to 12, inclusive, maintained within the high school district whether maintained by a high school district or by a junior college district

(c) Each high school district maintaining grades 13 and 14 shall be deemed to be a junior college district comprising grades 13 and 14

(d) Each unified school district shall be deemed to be an elementary school district comprising the kindergartens and grades one to eight, inclusive, maintained by the district and the seventh and eighth grades of the district not maintained by the district in elementary schools because of the attendance upon a junior high school of pupils who would otherwise attend the seventh and eighth grades maintained in elementary schools by the district, and a high school district comprising all of grades 9 to 12, inclusive, and a junior college district comprising the 13th and 14th grades maintained by the district

(e) In determining to which particular districts apportionments shall be made, the rules prescribed by Sections 17608, 17609, and 17610 for purposes of apportionments from the State School Fund shall be utilized

20911 The board of supervisors of each county shall annually, beginning with the 1964-1965 fiscal year, at the time and in the manner of levying other county taxes, levy and cause to be collected in the county, taxes for the support of the elementary schools and high schools, as follows

(a) For elementary school support, by multiplying 0060 by the assessed valuation of the county modified by a factor determined by dividing the relationship transmitted pursuant to Section 1817 of the Revenue and Taxation Code by the statewide average assessment level of the preceding fiscal year

(b) For high school support, by multiplying 0050 by the assessed valuation of the county modified by a factor determined by dividing the relationship transmitted pursuant to Section 1817 of the Revenue and Taxation Code by the statewide average assessment level of the preceding fiscal year

In any county, or city and county, where the territory under the jurisdiction of the county superintendent of schools comprises a single school district, the levy of district taxes on each one hundred dollars ($100) of assessed valuation of property in the district at a rate of at least sixty cents ($0 60) if an elementary school district, fifty cents ($0 50) if a high school district, or one dollar and ten cents ($1 10) if a unified district will be deemed to have met the requirements of this section

20912 The moneys received from such county taxes shall be deposited in the county treasury to the credit of the elementary school fund and the high school fund, respectively, the establishment of which funds in the county treasury is hereby authorized

20913 Of the moneys received from such county taxes, there shall be segregated, by the county treasurer, the portion thereof derived from the territory within any elementary school district, or high school district, which is situated only partially within the county and which is not placed by law under the jurisdiction of the county superintendent of schools The moneys so segregated shall be transferred to the county treasury of the county whose county superintendent of schools has jurisdiction of the district, to be deposited to the credit of the elementary school fund or high school fund, and such county treasury shall thereafter be the legal depositary of the funds

20914 The distribution of all tax moneys collected upon property of the unsecured roll after the most recent lien date of taxes, for elementary school and high school purposes for the fiscal year 1964-1965 shall be made and an amount be credited to, and allocated from, the elementary school fund or high school fund equal to the amount that would have been deposited to the fund and allocated to each school district had the rates under Section 20911 been applied to the unsecured roll.

Article 2 Apportionment of the County Tax

20921. The moneys deposited to the credit of the elementary school fund and the high school fund in the county treasury pursuant to Article 1 (commencing with Section 20910) of this chapter, shall be apportioned by the county treasurer to the elementary school districts and high school districts under the jurisdiction of the county superintendent of schools Apportionments shall be made upon order of the county auditor issued from time to time as soon as practicable after deposit of the moneys to the credit of the funds

The elementary school fund shall be apportioned to the elementary school districts under the jurisdiction of the county superintendent of schools and the high school fund shall be apportioned to the high school districts under the jurisdiction of the county superintendent of schools in the amounts computed by the county auditor

20922 The county auditor shall compute the amounts of the county tax moneys to be apportioned from the elementary school fund to each elementary school district under the jurisdiction of the county superintendent of schools as provided in Section 17706

20923 The county auditor shall compute the amounts of the county tax moneys to be apportioned from the high school fund to each school district under the jurisdiction of the county superintendent of schools as provided in Section 17706

Article 3 Adjustment of School District Tax Rates

20930 The maximum rate of school district tax otherwise authorized by law to be assessed for any school district for elementary school and high school purposes shall be reduced by,

(a) The applicable county rates provided for in Section 20911, except that when the amount of county tax moneys allocated under Article 2 of this chapter to a district is less than the amount that such a rate would raise if levied for the district, the maximum rate shall be reduced by the amount of the tax rate that would raise the amount of the allocation, and

(b) The tax rate that would raise an amount consisting of (1) the excess of the amount of county tax moneys allocated under Article 2 of this chapter to a district over the amount which would have been raised by such a rate levied for the district, less (2) the amount, if any, by which the amounts of basic state aid and state equalization aid computed for the district for the fiscal year 1964-1965, less than the amount which would have been computed for the fiscal year 1964-1965, had the computation for that year been made using the same procedures as were used in making the computation of basic state aid and state equalization aid for the fiscal year 1963-1964

For purposes of this section, the phrase "maximum rate of school district tax otherwise authorized by law to be assessed" shall mean the maximum rates prescribed by Section 20751 for elementary school or high school purposes and any increases in such maximum rates adopted pursuant to Sections 20803 and 20804

Notwithstanding the preceding provisions of this section, any reduction in district taxes effected by operation of this section, or any portion of such rate, shall be reinstated if the governing board of the district so resolves, by resolution adopted by a majority of at least 60 percent of its membership at a public meeting, on or before August 15, 1965, and filed with the county auditor"

Amendment No. 73

In line 13 of the title, after "of," insert "to repeal Section 17305 8 as added to the Education Code by Assembly Bill No 653 of the 1963 Regular Session,"

Amendment No. 74

On page 9, between lines 22 and 23, insert

SEC 10 5 Section 17305 8 of said code, as added by Assembly Bill No 653 of the 1963 Regular Session, is repealed

~~17305 8 In addition, the Controller shall transfer, as needed during each fiscal year, such additional amounts as are certified from time to time by the Superintendent of Public Instruction to be necessary to meet actual computed apportionments from the State School Fund for the purposes of Section 18060 and Articles 11, 12, and 13 (commencing with Sections 18102, 17152, and 18202, respectively) of Chapter 3 of this division in excess of the amount provided under subdivision (c) of Section 17303 5, but the additional amount provided by this section shall not exceed fourteen cents ($0 14) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school,~~

~~and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section 18060, and Articles 11, 12, and 13 (commencing with Sections 18102, 18152, and 18202, respectively) of Chapter 3 of this division. Such amounts as are necessary to carry out the purposes of this section are appropriated from the General Fund and shall, in accordance with this section, be transferred therefrom to the State School Fund by the State Controller each fiscal year.~~"

Bill ordered reprinted, and, by unanimous consent, ordered to the third reading file

Rush Order Placed Upon Printing of Senate Bill No. 12

By unanimous consent a rush order was placed upon the printing of Senate Bill No 12

RESOLUTIONS

The following resolution was offered

By Assemblyman Cologne

House Resolution No. 98

Relative to a study of highways in Riverside County

Resolved by the Assembly of the State of California, That in connection with the 1965 report to the Legislature as to the progress made in developing the California Freeway and Expressway System, required by Section 256 of the Streets and Highways Code, the Department of Public Works is hereby requested to confer with the Road Commissioner of Riverside County relative to including within the State Highway System a route from State Highway Route 187 to U S 99 through Palm Canyon in the vicinity of Palm Springs, California, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of Public Works

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Ways and Means reports

Assembly Concurrent Resolution No 9

With the recommendation Be adopted

CROWN, Chairman

Above resolution ordered engrossed

Speaker Presiding

At 4 50 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that the Assembly would remain in session until certain information from the Senate had been received; after which it was planned that the House would be recessed until 9 p m this evening

Speaker pro Tempore Presiding

At 4 51 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Assemblyman Burton·

House Resolution No. 99

Relative to an agreement on nuclear testing

WHEREAS, The Assembly of the State of California is informed that representatives of the United States, the Soviet Union and Great Britain have reached a tentative understanding concerning the terms of an agreement banning nuclear tests in the air, outer space and under water, and

WHEREAS, An agreement among the nuclear powers to cease testing nuclear devices in the atmosphere, outer space and in the water would, if it contains adequate provisions to safeguard the best interests of the United States, be a great step toward reducing the possibility of nuclear war and would substantially eliminate the danger from radioactive fallout arising from the testing of nuclear devices, now, therefore, be it

Resolved by the Assembly of the State of California, That the members express their support of this effort to reach an agreement to ban nuclear tests in the air, outer space and under water, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President of the United States, to the Vice President of the United States, to the Secretary of State of the United States, and to each Senator and Representative in the Congress of the United States from the State of California

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Bane·

House Resolution No. 100

Relative to powers of interim committees

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules may authorize any Assembly interim committee created by House Resolution No. 500 of the 1963 Regular Session to appoint one or more advisory committees or one or more advisers to assist and advise it in its work

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 24, 1963

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

Assembly Concurrent Resolution No. 4

J A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

Above resolution ordered enrolled

ANNOUNCEMENT

Mr. Gaffney announced that the meeting of the Committee on Constitutional Amendments, heretofore scheduled for adjournment today, had been postponed until call of the Chair

ANNOUNCEMENT BY MAJORITY FLOOR LEADER

Mr. Waldie announced that at 5 30 or 5 45 p m today, the Speaker would have the necessary information as to the Senate's action on the Budget Bill; and that the program for procedure in this House would be announced at that time.

MEMBER EXCUSED FOR BALANCE OF DAY

At 5 18 p m, on motion of Mr Conrad, Mr Mulford was excused for the balance of the legislative day, because of legislative business elsewhere

Chief Assistant Clerk James D. Driscoll Reading

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 9
And reports the same correctly engrossed.

POWERS, Chairman

Above resolution ordered on file

Hon. Alfred H. Song Presiding

At 5 37 p m, Hon Alfred H Song, Member of the Assembly from the 45th District, presiding

Hon. William T. Bagley Presiding

At 5 38 p m, Hon William T Bagley, Member of the Assembly from the 7th District, presiding

Hon. Tom Waite Presiding

At 5 44 p m, Hon Tom Waite, Member of the Assembly from the 62d District, presiding

Hon. John Francis Foran Presiding

At 5 45 p m, Hon John Francis Foran, Member of the Assembly from the 23d District, presiding

Announcement by Majority Floor Leader

Mr Waldie announced that, unless Senate Bill No 12 can be printed and returned for consideration by 9 p m tonight, there will be no night session in the Assembly

Hon. Tom Waite Presiding

At 5 48 p m, Hon Tom Waite, Member of the Assembly from the 62d District, presiding

Speaker pro Tempore Presiding

At 5 49 p m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Ways and Means reports
Assembly Bill No 22
With the recommendation That the bill be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

CROWN, Chairman

Subject matter of the above bill referred to the Committee on Rules

ANNOUNCEMENT BY MAJORITY FLOOR LEADER

Mr Waldie announced that the Chief Clerk had advised him that the printer would be unable to have Senate Bill No 12 printed and ready for consideration by the House before 10 p m tonight, so there would be no 9 o'clock meeting of the Assembly tonight

PARLIAMENTARY INQUIRY

Mr Waldie arose to the following parliamentary inquiry Could the Committee on Ways and Means schedule a meeting for 6 p m tonight if the House, at this time, adjourns until 9 30 a m tomorrow morning?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the meeting could be scheduled for 6 p m, by unanimous consent of the House, and canceled by the chairman at that time if deemed advisable.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr Waldie was granted unanimous consent that the Committee on Ways and Means be permitted to hold a special meeting of the committee at 6 p.m tonight.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee announced that, at approximately 6 p m the House would recess for the meeting of the Committee on Ways and Means and would reconvene for consideration of any bill which may be reported from the committee

MEMBERS EXCUSED

On motion of Mr Waldie, the Members of the Assembly, with the exception of the members of the Committee on Ways and Means, were temporarily excused

Assistant Clerk William Greene Reading

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 6 29 p m, Mr Crown was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in the Assembly Lounge, at this time

RECESS

At 6 30 p m, the Speaker pro Tempore declared the Assembly at recess until 6 44 p m

REASSEMBLED

At 6 44 p m, the Assembly reconvened.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk
Assistant Clerk Charles Winner reading

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 24, 1963

MR SPEAKER Your Committee on Ways and Means reports

Senate Bill No 4

With amendments with the recommendation Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading

SECOND READING OF SENATE BILL NO. 4 (BY UNANIMOUS CONSENT)

Senate Bill No. 4—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2 2 A, 2 25 A, 2 3 A, 10 2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted

Amendment No. 1

On page 2, of the printed bill, as amended in the Senate on July 15, 1963, strike out lines 5 through 48, inclusive

Amendment No. 2

Strike out pages 3 through 18, inclusive

Amendment No. 3

On page 19, strike out lines 1 through 42, inclusive, and insert

"1—For allocation by executive order of the Department of Finance to the Supreme Court and the several district courts of appeal in augmentation of their respective appropriations for support, Budget Act of 1963, for the purpose of increased expenditures for criminal appeals fees 115,000

2—For support of the Co-ordinating Council on Urban Policy, as provided by Government Code Sections 34200 through 34212 50,000

3—For support of Departmental Administration, Adult Authority, Board of Trustees, California Institution for Women and Board of Corrections, Department of Corrections and institutions and prisons under the jurisdiction of the department, to be transferred to and in augmentation of the support appropriations, Budget Act of 1963, for Departmental Administration, Adult Authority Board of Trustees, California Institution for Women, and Board of Corrections, Department of Corrections and its institutions and prisons upon order of the Department of Finance, in accordance with the following schedule 384,577

Schedule

(a) Departmental Administration, Adult Authority, Board of Trustees, California Institution for Women and Board of Corrections	204,626
(b) Conservation Center	41,370
(c) Correctional Institution at Tehachapi	10,850
(d) Correctional Training Facility	3,551
(e) Deuel Vocational Institution	5,348
(f) California State Prison at Folsom	19,549
(g) Medical Facility	15,905
(h) California Men's Colony—East Facility	20,355

(i) California Rehabilitation Center	21,595	
(j) California State Prison at San Quentin	39 701	
(k) California Institution for Women	1,732	
Total of schedule	384,577	
4—For support of Departmental Administration, Department of the Youth Authority and agencies under the jurisdiction of the department, to be transferred to and in augmentation of the support appropriations, Budget Act of 1963, of the department and its agencies upon order of the Department of Finance, in accordance with the following schedule		397,115
Schedule		
(a) Departmental Administration	266,725	
(b) Northern California Reception Center and Clinic	5,322	
(c) Southern California Reception Center and Clinic	5,306	
(d) Fricot Ranch School for Boys	17,879	
(e) Fred C Nelles School for Boys	10,140	
(f) Preston School of Industry	63,073	
(g) Youth Training School	12,230	
(h) Los Guilucos School for Girls	5,199	
(i) Ventura School for Girls	11,241	
Total of schedule	397,115	
5—For support of Department of Education provided, that the appropriation made by this item is limited to carrying out the provisions of Chapter 98, Statutes of 1963		346,000
6—For support of University of California, exempt from Section 31, Budget Act of 1963, in accordance with the following schedule		548,000
Schedule		
(a) Instruction and Research	322 000	
(b) Organized Research	140,000	
(c) Libraries	76,000	
(d) University extension—"Man in California—1980"	10,000	
Total of schedule	548,000	
7—For support of the California State Colleges, to be transferred to and in augmentation of the support appropriations, Budget Act of 1963, of the various state colleges, upon the order of the Trustees of the California State Colleges, in accordance with the following schedule		1,704 943
Schedule		
(a) Research Program	494,000	
(b) Faculty Out-of-State Travel	42,612	
(c) Improvement of College Libraries	832 645	
(d) Library Book Processing	262,720	
(e) Admissions and Records Personnel	72,966	
Total of schedule	1,704,943	
8—For support of Trustees of the California State Colleges in augmentation of Item 103, Section 2, Budget Act of 1963, in accordance with the following schedule		15,000
Schedule		
(a) Operating Expenses and Equipment	15,000	
Total of schedule	15,000	
9—For support of State College for Alameda County, in augmentation of Item 105, Section 2, Budget Act of 1963, in accordance with the following schedule		--
Schedule		
(a) Personal Services	10,218	
Total of schedule	10,218	
Less estimated reimbursements	10,218	
Net appropriation	--	

10—For support of Chico State College, in augmentation of Item 106, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	19,148
Total of schedule	19,148
Less estimated reimbursements	19,148
Net appropriation	--

11—For support of Fresno State College, in augmentation of Item 107, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	14,150
Total of schedule	14,150
Less estimated reimbursements	14,150
Net appropriation	--

12—For support of Humboldt State College, in augmentation of Item 108, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	3,372
Total of schedule	3,372
Less estimated reimbursements	3,372
Net appropriation	--

13—For support of Long Beach State College, in augmentation of Item 109, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	6,000
Total of schedule	6,000
Less estimated reimbursements	6,000
Net appropriation	--

14—For support of Los Angeles State College of Applied Arts and Sciences, in augmentation of Item 110, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	41,097
Total of schedule	41,097
Less estimated reimbursements	41,097
Net appropriation	--

15—For support of Orange State College, in augmentation of Item 111, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	4,900
Total of schedule	4,900
Less estimated reimbursements	4,900
Net appropriation	--

16—For support of Sacramento State College, in augmentation of Item 112, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule	
(a) Personal Services	46,752
Total of schedule	46,752
Less estimated reimbursements	46,752
Net appropriation	--

17—For support of San Diego State College, in augmentation of Item 114 Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule

(a) Personal Services	55,388	
Total of schedule	55,388	
Less estimated reimbursements	55,388	
Net appropriation	--	

18—For support of San Fernando Valley State College, in augmentation of Item 115, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule

(a) Personal Services	8,656	
Total of schedule	8,656	
Less estimated reimbursements	8,656	
Net appropriation	--	

19—For support of San Francisco State College, in augmentation of Item 116, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule

(a) Personal Services	19,629	
Total of schedule	19,629	
Less estimated reimbursements	19,629	
Net appropriation	--	

20—For support of San Jose State College, in augmentation of Item 117, Section 2 Budget Act of 1963, in accordance with the following schedule ..... --

Schedule

(a) Personal Services	65,069	
Total of schedule	65,069	
Less estimated reimbursements	65,069	
Net appropriation	--	

21—For support of California State Polytechnic College, in augmentation of Item 121, Section 2, Budget Act of 1963, in accordance with the following schedule ..... --

Schedule

(a) Personal Services	7,874	
Total of schedule	7,874	
Less estimated reimbursements	7,874	
Net appropriation	--	

22—For support of the State Scholarship Commission, in augmentation of Item 123, Section 2, Budget Act of 1963, in accordance with the following schedule 410,372

Schedule

(b) Operating Expenses and Equipment	410,372	
Total of schedule	410,372	

23—For support of Department of Finance, in augmentation of Item 132 Section 2 Budget Act of 1963, in accordance with the following schedule 125,000

Schedule

(b) Operating Expenses and Equipment	125,000	
Total of schedule	125,000	

24—For support of Department of Mental Hygiene and agencies under the jurisdiction of the department, to be transferred to and in augmentation of the support appropriations, Budget Act of 1963, of the department and its agencies upon order of the Department of Finance 1,622,123

25—For research projects, Department of Mental Hygiene, in augmentation of Item 151, Section 2, Budget Act of 1963, to be expended only on allocations to agencies of the Department of Mental Hygiene authorized by the Department of Finance ... 500,000
The appropriation made by this item shall remain available for allocation, reallocation, and expenditure, until June 30, 1966
And in addition any amounts received for research projects from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item

26—For support of Department of Public Health, in augmentation of Item 170, Section 2, Budget Act of 1963, in accordance with the following schedule ... 50,000
Schedule.
(b) Operating Expenses and Equipment ... 50,000

Total of schedule ... 50,000

27—For support of Department of Industrial Relations, in augmentation of Item 185, Section 2, Budget Act of 1963, in accordance with the following schedule ... 117,269
Schedule
(a) Personal Services ... 77,245
(b) Operating Expenses and Equipment ... 40,024

Total of schedule ... 117,269

28—For support of Resources Agency, in augmentation of Item 238, Section 2, Budget Act of 1963, in accordance with the following schedule ... 5,000
Schedule·
(b) Operating Expenses and Equipment ... 5,000

Total of schedule ... 5,000

29—For support of Department of Conservation in augmentation of Item 239, Section 2, Budget Act of 1963, and in addition thereto any amounts received from sale of mineral information service, and an amount equal to that received under Section 2210 of the Public Resources Code from the sale of publications issued by the Division of Mines and Geology, in accordance with the following schedule ... 18,386
Schedule
(a) Personal Services ... 8,633
(b) Operating Expenses and Equipment ... 9,753

Total of schedule ... 18,386

30—For support of Department of Conservation, to be transferred to and in augmentation of Item 239, Section 2, Budget Act of 1963, upon order of the Department of Finance ... 300,000

31—For transfer to the Water Resources Revolving Fund, to be transferred by the State Controller in such amounts as the Department of Finance may authorize, for support of Department of Water Resources for conducting geologic investigations, surveys, and studies, and preparing reports thereon of ground water basins in Orange County adequate for use in development of plans for ground water management ... 55,000

32—For transfer to the Water Resources Revolving Fund to be transferred by the State Controller in such amounts as the Department of Finance may authorize, to formulate a comprehensive water development plan and identify initial features in coastal San Mateo County ... 70,453

33—For transfer to the Water Resources Revolving Fund, to be transferred by the State Controller in such amounts as the Department of Finance may authorize, for the support of the Department of Water Resources for a reconnaissance study and report on the Ewing Dam and Reservoir located in Ewing Gulch approximately one-half mile north of Hayfork in the County of Trinity ... 7,000

34—For transfer to the Water Resources Revolving Fund to be transferred by the State Controller in such amounts as the Department of Finance may authorize, for further state participation in the administration of watermaster service areas ... 28,000

35—For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices, departments, boards, bureaus, commissions, the University of California, the Trustees of the California State Colleges, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service whose compensation, or a portion thereof, is chargeable to the General Fund, the increase in compensation provided for in any increased salary range or rate including retirement contributions established during the 1963-64 fiscal year by a salary-fixing authority, in accordance with the following schedule 14,050,000

Schedule

(a) For salaries set by the State Personnel Board 11,600,000

(b) For nonacademic salaries set by the Regents of the University of California 1,850,000

(c) For nonacademic salaries set by the Trustees of the California State Colleges 600,000

Total of schedule 14,050,000

provided, that increases in compensation provided by increased salary ranges or rates established during the 1963-64 fiscal year by the State Personnel Board the Regents of the University of California, and the Trustees of the California State Colleges shall not result in total annual salary increases of more than the amounts stated in the above schedule

For state officers and employees whose compensation or portion thereof, is chargeable to special funds, there is hereby appropriated from each special fund, to which such compensation is chargeable, an amount sufficient to provide increases in compensation including retirement contributions for each such officer or employee, in accordance with this item, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes

Allocations to the University of California shall be made by the Department of Finance upon certification by the regents that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment including the California state services

Allocations to the Trustees of the California State Colleges shall be made by the Department of Finance upon certification by the Trustees of the California State Colleges that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment, including the California state services, provided, that such allocations may be further allocated or reallocated upon order of the Trustees of the California State Colleges to the trustees of state colleges

Before any administrative salary-fixing authority establishes any increased salary range during the 1963-64 fiscal year, a certification shall be obtained from the Department of Finance that sufficient money either is available in funds authorized for the agencies or may be made available from the appropriation in this item, to meet the cost of the increased salary range

36—For university salary increases, to be allocated by the Department of Finance to the Regents of the University of California, in augmentation of its appropriation for support or for other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range for academic classes established during the 1963-64 fiscal year by the regents 3,700,000

provided that increase in compensation provided by increased salary ranges established during the 1963-64 fiscal year shall not result in total annual salary increases of more than the amount of this appropriation

Allocations to the University of California shall be made by the Department of Finance upon certification by the regents that proposed salary ranges are substantially comparable to the pre-

vailing rates for comparable services in private business and public employment including the California state services

37—For California state colleges' salary increases, to be allocated by the Department of Finance to the Trustees of the California State Colleges, in augmentation of appropriations for support or for other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range for academic classes established during the 1963-64 fiscal year by the Trustees of the California State Colleges 2,000,000

provided, that increases in compensation provided by increased salary ranges established during the 1963-64 fiscal year shall not result in total annual salary increases of more than the amount of this appropriation

Allocations to the Trustees of the California State Colleges shall be made by the Department of Finance upon certification by the Trustees of the California State Colleges that proposed salary ranges are substantially comparable to the prevailing rates for comparable services in private business and public employment including the California state services, provided, that such allocations may be further allocated or reallocated upon order of the Trustees of the California State Colleges to state colleges

38—For Salary Increase Fund, to be allocated by the Department of Finance to the several state offices departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available, with respect to state officers, justices and judges whose salaries are specified by statute, to augment by 5 percent the amount of salaries received by such officers, justices and judges as of June 30, 1963, during the 1963-64 fiscal year, pursuant to Section 11570 of the Government Code 622,500

None of the moneys made available by this item shall be allocated to augment the salaries of those state officers, justices and judges whose salaries are specified by statute and whose salaries were established or increased by other legislation enacted in 1963

For state officers, justices and judges whose salaries are specified by statute, whose compensation, or portion thereof, is payable from special funds, there is hereby appropriated from each special fund from which such officers, justices and judges are paid an amount sufficient to provide increases in compensation for each such officer, justice or judge, in accordance with this item which amount is to be made available by executive order of the Director of Finance in augmentation of their respective appropriations for support or for other purposes

39—For salary increases, to be allocated by the Department of Finance to the several state offices, boards, bureaus, commissions, departments and other state agencies, in augmentation of appropriations for support or other purposes, in such amounts as will defray the cost, including retirement contributions, of increases in compensation provided for in any increased salary range established upon approval by the Department of Finance during the 1963-64 fiscal year 180,000

For state officers and employees whose compensation, or portion thereof, is chargeable to special funds, there is hereby appropriated from each special fund to which such compensation is chargeable, an amount sufficient to provide increases in compensation including retirement contributions for each such officer or employee, in accordance with this item, which amount is to be made available by executive order of the Department of Finance in augmentation of their respective appropriations for support or for other purposes

40—For the administration, investigation, adjustment, defense and payment of tort liability claims, settlements, compromises and judgments against the State, its officers, servants and employees, where the claim arose after July 1, 1963, for expenditure by the Department of Finance in its discretion in respect to, or for allocation by the Department of Finance in its discretion to, state agencies, departments, boards, bureaus or commissions supported

from the General Fund; or for the purchase of insurance protecting the State, its officers, servants and employees against such tort liability claims, including the defense of such claims whether or not liability exists, Department of Finance 990,000
and in addition thereto there is hereby appropriated from each fund, other than the General Fund, an amount sufficient to pay the cost of administration, investigation, adjustment, defense, and payment of tort liability claims, settlements, compromises and judgments against the State or the state agency supported from such fund, arising from activities of such state agency, or for the purchase of insurance protecting the officers, servants and employees of such state agency against tort liability claims and for the defense of such claims whether or not liability exists, provided, that no expenditures from any such appropriation from a fund other than the General Fund for payment of tort liability claims shall be made unless approved by the Department of Finance in its discretion, and provided further, that any funds appropriated herein may be expended for either, or any combination, of the purposes specified herein as may be approved by the Department of Finance

41—For transfer to the Special Deposit Fund 60,238
such transfer to be made by the State Controller upon order of the Department of Finance, to be expended by the San Francisco World Trade Center Authority

SEC 2 Section 2 1 A is added to said act, to read.

CAPITAL OUTLAY SECTION

SEC 2 1 A The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1963-64, 1964-65 and 1965-66 fiscal years All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury

Item		Amount
42—For capital outlay, Department of Corrections, in augmentation of Item 299 1, Section 2 1, Budget Act of 1963, in accordance with the following schedule		234,036
Schedule		
(a) Minor projects	234,036	
Total of schedule	234,036	
to be allocated by the Department of Finance		
43—For capital outlay, Department of the Youth Authority, in augmentation of Item 300 1, Section 2 1, Budget Act of 1963, in accordance with the following schedule		207,095
Schedule		
(a) Minor projects	207,095	
Total of schedule	207,095	
to be allocated by the Department of Finance		
44—For capital outlay, University of California, in augmentation of Item 321, Section 2 1, Budget Act of 1963, exempt from Section 31, Budget Act of 1963, in accordance with the following schedule		974,700
provided, that withdrawals shall be as required to meet current obligations as certified by the University of California, notwithstanding any other provision of law		
Schedule		
(a) Minor projects	974,700	
Total of schedule	974,700	
45—For capital outlay, California State Colleges, in augmentation of Item 322 1, Section 2 1, Budget Act of 1963, in accordance with the following schedule		514,814
Schedule		
(a) Minor projects	514,814	
Total of schedule	514,814	
to be allocated by the Department of Finance		

46—For capital outlay, Fresno State College, in accordance with the following schedule 75,000
Schedule
(a) Construct outdoor physical education facilities—baseball 75,000

Total of schedule 75,000

47—For capital outlay, Department of Finance, in augmentation of Item 337, Section 2.1, Budget Act of 1963, in accordance with the following schedule 70,000
Schedule.
(j) Land acquisition in or near San Fernando Valley Administration Center 70,000

Total of schedule 70,000

48—For capital outlay, Department of Mental Hygiene, in augmentation of Item 339.1, Section 2.1, Budget Act of 1963, in accordance with the following schedule 538,190
Schedule
(a) Minor projects 538,190

Total of schedule 538,190

to be allocated by the Department of Finance

49—For capital outlay, Department of Parks and Recreation, Division of Beaches and Parks, in augmentation of Item 361, Section 2.1, Budget Act of 1963, in accordance with the following schedule 2,580,100
Schedule.
(a) Land acquisition—statewide 500,000
(b) Anza-Borrego Desert State Park—campground development at Culp Valley 213,100
(g) Del Norte Coast Redwoods State Park—initial development 416,200
(j) Henry Cowell Redwoods State Park—continuing development 107,300
(n) La Costa Beach State Park—general development 730,100
(o) Millerton Lake State Park—continuing development 232,200
(t) Sonoma Coast State Park—continuing development 345,900
(v) Minor projects 20,300
(w) Los Encinos State Historical Monument—beautification of the grounds 15,000

Total of schedule 2,580,100

50—For expenditure by the Department of Water Resources, in cooperation with the federal government, pursuant to Sections 340 to 342, inclusive, of the Water Code, for repair and restoration of the Daguerre Point Debris Dam on the Yuba River, or for reimbursement of the appropriation made by Item 446.7, Budget Act of 1958, as amended by Section 12, Budget Act of 1960, to the extent that money from such appropriation is expended for the repair and restoration of said dam pursuant to Chapter 572, Statutes of 1963 1,000,000

SEC. 3 Section 2.2 A is added to said act, to read

STATE CONSTRUCTION BOND ACT PROGRAM

Sec 2.2 A. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1963-64, 1964-65 and 1965-66 fiscal years for expenditure only for the programs contemplated by the State Construction Program Bond Act of 1955, the State Construction Program Bond Act of 1958, the State Construction Program Bond Act of 1962, or any State Construction Program Bond Act thereafter enacted All such appropriations shall be paid out of the State Construction Program Fund

Item Amount

51—For capital outlay, University of California, in augmentation of Item 376, Section 2.2, Budget Act of 1963, exempt from Section 31, Budget Act of 1963, in accordance with the following schedule, payable from the State Construction Program Fund 7,559,400
provided, that withdrawals shall be as required to meet current obligations as certified by the University of California notwithstanding any other provision of law

Schedule

(dddd) Construct academic areas and dining facilities of residential college No 1—Santa Cruz	1,005,000
(eeee) Construct and equip central services building—Santa Cruz	659,900
(ffff) Construct physical sciences unit 1—Santa Cruz	3,347,000
(gggg) Working drawings for library unit 1—Santa Cruz	92,500
(hhhh) Construct and equip utilities and site development—Santa Cruz	724,500
(iiii) Construct multipurpose unit—Irvine	1,730,500
Total of schedule	7,559,400

52—For capital outlay, Long Beach State College, in augmentation of Item 382, Section 2 2, Budget Act of 1963, in accordance with the following schedule, payable from the State Construction Program Fund 3,290,000

Schedule

(b) Construct physical education building addition	3,290,000
Total of schedule	3,290,000

53—For capital outlay, San Bernardino-Riverside State College, in augmentation of Item 386, Section 2 2, Budget Act of 1963, in accordance with the following schedule, payable from the State Construction Program Fund 150,000

Schedule

(b) Initial complement of library books—1st increment	150,000
Total of schedule	150,000

54—For capital outlay, South Bay State College, in augmentation of Item 392, Section 2 2, Budget Act of 1963, in accordance with the following schedule, payable from the State Construction Program Fund 150,000

Schedule

(b) Initial complement of library books—1st increment	150,000
Total of schedule	150,000

55—For capital outlay, Stanislaus State College in augmentation of of Item 393, Section 2 2, Budget Act of 1963, in accordance with the following schedule, payable from the State Construction Program Fund 50,000

Schedule

(f) Working drawings for gymnasium	50,000
Total of schedule	50,000

56—For capital outlay, California State Polytechnic College in augmentation of Item 394, Section 2 2, Budget Act of 1963, in accordance with the following schedule, payable from the State Construction Program Fund 2,683,600

Schedule

(f) Construct gymnasium—Kellogg-Voorhis Campus	2,683,600
Total of schedule	2,683,600

SEC 4 Section 2 25 A is added to said act, to read

STATE BEACH AND PARK ACQUISITION PROGRAM

SEC 2 25 A The following sums of money, or so much thereof as may be necessary, are hereby appropriated from the General Fund for expenditure during the 1963-64, 1964-65 and 1965-66 fiscal years

Item	Amount
57—For capital outlay, Department of Parks and Recreation, in augmentation of Item 408 S, Section 2 25 Budget Act of 1963, in accordance with the following schedule	200,000

Schedule

(q) Anza Borrego—real property acquisition	200,000
Total of schedule	200,000

SEC 5 Section 2 3 A is added to said act, to read.

LOCAL ASSISTANCE SECTION

SEC 2 3 A The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and

support of the State of California for the 1963-64 fiscal year beginning July 1, 1963, and ending June 30, 1964 All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury

Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purposes to the extent only of the amount herein appropriated, unless otherwise stated herein, or authorized pursuant to Section 11006, Government Code

Appropriations for purposes not otherwise provided for herein which have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby

Item	Amount
58—For reimbursements to counties for maintenance of juvenile homes and camps, Department of the Youth Authority, in augmentation of Item 407, Section 2 3, Budget Act of 1963, to be expended in accordance with the provisions of Sections 880 through 890 of the Welfare and Institutions Code	443,770
59—For reimbursements to counties for construction of juvenile homes and camps, Department of the Youth Authority, in augmentation of Item 409, Section 2 3, Budget Act of 1963, to be expended in accordance with Section 891 of the Welfare and Institutions Code	379,150
60—For assistance to local agencies in the establishment and operation of mental health services, in accordance with the provisions of Division 8 of the Welfare and Institutions Code provided, that the appropriation made by this item is subject to legislation authorizing additional state expenditures under Division 8 of the Welfare and Institutions Code, to be transferred on order of the Department of Finance in augmentation of Item 416, Section 2 3, Budget Act of 1963	2,000,000
61—For assistance to counties, and cities and counties, to be expended for services to physically handicapped children, including children diagnosed as suffering from phenylketonuria in accordance with provisions of Sections 249 through 271 of the Health and Safety Code, Department of Public Health, in augmentation of Item 418, Section 2 3, Budget Act of 1963	2,864,000
62—For assistance to counties by the establishment of local health services in accordance with Section 1157 of the Health and Safety Code, Department of Public Health, in augmentation of Item 420, Section 2 3, Budget Act of 1963	80,157
63—For assistance to cities, counties, local health agencies and local health districts for the establishment of minimum standards of personnel, organization and administration of local health departments, in accordance with the provisions of Chapter 8, Part 2, Division 1 of the Health and Safety Code, Department of Public Health, in augmentation of Item 421, Section 2 3, Budget Act of 1963	132,157
64—For assistance to local agencies for the treatment of physically handicapped minors by physical and occupational therapy to be provided in special schools and classes with assignment of therapists based on the number of children with cerebral palsy requiring therapy and that treatment be made available for other disabling conditions only on a "time available" basis, Department of Public Health, in augmentation of Item 424, Section 2 3, Budget Act of 1963 Of the amount herein appropriated there may be expended so much as may be necessary by the Department of Public Health to furnish therapeutic services in those areas where it deems the local agencies are unable or not ready to employ personnel directly	275,897
provided, that all therapists will be transferred to the employment of local agencies by July 1, 1964	
65—For assistance to cities, counties, cities and counties, and local hospital districts in the construction of hospital facilities, Department of Public Health, in augmentation of Item 425, Section 2 3, Budget Act of 1963, to be expended under provisions of the California Hospital Survey and Construction Act	1,000,000
66—For reimbursement of expenses incurred by counties and cities in maintaining approved services for the licensing and inspection of agencies for child care and home finding, and agencies for the care of the aged, to be expended in accordance with the provisions of Sections 1622 and 2302 of the Welfare and Institutions Code, and for reimbursement to counties for the cost of the	

adoption programs and care of children, to be expended in accordance with the provisions of Sections 1640 through 1644 of the Welfare and Institutions Code, Department of Social Welfare, *in augmentation of Item 427, Section 2 3, Budget Act of 1963,* to be expended in accordance with the following schedule _____ 746,310

Schedule

(a) For local inspection of homes and agencies caring *for aged and children*	41,210
(b) For reimbursement to counties for administration and cost of care of adoptions	705,100
Total of schedule	746,310

provided, that all or any portion of this appropriation may be transferred to Item 173, Section 2, Budget Act of 1963, for support of Department of Social Welfare, upon order of the Depart*ment of Finance*

SEC 6 Section 10 2 is added to said act, to read:

SEC 10 2 During the 1963-64 fiscal year the unapportioned balance of the money appropriated by Section 19627 of the Business and Professions Code, as determined by the Department of Finance, is hereby appropriated to and in augmentation of the annual appropriation made by Section 19630 of the Business and Professions Code

SEC 7 Section 10 55 A is *added to said act, to read*

SEC 10 55 A Notwithstanding Section 13 6 of the Budget Act of 1962, the appropriation made by Item 446 7, Budget Act of 1958, as amended by Section 12, Budget Act of 1960, shall be available for the purposes of the Emergency Flood Relief Law (Article 6 *(commencing at Section 54150), Chapter 5, Part 1,* Division 2, Title 5, Government Code) for damage or destruction by storm and flood or flood conditions which has occurred between July 1, 1961 and June 30, 1962, and the local agency has applied to the Department of Finance for an allocation of funds on or before October 1, 1963 "

Bill ordered reprinted, and, by unanimous consent, ordered placed on the third reading file

WAIVER OF MILEAGE

July 24, 1963

Hon Jesse M. Unruh
Speaker of the Assembly

DEAR MR SPEAKER I desire to waive my constitutional mileage both ways for the First Extraordinary Session of 1963

LEO J RYAN

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr Booth of Orland to Toshio Yamashita of Kobi, Japan.

On request of Mr Burgener of San Diego to Marge O'Donnell of San Diego.

On request of Mr. Mulford of Oakland to Nancy Clark of San Francisco

On request of Mr Veysey of Brawley to Mr and Mrs A B Santillan and daughters, Maria, Rebecca, and Laura Santillan, of Imperial

ADJOURNMENT

At 6 51 p m , the Speaker pro Tempore declared the Assembly adjourned until 9 30 a m , Thursday, July 25, 1963

JESSE M. UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, July 25, 1963

The Assembly met at 9 30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk James Lane reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson Belotti, Booth, Brittschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Zberg, Zenovich, and Mr Speaker—79

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev Robert R Ferguson

Eternal God, Our Father, We know our lives are composed of cumulative experiences May all that the Members of this Assembly and Senate have gone through, thought out and lived, be focused now on the immediate decisions before them Give to them enlarged thoughts, expanded horizons, minute sensitivity and pure motives that the manner in which they vote may be for the benefit of our people and the advancement of our lives here on earth

In our Lord's name we pray —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Collier then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Petris, seconded by Mr. Bane.

LEAVES OF ABSENCE FOR THE DAY

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

Mr Dills, on request of Speaker pro Tempore Bee.

NOTE On July 29, 1963, page 272, a communication was received from Mr Dills, requesting that the Journal show that he desired to waive his per diem for this day

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ANNOUNCEMENT

Speaker pro Tempore Bee announced the presence in the Assembly Chamber of Assemblyman George W Milias, whereupon the Members of the Assembly joined in welcoming Mr Milias and in extending to him their congratulations upon his recent marriage.

Assistant Clerk Charles Winner Reading

COMMUNICATIONS

The following communication was presented by the Chief Clerk from

Lowell W Felt, Engineer-Manager of the Palmdale Irrigation District, acknowledging receipt of Assembly Concurrent Resolution No. 67 of the 1963 Regular Session Referred by the Speaker pro Tempore to the Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 24, 1963

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

Assembly Bill No 25

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, July 24, 1963

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 5

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

Above bill ordered to unfinished business file

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 11—Relative to a study of the Governor's residence

The question being Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No 11?

Amendment No. 1

In line 1 of the title of the printed measure, strike out "the crea-"; and strike out lines 2 and 3 of the title, and insert *"a study of the Governor's residence"*

Amendment No. 2

On page 1, strike out lines 20 and 21, and insert
"1 The Legislative Budget Committee is hereby authorized and directed to ascertain,"

Amendment No. 3

On page 2, strike out lines 5 to 49, inclusive, and insert
"2 The committee shall file its final report on the study made pursuant to this resolution not later than the first legislative day of the 1964 Regular Session"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No 11 by the following vote.

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Britschgi, Burgener, Casey, Chapel, Collier, Cologne, Conrad, Cusanovich, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Foran, Frew, Gaffney, Garrigus, Gonsalves, Henson, Johnson, Kennick, Knox, Lanterman, McMillan, Mihas, Mulford, Pattee, Petris, Porter, Rumford, Ryan, Soto, Thelin, Thomas, Waldie, Williamson, Z'berg, and Mr Speaker—47
NOES—None

Assembly Concurrent Resolution No 11 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 17—An act to add Chapter 5 (commencing with Section 10301) to Division 8 of, and to amend Section 18106 of, the Education Code, relating to specialized teaching materials

Bill read third time, and passed by the following vote.

AYES—Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Booth, Britschgi, Burgener, Carrell, Casey, Chapel, Collier, Cologne, Cusanovich, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lanterman, McMillan, Mihas, Monagan, Mulford, Porter, Rumford, Ryan, Soto, Thelin, Thomas, Waldie, Whetmore, Williamson, Winton, Z'berg, and Mr Speaker—50
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 18—An act to amend Sections 18102 and 18103 of the Education Code, relating to allocations for blind pupils

Bill read third time, and passed by the following vote

AYES—Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Britschgi, Burgener, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Davis, Deukmejian, Donovan, Dymally, Elliott, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Mihas, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Rumford, Ryan, Song, Soto, Stevens, Thelin, Thomas, Waldie, Whetmore, Williamson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—59
NOES—None

Bill ordered transmitted to the Senate

Name Placed Upon Roll Call on Assembly Bill No 18

Mr Moreno was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 18

Consideration of House Resolution No. 84

By Assemblyman Moreno·

House Resolution No 84—Relative to congratulating Mr Karl Holton on his selection for the Presidential Medal of Freedom

NOTE The full text of House Resolution No 84 appears at pages 177 and 178 of the Assembly Daily Journal for July 23, 1963

Resolution read, and adopted

Consideration of House Resolution No. 85

By Assemblyman Waldie

House Resolution No. 85—Relative to the commemorative stamp honoring John Muir

NOTE The full text of House Resolution No 85 appears at page 178 of the Assembly Daily Journal for July 23, 1963

Resolution read, and adopted

Consideration of House Resolution No 86

By Assemblyman Veneman:

House Resolution No. 86—Relative to Hershey Chocolate Company's new plant at Oakdale, California.

NOTE The full text of House Resolution No 86 appears at pages 178 and 179 of the Assembly Daily Journal for July 23, 1963

Resolution read, and adopted

Consideration of House Resolution No. 89

By Assemblymen Meyers, Foran, Marks, Gaffney, and Burton

House Resolution No. 89—Relative to the twenty-fifth anniversary of the May Day Festival of the Parkside Improvement Club

NOTE The full text of House Resolution No 89 appears at pages 187 and 188 of the Assembly Daily Journal for July 23, 1963

Resolution read, and adopted

Consideration of House Resolution No. 91

By Assemblymen Meyers, Foran, Marks, Gaffney, and Burton

House Resolution No. 91—Relating to the 187th Birthday Ceremonies of San Francisco.

NOTE The full text of House Resolution No 91 appears at pages 188 and 189 of the Assembly Daily Journal for July 23, 1963

Resolution read, and adopted

Consideration of House Resolution No. 92

By Assemblymen Casey, Meyers, and Belotti

House Resolution No. 92—Relative to commending Grace Stall, Chief Assembly Stenographer, and her staff

NOTE The full text of House Resolution No 92 appears at page 189 of the Assembly Daily Journal for July 23, 1963.

Resolution read, ~~and adopted~~

NOTE—Later this day, the above action was rescinded whereby House Resolution 92 was adopted *See* page 252

Consideration of House Resolution No. 93

By Assemblymen Porter, Unruh, Deukmejian, Gonsalves, Ferrell, Kennick, Moreno, and Thomas

House Resolution No. 93—Relative to congratulating Colonel C S Smith and the Herald American Newspapers on the opening of new production facilities in Bellflower

NOTE The full text of House Resolution No. 93 appears at page 190 of the Assembly Daily Journal for July 23, 1963

Resolution read, and adopted

Assembly Concurrent Resolution No. 9—Relative to display of the National Flag

Resolution read, and adopted

Resolution ordered transmitted to the Senate

Consideration of House Resolution No 90

By Assemblymen Meyers, Marks, Foran, Gaffney, and Burton·

House Resolution No. 90—Congratulating Ruth Church Gupta

NOTE: The full text of House Resolution No 90 appears at page 188 of the Assembly Daily Journal for July 23, 1963.

Resolution read

Members Made Coauthors of House Resolution No. 90

Mr Cusanovich was granted unanimous consent that all members so desiring be placed upon House Resolution No 90 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bane, Barnes, Bee, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Crown, Cusanovich, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Foran, Frew, Gaffney, Garrigus, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Rumford, Ryan, Song, Soto, Stevens, Thelin, Thomas, Veneman, Veysey, Waldie, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr. Speaker—66

NOES—None

The question being on the adoption of the resolution, as amended

Resolution adopted unanimously

THIRD READING OF SENATE BILLS

Senate Bill No. 4—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2 2 A, 2 25 A, 2 3 A, 10 2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Bill read third time, and presented by Mr Crown.

Urgency Clause

Urgency clause read

Experts Permitted on Floor of Assembly

Speaker pro Tempore Bee was granted unanimous consent that Mr Post, Legislative Analyst, and Mr Bell and Mr Beach from the Department of Finance, be permitted on the floor of the Assembly during consideration of Senate Bill No 4

Parliamentary Inquiry

Mr Mulford arose to the following parliamentary inquiry Does the bill in its present form require 41 or 54 votes for passage?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that 54 votes are required for passage

The question being on the adoption of the urgency clause

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Crown moved a call of the Assembly

Mr Knox seconded the motion

Motion carried Time, 10 08 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 113

Mr Conrad was granted unanimous consent that Assembly Rule No 113 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

NAME PLACED UPON ROLL CALL ON HOUSE RESOLUTION NO. 90

Mr Meyers was granted unanimous consent that he be recorded as voting "Aye" on House Resolution No 90

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the Rules Committee photographer be permitted to take pictures in the Assembly Chamber during the session today

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO SENATE BILL NO. 4

At 10 12 a m, on motion of Mr Crown, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the urgency clause to Senate Bill No 4 adopted by the following vote

AYES—Allen, Alquist, Bane, Bee, Belotti, Booth, Britschgi, Burton, Carrell Casey, Crown, Danielson, Dannemeyer, Davis, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Holmes, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Pattee, Petris,

Porter, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Wilson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—55

NOES—Ashcraft, Badham, Bagley, Barnes, Burgener, Chapel, Collier, Cologne Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Lanterman, Mihas, Mulford, Stevens, Thelin, Veneman, Veysey, and Whetmore—22

The question being on the passage of Senate Bill No 4

Bill passed by the following vote

AYES—Allen, Alquist, Bane, Bee, Belotti, Booth, Britschgi, Burton, Carrell, Casey, Crown, Danielson, Dannemeyer, Davis, Dymally, Elliott, Ferrell Foran, Frew, Gaffney Garrigus, Gonsalves, Greene, Henson, Holmes, Johnson, Kennick, Knox, Lunardi, Marks McMillan, Meyers, Mills, Monagan, Moreno, Pattee, Petris, Porter, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Wilson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—55

NOES—Ashcraft, Badham, Bagley, Barnes, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Lanterman Mihas, Mulford, Stevens, Thelin, Veneman, Veysey, and Whetmore—22

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO 25

MRS DAVIS was granted unanimous consent to take up Senate amendments to Assembly Bill No 25

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO 25

Assembly Bill No. 25—An act to add Section 251 to the Fish and Game Code, to preserve the revenues of the Department of Fish and Game by continuing the regulations of the Fish and Game Commission, and declaring the urgency thereof, to take effect immediately

The question being Shall the Assembly concur in the following Senate amendments to Assembly Bill No 25?

Amendment No. 1

In the heading of the printed bill, after "and Thomas", insert "(Coauthor Senator Cameron)"

Amendment No. 2

In line 1 of the title, strike out "add Section 251 to", and insert "amend Sections 221 and 462 of, and to add Section 251 to,"

Amendment No 3

On page 2, line 5, after "SEC 2", insert "Section 221 of the Fish and Game Code is amended to read

221 The provisions of this article are effective until the 91st day after the final adjournment of the ~~1963~~ *1965* Regular Session of the Legislature and thereafter shall have no force or effect *During the period in which such provisions are effective, they shall not apply as to deer in District 1¾*

SEC 3"

Amendment No. 4

On page 2, line 7, strike out "Section", and insert "Sections 221 and"

Amendment No. 5

On page 2, strike out lines 11 to 13, inclusive, and insert "retary of State on June 14, 1963, which are applicable to District 1¾ and relate to deer shall continue in full force and effect in that district until superseded by subsequent statute"

Amendment No. 6

On page 2, line 16, after "division", insert "applicable to District 1¾"

Amendment No. 7

On page 2, strike out line 17, and insert "in full force and effect for"

Amendment No. 8

On page 2, line 19, strike out "SEC 3", and insert

"SEC 4 Section 462 of said code is amended to read

462 The provisions of this article shall have no force or effect ~~after the expiration of Section 221~~ *in District 1¾, and shall have no force or effect elsewhere in the State in the event the provisions of Article 1 (commencing with Section 200) of Chapter 2 of Division 1 cease to be effective*

SEC. 5"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 25 by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks McMillan, Meyers, Miller, Mills, Monagan, Mulford, Pattee, Petris, Porter, Quimby, Rumford, Ryan, Song, Soto, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie Warren, Whetmore, Williamson, Wilson, Winton, Young, Zberg, Zenovich, and Mr Speaker—74

NOES—None

Assembly Bill No 25 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON HOUSE RESOLUTION NO. 92

Mr Casey was granted unanimous consent to rescind the action whereby the Assembly, on this day (Assembly Journal, page 248), adopted House Resolution No 92

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO 92

By Assemblymen Casey, Meyers, and Belotti

House Resolution No. 92—Relative to commending Grace Stall, Chief Assembly Stenographer, and her staff

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NOTE The full text of House Resolution No 92 appears at page 189 of the Assembly Daily Journal for July 23, 1963.

Resolution read

Members Made Coauthors of House Resolution No. 92

Mr. Casey was granted unanimous consent that all members so desiring be placed upon House Resolution No 92 as coauthors

Roll Call

The following members indicated a desire to become coauthors·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi,

Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Potter, Quimby, Rumford, Ryan, Song, Soto Stanton, Stevens, Thelin, Thomas, Veneman Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—77
NOES—None

The question being on the adoption of the resolution, as amended
Resolution adopted unanimously

Name Placed Upon Roll Call

Mr Whetmore was granted unanimous consent that he be recorded as voting "Aye" on the roll call of members desiring to become co-authors of House Resolution No 92

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 98 FROM COMMITTEE

Mr Cologne was granted unanimous consent that House Resolution No 98 be withdrawn from the Committee on Rules for consideration, at this time

CONSIDERATION OF HOUSE RESOLUTION NO 98

By Assemblyman Cologne

House Resolution No. 98—Relative to a study of highways in Riverside County

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NOTE The full text of House Resolution No 98 appears at page 227 of the Assembly Daily Journal for July 24, 1963

Resolution read and adopted

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 12—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955 1, 17261, 17301, 17301 3, 17303, 17303 5, 17352, 17353, 17402, 17405, 17411 17456, 17601, 17607, 17611, 17655 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17667, 17702, 17703, 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990, 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18455, and 18460 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17612, 17613, 17666, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to add Sections 17401, 17404, 17407, 17601 1, and 17665 5 to, and to add Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of, the Education Code, relating to the public school system, and making an appropriation

Bill read third time, and presented by Mr Winton

Motion to Amend

Mr Collier moved the adoption of the following amendments

Amendment No 1

In line 3 of the title of the printed bill, as amended in the Assembly on July 24, 1963, after "17261," strike out "17262, 17263, 17263 1,".

Amendment No. 2

In lines 10, 11, and 12 of the title, strike out "to amend the heading of Article 3 (commencing with Section 17701), of Chapter 3 of Division 14 of,"

Amendment No. 3

In lines 20 and 21 of the title, strike out "Sections 17654.5, 17702.1, 17702.2, and 17706", and insert "Section 17654.5"

Amendment No. 4

In lines 21 and 22 of the title, strike out "Article 2.5 (commencing with Section 17680) and"

Amendment No. 5

In lines 24 and 25 of the title, strike out "to add Chapter 3.5 (commencing with Section 20910) to Division 16 of,"

Amendment No. 6

On page 6, strike out lines 16 to 49, inclusive, and on page 7, strike out lines 1 to 23, inclusive

Amendment No. 7

On page 17, lines 12 and 13, strike out "six thousand one hundred seventy-five dollars ($6,175)", and insert "six thousand dollars ($6,000)"

Amendment No. 8

On page 17, lines 22 and 23, strike out "twelve thousand three hundred fifty dollars ($12,350)", and insert "twelve thousand dollars ($12,000)"

Amendment No. 9

On page 17, lines 32 and 33, strike out "eighteen thousand five hundred twenty-five dollars ($18,525)", and insert "eighteen thousand dollars ($18,000)"

Amendment No. 10

On page 17, lines 42 and 43, strike out "twenty-four thousand seven hundred dollars ($24,700)", and insert "twenty-four thousand dollars ($24,000)"

Amendment No. 11

On page 18, lines 48 and 49, strike out "six thousand one hundred seventy-five dollars ($6,175)", and insert "six thousand dollars ($6,000)"

Amendment No. 12

On page 19, lines 8 and 9, strike out "twelve thousand three hundred fifty dollars ($12,350)", and insert "twelve thousand dollars ($12,000)"

Amendment No. 13

On page 19, lines 19 and 20, strike out "eighteen thousand five hundred twenty-five dollars ($18,525)", and insert "eighteen thousand dollars ($18,000)"

Amendment No. 14

On page 19, line 29, strike out "twenty-four thousand seven hundred dollars ($24,700)", and insert "twenty-four thousand dollars ($24,000)"

Amendment No. 15

On page 19, line 41, strike out "two hundred forty-seven dollars ($247)", and insert "two hundred forty dollars ($240)"

Amendment No. 16

On page 19, lines 48 and 49, strike out "two hundred fifty-seven dollars ($257)", and insert "two hundred fifty dollars ($250)"

Amendment No. 17

On page 20, lines 11 and 12, strike out "two hundred forty-seven dollars ($247)", and insert "two hundred forty dollars ($240)"

Amendment No. 18

On page 20, lines 23 and 24, strike out "two hundred fifty-seven dollars ($257)", and insert "two hundred fifty dollars ($250)"

Amendment No. 19

On page 20, lines 35 and 36, strike out "two hundred forty-seven dollars ($247)", and insert "two hundred forty dollars ($240)"

Amendment No 20

On page 20, lines 47 and 48, strike out "two hundred fifty-seven dollars ($257)", and insert "two hundred fifty dollars ($250)".

Amendment No. 21

On page 21, lines 13 and 14, strike out "thirty-three thousand four hundred sixty dollars ($33,460)", and insert "thirty-three thousand three hundred twenty dollars ($33,320)"

Amendment No. 22

On page 21, line 22, strike out "thirty-nine thousand ninety-seven dollars ($39,097)", and insert "thirty-eight thousand seven hundred ninety-three dollars ($38,793)"

Amendment No 23

On page 21, lines 29 and 30, strike out "forty-seven thousand seven hundred thirty-four dollars ($47,734)", and insert "forty-four thousand two hundred sixty-six dollars ($44,266)"

Amendment No. 24

On page 21, lines 37 and 38, strike out "fifty thousand three hundred seventy dollars ($50,370)", and insert "forty-nine thousand seven hundred forty dollars ($49,740)"

Amendment No. 25

On page 21, lines 45 and 46, strike out "fifty-six thousand seven dollars ($56,007)", and insert "fifty-five thousand two hundred thirteen dollars ($55,213)"

Amendment No 26

On page 22, lines 3 and 4, strike out "sixty-one thousand six hundred forty-four dollars ($61,644)", and insert "sixty thousand six hundred eighty-six dollars ($60,686)"

Amendment No. 27

On page 22, lines 11 and 12, strike out "sixty-seven thousand two hundred eighty dollars ($67,280)", and insert "sixty-six thousand one hundred sixty dollars ($66,160)"

Amendment No. 28

On page 22, lines 19 and 20, strike out "seventy-two thousand nine hundred seventeen dollars ($72,917)", and insert "seventy-one thousand six hundred thirty-three dollars ($71,633)"

Amendment No. 29

On page 22, lines 28 and 29 strike out "seventy-eight thousand five hundred fifty-four dollars ($78,554)", and insert "seventy-seven thousand one hundred six dollars ($77,106)"

Amendment No. 30

On page 22, lines 35 and 36 strike out "eighty-four thousand one hundred ninety dollars ($84,190)", and insert "eighty-two thousand five hundred eighty dollars ($82,580)"

Amendment No. 31

On page 22 lines 43 and 44, strike out "eighty-nine thousand eight hundred twenty-seven dollars ($89,827)", and insert "eighty-eight thousand fifty-three dollars ($88,053)"

Amendment No. 32

On page 23, lines 2 and 3, strike out "ninety-five thousand four hundred sixty-four dollars ($95,464)", and insert "ninety-three thousand five hundred twenty-six dollars ($93,526)"

Amendment No. 33

On page 23 lines 10 and 11, strike out "one hundred one thousand one hundred dollars ($101,100)", and insert "ninety-nine thousand dollars ($99,000)"

Amendment No. 34

On page 23 lines 18 and 19, strike out "five thousand six hundred thirty-seven dollars ($5,637)", and insert "five thousand four hundred seventy-three dollars ($5,473)".

Amendment No. 35

On page 23 line 30 strike out "three hundred thirty-seven dollars ($337)", and insert "three hundred thirty dollars ($330)"

Amendment No. 36

On page 23, line 37, strike out "three hundred forty-seven dollars ($347)", and insert "three hundred forty dollars ($340)"

Amendment No. 37

On page 24, lines 6 and 7, strike out "three hundred forty-seven dollars ($347)", and insert "three hundred forty dollars ($340)"

Amendment No. 38

On page 24, line 14, strike out "three hundred forty-seven dollars ($347)", and insert "three hundred forty dollars ($340)"

Amendment No. 39

On page 25, strike out lines 6 to 28, inclusive

Amendment No. 40

On page 25, strike out lines 40 to 49, inclusive; and on page 26, strike out lines 1 to 19, inclusive, and insert

"(c) Twenty-five cents ($0.25) in a junior college district"

Amendment No. 41

On page 26, lines 21 to 24, strike out "in respect to the computation of district aid, or upon request of the county superintendent of schools in respect to the computation of county aid,"

Amendment No. 42

On page 26, line 25, strike out "or county aid"

Amendment No. 43

On page 26, line 50, strike out "and county", and on page 27, line 1, strike out "taxes"

Amendment No. 44

On page 21, lines 6 to 8, inclusive, strike out "in respect to the computation of district aid, or upon request of the county superintendent of schools in respect to the computation of county aid,"

Amendment No. 45

On page 27, line 10, strike out "or county aid"

Amendment No. 46

On page 27, line 12, strike out "or county aid"

Amendment No. 47

On page 27, line 14, strike out "or the county"

Amendment No. 48

On page 27, lines 19 to 22, inclusive, strike out "in respect to the computation of district aid, or upon request of the county superintendent of schools in respect to the computation of county aid"

Amendment No. 49

On page 27, line 23, strike out "or county aid".

Amendment No. 50

On page 27, line 24, strike out "or county"

Amendment No. 51

On page 27, line 28, strike out "or county taxes"

Amendment No. 52

On page 27, line 34, strike out "or county".

Amendment No. 53

On page 27, line 38, strike out "or county"

Amendment No. 54

On page 27, strike out lines 42 to 51, inclusive, and on page 28, strike out lines 1 to 8, inclusive

Amendment No. 55

On page 29, line 2, strike out "or 17706, whichever are operative"

Amendment No. 56

On page 29, line 7, strike out "or 17706"

Amendment No. 57

On page 29, line 11, strike out "or 17706"

Amendment No. 58

On page 29, lines 17 and 18, strike out "or 17706, whichever is operative,"

Amendment No. 59

On page 29, line 22, strike out "or 17706,"

Amendment No. 60

On page 29, lines 26 and 27, strike out "or 17706,"

Amendment No. 61

On page 29, line 36, strike out "17702 1", and insert "17702"

Amendment No 62

On page 29, line 39, strike out "17702 1", and insert "17702"

Amendment No. 63

On page 29, line 42, strike out "17702.1", and insert '17702"

Amendment No. 64

On page 42, strike out lines 1 to 50, inclusive, strike out all of pages 43 and 44, and on page 45, strike out lines 1 and 2

Amendments read

Speaker Presiding

At 10 35 a m, Hon Jesse M Unruh, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments by Mr Collier.

Points of Personal Privilege

Mr. Cologne arose to a point of personal privilege

Mr Flournoy arose to a point of personal privilege

Mr. Ryan arose to a point of personal privilege

Point of Order

Mr. Hinckley arose to the following point of order That debate on the amendments has been concluded

Ruling by Speaker

The Speaker ruled the point of order not well taken

Demand for Previous Question

Messrs Petris, Bee, Pattee, Holmes, and Zenovich demanded the previous question Demand sustained

The question being on the adoption of the amendments by Mr Collier

Roll Call Demanded

Messrs. Collier, Conrad, and Cusanovich demanded a roll call

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

AYES—Ashcraft, Badham, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Frew, Henson, Hinckley,

Holmes, Lanterman, Lunardi, Mulford, Thelin, Veneman, Veysey, Waite, Waldie, Whetmore, and Williamson—27.

NOES—Allen, Alquist, Bagley, Bane, Bee, Booth, Burton, Carrell, Casey, Crown, Danielson, Dannemeyer, Davis, Dymally, Elliott, Ferrell, Flournoy, Foran, Gaffney, Garrigus, Gonsalves, Greene, Johnson, Kennick, Knox, Marks, McMillan, Meyers, Milias, Mills, Moreno, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Warren, Willson, Winton, Zenovich, and Mr Speaker—47

The question being on the passage of the bill

Motion to Amend

Mr Burton moved the adoption of the following amendments

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on July 24, 1963, after "8955 1," insert "13525,"

Amendment No. 2

On page 6 between lines 6 and 7, insert

"SEC. 6 2 Section 13525 of said code is amended to read·

13525. The governing board of each school district shall pay to each person employed in a day school of the district for full time in a position requiring certification qualifications and serving under other than an emergency or provisional credential an annual salary of not less than ~~four thousand two hundred dollars ($1,200) prior to July 1, 1960, and four thousand five hundred dollars ($1,500) on and after July 1, 1960~~ *five thousand dollars ($5,000)* .

The governing board of each school district shall pay to each person employed for less than full time in a position requiring certification qualifications and serving under other than an emergency or provisional credential an annual salary of not less than an amount which bears the same ratio to ~~four thousand two hundred dollars ($1,200) prior to July 1, 1960, and to four thousand five hundred dollars ($1,500) on and after July 1, 1960,~~ *five thousand dollars ($5,000)* as the time required of the person bears to the time required of a person employed full time

"Full time" means not less than the minimum school day for each day the schools of the district are maintained during the school year

The provisions of this section shall not be construed as applying to substitute employees of a school district "

Amendments read, and refused adoption

The question being on the passage of the bill

Bill passed by the following vote

AYES—Allen, Alquist, Bagley, Bane, Bee, Belotti, Booth, Burgener, Burton, Carrell, Casey, Cologne, Crown, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Hinckley, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—63

NOES—Ashcraft, Badham, Barnes, Britschgi, Chapel, Collier, Conrad, Cusanovich, Henson, Holmes, Mulford, and Willson—12

Bill ordered transmitted to the Senate.

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Mr and Mrs Tom Cummings and sons, Tom, Jr, and John Cummings, of San Antonio, Texas, cousins of Assemblyman Thomas C Carrell, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber

Speaker pro Tempore Presiding

At 10 53 a m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

RESOLUTIONS

The following resolution was offered

By Assemblyman Whetmore

House Resolution No. 101

Relative to the Dictionary of American Slang

WHEREAS, It is the understanding of the Assembly that various elementary and secondary school libraries in this State possess and make available to students a book entitled "Dictionary of American Slang," by Dr Harold Wentworth and Mr Stuart Flexner, published by Thomas Y Crowell Company, and

WHEREAS, This book contains many disgusting words relating to sex and other matters, and many derogatory terms used to describe persons of particular races, colors, and religions, with the result that the book is unfit for use by school children, and

WHEREAS, Though the Assembly recognizes that it does not have the power to require the State Board of Education or local school boards to remove the book from school libraries, it is nevertheless proper for the Assembly to direct attention to a situation deemed inimical to the welfare of the children of this State and to urge action to remedy the situation, now, therefore, be it

Resolved by the Assembly of the State of California, That school boards are urged in such cases as their elementary and secondary school libraries contain said dictionaries to cause its removal therefrom

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

COMMITTEE MEETING ANNOUNCEMENT

Mr Bane announced a meeting of the Committee on Rules at 1 30 p m this afternoon, in Room 3188

RECESS

At 11 01 a.m, Speaker pro Tempore Bee declared the Assembly at recess until 2 p m.

REASSEMBLED

At 2 p m, the Assembly reconvened

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Channus at the desk

Assistant Clerk Charles Winner reading

RESOLUTIONS

The following resolution was offered

By Assemblymen Bane Waite, and Chelin

House Resolution No 102

Relative to the Ventura and Golden State Freeways

WHEREAS, There is now no interchange between the Ventura Freeway and the Golden State Freeway, and

WHEREAS, The people of the Burbank, North Hollywood, Glendale, Sun Valley, Studio City, Sherman Oaks, Van Nuys and Pacoima areas who need to transfer from one of the freeways to the other now must travel through residential and business areas in order to make the change, and

WHEREAS, This defeats the purpose of the timesaving and lifesaving features of freeway development, and

WHEREAS, These features are becoming more critical in this particular area because of the planned development of a state college in the Burbank, North Hollywood, Glendale, Sun Valley, and Pacoima area, and

WHEREAS, This interchange can be located in an undeveloped area, now, therefore be it

Resolved by the Assembly of the State of California, That the Division of Highways is requested to immediately adopt plans for an interchange between the Ventura and Golden State Freeways so that the location of the state college in the area of Burbank, North Hollywood, Glendale, Sun Valley, and Pacoima may be situated in the most feasible place for the future safety, not only of students and of those driving to and from work, but also of the people residing in the residential areas through which the present freeway traffic must flow to make an exchange between the Ventura and Golden State Freeways, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to all members of the California Highway Commission and the Director of Public Works

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 25, 1963

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

Assembly Concurrent Resolution No 13

J A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER, July 25, 1963

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. 12—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955 1, 17261, 17301, 17301 3, 17303, 17303 5, 17352, 17353, 17402, 17405, 17411, 17456, 17601, 17607, 17611, 17655, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17667, 17702, 17703, 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990, 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18453, and 18460 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17612, 17613, 17606, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to add Sections 17401, 17404, 17407, 17601 1, and 17665 5 to, and to add Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of, the Education Code, relating to the public school system, and making an appropriation

And appointed Senators Rattigan, Rodda, and Williams, as a Committee on Conference to meet a like committee from the Assembly

J. A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

SENATE CHAMBER, July 25, 1963

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

Assembly Concurrent Resolution No 2

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

Above resolution ordered to unfinished business file

MEMBERS EXCUSED

At 2 10 p m , on motion of Mr. Conrad, Messrs. Pattee and Whetmore were excused for the balance of the day because of legislative business elsewhere

RESOLUTIONS

The following resolution was offered:

By Assemblyman Waldie:

House Resolution No. 103

Relative to congratulating Harry H Boyer

WHEREAS, On July 11, 1963, Harry H. Boyer, distinguished resident of Antioch, California, celebrated his 70th birthday; and

WHEREAS, Mr Boyer, a World War I veteran, has spent the greatest part of his life in serving his community, and

WHEREAS, In the early 1920's he was a member of the California Highway Patrol in the Antioch area and in the late 1920's and early 1930's was an Antioch City Councilman and supervisor of toll collections on the Antioch Bridge, and

WHEREAS, He joined the Antioch Police Department in 1936 where his unique ability, devotion to duty, and outstanding talents for leadership resulted in his appointment as the Chief of Police in 1944, a position which he held until he retired in 1958; and

WHEREAS, His keen interest in the well-being of his community did not end with his retirement, a fact demonstrated by his active participation in various veterans' organizations in the Antioch area, and

WHEREAS, Mr Boyer is one of five surviving members of a "last man" club of which there were 13 original members and is honored each year on the occasion of his birthday by a club dinner, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend best wishes to Mr Boyer on his birthday and express the hope that he will enjoy many more birthdays blessed with happiness and good health, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Harry H Boyer

Request for Unanimous Consent

Mr. Waldie was granted unanimous consent to take up House Resolution No. 103 without reference to committee or file.

Resolution read, and adopted

By Assemblyman Conrad.

House Resolution No. 104—Relative to congratulating Assemblyman and Mrs George W Milias on their marriage

Request for Unanimous Consent

Mr. Conrad was granted unanimous consent to take up House Resolution No 104 without reference to committee or file.

Resolution read

Members Made Coauthors of House Resolution No. 104

Mr Conrad was granted unanimous consent that all members so desiring be placed upon House Resolution No 104 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby,

Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr. Speaker—75

Noes—None

Consideration of House Resolution No. 104, as Amended

By Assemblymen Conrad, Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Crown, Cusanovich, Danielson, Assemblywoman Davis, Assemblymen Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Unruh, Veneman, Veysey, Waite, Waldie, Warren, Williamson, Willson, Winton, Young, Z'berg, and Zenovich

House Resolution No. 104

Relative to congratulating Assemblyman and Mrs. George W. Milias on their marriage

WHEREAS, The members were elated over the news that one of their honorable body, George W. Milias, Assemblyman from the 22d District, had embarked upon the sea of matrimony; and

WHEREAS, In the marriage ceremony, George obtained the hand of the former Mary Ann Kaip; and

WHEREAS, The Milias's have known each other for some time and both attended Gilroy High School, having many common friends and associates; and

WHEREAS, The members are confident that the lovely and gracious Mrs. Milias will be an inspiration and life-long companion to Assemblyman Milias and that he will be a devoted and considerate husband to his charming wife; now, therefore, be it

Resolved by the Assembly of the State of California, That the members do hereby express their profound congratulations and best wishes to Assemblyman and Mrs. George W. Milias and sincerely wish them the highest attainment of wedded love and devotion as they establish a home and throughout their lives; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. George W. Milias.

Resolution read as amended, and adopted unanimously.

Majority Floor Leader Presiding

At 2:18 p.m. Hon. Jerome R. Waldie, Majority Floor Leader of the Assembly, presiding.

Name Placed Upon Roll Call

Mr. Stevens was granted unanimous consent that he be recorded as voting "Aye" on the roll call of members desiring to become coauthors of House Resolution No. 104.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSSEMBLY CONCURRENT RESOLUTION NO. 2

Mr. Bee was granted unanimous consent to take up Senate amendments to Assembly Concurrent Resolution No. 2.

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to state public works projects

The question being "Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 2?"

Amendment No. 1

On page 1, line 20, of the printed measure, as amended in the Assembly on July 16, 1963, after "author", insert "or coauthor"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 2 by the following vote:

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Carrell, Casey, Cologne, Crown, Dannemeyer, Davis, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Hinckley, Holmes, Johnson, Kennick, Knox, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Quimby, Rumford, Song, Soto, Stanton, Stevens, Thomas, Veneman, Veysey, Williamson, Willson, Winton, Young, Zenovich, and Mr. Speaker—53

NOES—Badham, Burgener, Cusanovich, Deukmejian, Donovan, Milias, and Thelin—7

Assembly Concurrent Resolution No. 2 ordered enrolled

Speaker pro Tempore Presiding

At 2:25 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 25, 1963

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 97
House Resolution No. 102

With the recommendation: Be adopted

BANE, Chairman

Above resolutions ordered on file

ASSEMBLY CHAMBER, July 25, 1963

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 35
House Resolution No. 93

With the recommendation: That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Assemblymen Kennick and Deukmejian

House Resolution No. 105

Relative to the purchase by American airline companies of British jets

WHEREAS, It has been determined by Douglas Aircraft Company that a world market need exists for short-to-medium range jet transports and the company has embarked on a program of development and production of such aircraft; and

WHEREAS, Douglas Aircraft, as the single United States manufacturer entering this market, is in competition with only one foreign concern, the British Aircraft Corporation; and

WHEREAS, Douglas envisions its fair share of the world market as four hundred DC-9's, which would create 73,000 new jobs for an eight-year period by reason of prime and subcontract work including purchase of raw materials, parts, major subassemblies and purchase of replacement parts, and

WHEREAS, This employment and these purchases would occur in, and be of direct benefit to 28 states, providing personal and business income totaling in excess of two billion dollars over the eight-year period, with personal and corporate tax payments approximating $304,000,000, and

WHEREAS, Three United States airlines have already placed orders for 31 foreign-build jet transports, the BAC-111, supposedly because of the promise of earlier delivery, and

WHEREAS, These initial purchases will result in an outflow of $80,000,000, with the ominous possibility of other United States airlines following suit, which would create drains on gold reserves numbering in the billions of dollars, and

WHEREAS, United States purchase of foreign jet transports would have a detrimental effect upon domestic employment, the national economy, balance of trade and the national defense capability represented by a healthy airframe industry, and

WHEREAS, One of the three United States airlines, a federally subsidized and regulated local service carrier, would, in effect, utilize financial assistance provided by the United States Government to obtain foreign manufactured transports; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California respectfully memorializes the Congress of the United States to take whatever action is necessary to prevent the purchase of these foreign jet transports; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative in the Congress of the United States from the State of California, to the Chairman of the Civil Aeronautics Board, to the Secretary of the Treasury, to the Secretary of Commerce, and to the Administrator of the Federal Aviation Agency

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE AMENDMENTS TO ASSEMBLY BILL NO. 5

Mr Crown asked for unanimous consent to take up Senate amendments to Assembly Bill No 5

Mr Crown withdrew his request

Speaker Presiding

At 2 32 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

PARLIAMENTARY INQUIRIES

Messrs Conrad, Mulford, Lanterman, and Waldie arose to parliamentary inquiries concerning the procedure to be followed by the House

Reply by Speaker

Speaker Unruh discussed at length the present plans and possible procedures which may be followed by the Assembly

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Petris asked for unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No 32 for hearing in the Committee on Revenue and Taxation this afternoon

Mr Waldie withheld unanimous consent

Mr Petris was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No 33 for hearing in the Committee on Revenue and Taxation this afternoon

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr Petris was granted unanimous consent to hold a special meeting of the Committee on Revenue and Taxation at 3 p m Subject. Assembly Bill No 33

Speaker pro Tempore Presiding

At 2 52 p m , Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 12

The Speaker pro Tempore appointed Messrs Mills, Ryan, and Ashcraft as a Committee on Conference concerning Senate Bill No 12

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 25, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Joint Resolution No. 1—Relating to the Point Reyes National Seashore.

Assembly Concurrent Resolution No 4—Relative to state highway routes

Assembly Concurrent Resolution No. 8—Relative to state scholarships

Assembly Concurrent Resolution No 10—Relative to the Diamond Jubilee of the City of Long Beach

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of July, 1963, at 4 p m

POWERS, Chairman

ASSEMBLY CHAMBER, July 25, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 11—Relative to a study of the Governor's residence

And reports the same correctly enrolled, and presented to the Secretary of State on the 25th day of July, 1963, at 5 p m

POWERS, Chairman

ASSEMBLY CHAMBER, July 25, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 25—An act to amend Sections 221 and 462 of, and to add Section 251 to, the Fish and Game Code, to preserve the revenues of the Department of Fish and Game by continuing the regulations of the Fish and Game Commission, and declaring the urgency thereof, to take effect immediately

And reports the same correctly enrolled, and presented to the Governor at 5 p m , July 25, 1963

POWERS, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 25, 1963

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

Assembly Bill No 9

J A BEEK, Secretary of the Senate
By GORDON F ENGLISH, Assistant Secretary

Above bill ordered enrolled

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that it was his intention to appoint Messrs Crown, Zenovich, and Donovan as the Assembly Committee on Conference concerning Senate Bill No 4 upon receipt of the Senate message relative to its nonconcurrence in the Assembly amendments thereto.

REPORTS OF STAND NG COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, July 25, 1963

MR SPEAKER Your Committee on Revenue and Taxation reports

Assembly Bill No 33

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

PETRIS, Chairman

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILL NO. 33 (BY UNANIMOUS CONSENT)

Assembly Bill No. 33—An act creating the Tax Revenue Fund of 1963, and restricting the disposition of funds transferred thereto

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted

Amendment No. 1

On page 2, between lines 9 and 10, of the printed bill, insert

"SEC 4 As promptly as feasible after collection, the Controller shall order the transfer from the Personal Income Tax Fund to the Tax Revenue Fund of 1963, the sum of forty million dollars ($40,000,000) out of the money in the Personal Income Tax Fund attributable to the revenue derived therein in the 1963-64 fiscal year as a result of the enactment by the Legislature of Senate Bill No 6 at its 1963 First Extraordinary Session"

Amendment No. 2

On page 2, line 10, strike out "SEC 4", and insert "SEC 5."

Amendment No. 3

On page 2, line 13, strike out "SEC 5", and insert "SEC 6"

Amendment No. 4

On page 2, line 16, strike out "3", and insert "4".

Amendment No. 5

On page 2, strike out lines 3 to 9, inclusive, and insert

"SEC 3 As promptly as feasible after collection, the Controller shall order the transfer from the Personal Income Tax Fund to the Tax Revenue Fund of 1963, the sum of forty million dollars ($40,000,000) out of the money in the Personal Income Tax Fund attributable to the revenue derived therein in the 1963-64 fiscal year as a result of the enactment by the Legislature of Senate Bill No 6 at its 1963 First Extraordinary Session"

Amendment No. 6

On page 2, line 16, after "money," insert "or provides at said session for additional state money to be expended for the public school system,".

Amendment No. 7

On page 2, line 18, after "ated", insert "or provided"

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

Rush Order Placed Upon Printing of Assembly Bill No. 33

Mr Britschgi was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 33

RESOLUTIONS

The following resolution was offered

By Assemblymen Alquist and Stanton

House Resolution No. 106

Relative to congratulating the Police Department of the City of San Jose

WHEREAS, National recognition has been won for the third consecutive year by the Police Department of the City of San Jose for exceptional work in police traffic supervision, and

WHEREAS, Based on the yearly National Safety Council traffic survey, an "Outstanding Award" was conferred on the city by the International Association of Chiefs of Police, and

WHEREAS, Many factors are considered in making the award, including the quality and amount of enforcement, the special training given officers, the type of accident investigation, the handling of drunken driver arrests and pedestrian control, and

WHEREAS, Credit for the honor conferred upon the Police Department of San Jose belongs to the entire police force of that city and particularly to Chief Ray Blackmore and to Captain Elmer Klein and Captain Mel Hornbeck, now, therefore, be it

Resolved by the Assembly of the State of California That the Members of this Assembly congratulate the Police Department of the City of San Jose on receiving this distinction and commend all of the personnel thereof through whose efforts and dedication to duty the award was earned, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Chief Ray Blackmore

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Monagan was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No 32 for hearing in the Committee on Revenue and Taxation at its next meeting

MOTION TO RECESS

Mr Unruh moved that the Assembly recess until 9 p m.

Mr Booth seconded the motion

Motion

Mr Unruh moved that Mr Conrad be granted five minutes time to explain his figures on the hourly cost of the legislative session

The question being on the motion by Mr Unruh that the Assembly recess until 9 p m.

Motion carried

POINT OF PERSONAL PRIVILEGE

Mr Britschgi arose to a point of personal privilege

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 25, 1963

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. 4—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections

2 A, 2 1 A, 2 2.A, 2.25 A, 2 3 A, 10 2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

And appointed Senators Teale, Arnold, and Pittman as a Committee on Conference to meet a like committee from the Assembly.

J. A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 4

The Speaker pro Tempore appointed Messrs Crown, Zenovich, and Donovan as a Committee on Conference concerning Senate Bill No 4

MEMBER EXCUSED

At 5.29 p.m., on request of Speaker pro Tempore Bee, Mr. Porter was excused for the balance of the legislative day

RECESS

At 5 30 p.m., pursuant to the motion by Mr. Unruh, the Speaker pro Tempore declared the Assembly at recess until 9 p.m.

REASSEMBLED

At 9 p.m , the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 25, 1963

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

Assembly Bill No. 17
Assembly Bill No. 18

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Chief Assistant Secretary

Above bills ordered enrolled

RESOLUTIONS

The following resolution was offered:

By Assemblymen Meyers, Z'berg, Rumford, Burton, Bane, Bee, Beilenson, Belotti, Crown, Dymally, Elliott, Ferrell, Foran, Gaffney, Garrigus, Marks, Moreno, Petris, Quimby, Song, Soto, Waldie, and Young.

House Resolution No. 107

Relating to employment in the State Civil Service

WHEREAS, The final legal step toward effecting elimination of any vestige of racial and other discrimination which might occur or exist in the employment of persons in State Civil Service was taken by the enactment into law, at the 1963 Regular Session of the Legislature, of Assembly Bill No 930, which measure added to the statutory law a specific prohibition against discrimination in such employment on the basis of religious creed, color, national origin, and ancestry, in augmentation of existing prohibitions against such discrimination based upon sex, race, and marital status; and

WHEREAS, The enactment of Assembly Bill No. 930 constitutes but a part of an all-out effort being made in all branches, departments, and levels of the State Govern-

ment to fully accomplish the ideal in question as a matter of fact as well as of law, to which efforts further contributions by the Legislature are most essential, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules be directed to assign to an appropriate interim committee for study the subject of the complete elimination of every form of ethnic discrimination in employment under State Civil Service, and to direct such committee to report to the Assembly its findings and recommendations thereon not later than the fifth legislative day of the 1965 Regular Session of the Legislature.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day

On request of Mr Frew of Dinuba to Mr and Mrs Vern Dudgeon, District Superintendent of Schools, Avenal

On request of Mr Carrell of San Fernando to his cousins, Mr. and Mrs Tom Cummings, and sons Tom Cummings, Jr., and John Cummings of San Antonio, Texas

On request of Mr Winton of Merced to Harry B Tellyer, Jr, member of the New Mexico State House of Representatives, Las Cruces, New Mexico

ADJOURNMENT

At 9 06 p m, on motion of Mr Waldie, the Speaker pro Tempore declared the Assembly adjourned until 3 p m, Monday, July 29, 1963

JESSE M UNRUH, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, July 29, 1963

The Assembly met at 3 p m.
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk William Greene reading.

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Hanson, Hinckley, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Patten, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thehn, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—76.

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Dr Robert Burns McAulay of the Fremont Presbyterian Church.

We pray Thee, O God, That Thou wilt fill this sacred moment with meaningful experiences Speak to each of us, we pray Thee, that we may know Thy nature and Thy will Remove the deafness of our spirits and attune our hearts to hear Thy voice May we ever listen to Thy broadcasting station that never goes off the air Then let Thy word kindle within each of us the desire to follow Thy way, wherever Thou dost lead in all decisions and actions. In Jesus' name —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Crown then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mrs Davis, seconded by Mr Z'berg

LEAVES OF ABSENCE FOR THE DAY

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

Mr Holmes, on motion of Mr. Conrad

Mr. Knox, on motion of Mr Waldie

The following members were granted leaves of absence for the day, and desired to waive their per diems

Mr. Dills, on request of Speaker pro Tempore Bee.

Mr Milias, on motion of Mr Conrad

WAIVER OF PER DIEMS

Hon Jesse M. Unruh
Speaker of the Assembly
State Capitol, Sacramento

DEAR MR. SPEAKER When the request was made that I be excused for Thursday, July 25th, through inadvertence it was not made known that I intended to waive my per diem for Thursday, Friday, Saturday and Sunday

I would like the record to show that I have waived my per diem for these days as I am attending to personal business

Sincerely yours,

CLAYTON A DILLS

COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

William J Hiltgen, Manager and Secretary pro tem of the San Gorgonio Pass Water Agency, acknowledging receipt of Assembly Concurrent Resolution No 67 of the 1963 Regular Session Referred by the Speaker pro Tempore to the Assembly Interim Committee on Water

Andrew Marrin, Chief, Vocational Rehabilitation Service, Department of Education, acknowledging receipt of Assembly Concurrent Resolution No. 59 Referred by the Speaker pro Tempore 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. 36: By Assemblyman Winton—An act to amend Section 17263 1 of, and to add Section 17263 2 to, the Education Code. relating to the financial support of the public school system, declaring the urgency thereof, to take effect immediately

Referred by the Speaker pro Tempore to Committee on Ways and Means

Assembly Bill No. 37: By Assemblyman Alquist—An act to add Section 217 to the Revenue and Taxation Code, relating to property taxation

Referred by the Speaker pro Tempore to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolutions were offered.

By Assemblyman Waldie

House Resolution No. 108

Relative to congratulating Mrs. Maxine Page Johnson

WHEREAS, It has come to the attention of the Members of the Assembly that Maxine Page Johnson has just completed 30 years in the service of Contra Costa County, and

WHEREAS, Mrs. Johnson, a registered nurse, commenced her county work in 1930 when she joined the staff of the County Hospital in Martinez and, except for a small break in service when she went to St. Agnes Hospital in Stockton, she has been in the employ of the county ever since; and

WHEREAS, A woman of personality, sincerity and warmth, Mrs Johnson has during her 30 years of county employment earned a well-deserved reputation as one dedicated to helping others, possessed of a deep compassion for her fellow man, and never too busy to give the full measure of her time and talents to those in need; and

WHEREAS, She is credited with the establishment of the "open-door" policy in the treatment of psychiatric patients, a system that is now standard in many Northern California hospitals, and

WHEREAS, In addition to her nursing duties, Mrs. Johnson has taken an active part in the labor movement in her area; and

WHEREAS, She sparked the organization of Local 251, Allied Hospital Employees Union, AFL-CIO, and was named secretary-treasurer of the local in 1945, a position to which she has repeatedly been re-elected, and

WHEREAS, She was honored on the completion of her 30 years of service by the board of supervisors and was presented with a diamond-set service pin, a gold wristwatch and many words of praise from her associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly commend Maxine Page Johnson on her many years of dedicated service to the community of Contra Costa and congratulate her for the numerous contributions she has made to the health and welfare of her fellow citizens, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mrs Johnson

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Dymally:

House Resolution No. 109

Relative to commending Congressman Augustus F Hawkins

WHEREAS, Augustus F. Hawkins, who was a Member of the Assembly for over a quarter of a century in continuous public service, was recently elected as the Congressman from the 21st Congressional District; and

WHEREAS, This tireless worker for the basic needs of all mankind was born in Louisiana and came to the Golden State at the age of 11; and

WHEREAS, He graduated from the University of California at Los Angeles and the Institute of Government, University of Southern California; and

WHEREAS, More than 300 laws were authored or coauthored by Congressman Hawkins during his long and successful tenure as an Assemblyman; and

WHEREAS, He was the author of laws dealing with slum clearance and low cost housing, child care centers, workmen's compensation for domestics, disability insurance for farm labor, metropolitan transit, apprenticeship training for journeymen, unemployment insurance, and many other areas of law concerning civil rights, old age security, adult education, labor, health and welfare, and community improvement, including legislation establishing the Los Angeles Sports Arena, and

WHEREAS, He was first elected to the Assembly in 1934 and among his many positions of responsibility in the Legislature were chairmanships of the Public Utilities, Unemployment, and Industrial Relations Committees, and he also served as Chairman of the Rules Committee and of the Joint Committee on Legislative Organization, and

WHEREAS, As Chairman of the Assembly Subcommittee on Economic Development and Automation, he met with business, labor, and community groups to fashion a plan by which the increased use of machines might be blended into the total labor force, and

WHEREAS, He resides in the 53d District in Los Angeles, is active in church, civic, and social affairs throughout the State, is the first Negro Congressman from California, and currently is a member of the House Committee on Education and Labor, now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend Congressman Hawkins for his distinguished career as an Assemblyman, wish him well during his tenure as a Congressman, and hope that he will find true success and prosperity in all of his worthwhile undertakings; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Congressman Augustus F Hawkins

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Dymally:

House Resolution No. 110

Relative to the 100th Birthday of Mrs Ida B Wells

WHEREAS, It has come to the attention of the Assembly that Mrs Ida B Wells of the 53d District in Los Angeles celebrated her 100th Birthday on July 26, 1963, and

WHEREAS, Mrs Wells was born in Salinesville, Ohio in 1863, the year of the Emancipation Proclamation, the daughter of Benjamin Grocy, a former slave who had purchased his freedom from an understanding owner, and

WHEREAS, Mrs Wells married Benjamin Wells in Lisbon, Ohio and raised four children three of whom, Fred V Wells, Gladys L Wells and Olive Wells Ball, attended their mother's 100th Birthday party, and

WHEREAS, She came to California from Cleveland, Ohio some 38 years ago, taking a very active part in her community, especially her Neighborhood Community Church, to which she walks every Sunday morning; and

WHEREAS, In addition to her hobbies of knitting and gardening she is a member of the National Association for the Advancement of Colored People, the Eastside Mothers Club, and the Sojourner Truth Club, and

WHEREAS, Age has in no way diminished her deep concern for her fellow man for at the age of 79 she completed the Red Cross First Aid Course, at the age of 83 she completed 500 hours of work with the United Service Organization, and now at 100, she personally collects church bulletins to send with "get well" cards to the sick, and

WHEREAS, Mrs Wells has received many Happy Birthday telegrams from city, state and national figures, including President John F Kennedy, and

WHEREAS, Her warmth, courage, and wisdom, and her devotion to liberty have won the love and respect of all the many people who have been privileged to know her; now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereby extend their sincerest felicitations to Mrs Ida B Wells upon the occasion of her 100th Birthday, and wish her Happy Birthday and many more years of happiness and health, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mrs Ida B Wells

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblymen Willson and Marks

House Resolution No. 111

Relative to a study of alcoholic rehabilitation

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Government Organization is directed to study the subject of alcoholic rehabilitation, including but not limited to early detection of alcoholism, and the sources of funds and appropriations for rehabilitation of alcoholics, and such committee shall report its findings and recommendations to the Assembly no later than the fifth legislative day of the 1965 Regular Session of the Legislature.

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Z'berg

House Resolution No. 112—Relative to Officer Eugene McKnight

Request for Unanimous Consent

Mr. Z'berg was granted unanimous consent to take up House Resolution No 112 without reference to committee or file

Resolution read

Members Made Coauthors of House Resolution No. 112

Mr. Z'berg was granted unanimous consent that all members so desiring be placed upon House Resolution No 112 as coauthors

Roll Call

The following members indicated a desire to become coauthors:

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Cartell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis, Deukmejian, Donovan, Dymally, Elliott, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Lanterman, Lunardi, Marks, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stevens, Thelin, Veneman, Veysey, Waldie, Warren, Whetmore, Willson, Winton, Young, Z'berg, Zenovich, and Mr. Speaker—62

NOES—None

Consideration of House Resolution No. 112, as Amended

By Assemblymen Z'berg, Allen, Alquist, Ashcraft, Badham, Bagley, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Carrell, Casey, Chapel, Collier, Cologne Conrad, Crown, Cusanovich, Danielson, Assemblywoman Davis, Assemblymen Deukmejian, Donovan, Dymally, Elliott, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Lanterman, Lunardi, Marks, Mills, Monagan, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stevens, Thelin, Unruh, Veneman, Veysey, Waldie, Warren, Whetmore, Willson, Winton, Young, and Zenovich:

House Resolution No. 112

Relative to Officer Eugene McKnight

WHEREAS, Sacramento policeman Eugene McKnight tragically lost his life in an off-duty attempt to thwart a holdup, and

WHEREAS, It was characteristic of this fine officer that his conception of a policeman's duty didn't include consideration of his personal safety or the family vacation he was about to begin, but he went forward to apprehend the criminal knowing he was armed, and was shot from behind by an accomplice, and

WHEREAS, The selfless devotion of men like Eugene McKnight, who stand ready to give the fullest measure of service to their community, stands as a shining monument to the qualities of courage, determination, and integrity, and

WHEREAS, Men of his heroic caliber can only be remembered, never replaced, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof express to Eugene McKnight's widow and children their admiration of that fine man, and extend their condolences in the hope that the knowledge that their sense of loss is shared, may in some small measure assuage their grief, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mrs Jacqueline McKnight.

Resolution read, as amended, and adopted unanimously.

By Assemblyman Z'berg

House Resolution No. 113—Congratulating California Highway Patrolman Jack Morris

Request for Unanimous Consent

Mr Z'berg was granted unanimous consent to take up House Resolution No 113 without reference to committee or file

Resolution read

Members Made Coauthors of House Resolution No. 113

Mr Z'berg was granted unanimous consent that all members so desiring be placed upon House Resolution No 113 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Davis Deukmejian, Donovan, Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Lanterman, Lunardi, Marks, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stevens, Thelin, Veneman, Veysey, Waldie, Warren, Whetmore, Willson, Winton, Young, Z berg, Zenovich, and Mr Speaker—67

NOES—None

Consideration of House Resolution No. 113, as Amended

By Assemblymen Z'berg, Allen, Alquist, Ashcraft, Badham, Bagley, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Assemblywoman Davis, Assemblymen Deukmejian, Donovan, Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Lanterman, Lunardi, Marks, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stevens, Thelin, Unruh, Veneman, Veysey, Waldie, Warren, Whetmore, Willson, Winton, Young, and Zenovich ·

House Resolution No. 113

Congratulating California Highway Patrolman Jack Morris

WHEREAS, On July 24, 1963, California Highway Patrolman Jack Morris, while at home eating dinner, heard of a robbery and the shooting of a Sacramento police officer by two men, and

WHEREAS, Patrolman Morris then entered his patrol car and proceeded alone in search of the two armed bandits; and

WHEREAS, Shortly thereafter he observed a car answering the description of the car containing the escaping killers, and

WHEREAS, Patrolman Jack Morris then stopped the suspects' car and captured two armed men, one of whom has confessed that he was the one who shot a police officer killed attempting to apprehend the two of them after they had committed an armed robbery, and

WHEREAS, Highway Patrolman Jack Morris by his actions has proven himself a brave and resourceful police officer and a credit to the California Highway Patrol, now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend Officer Jack Morris for his courageous action and thank him for a job well done; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Highway Patrolman Jack Morris

Resolution read, as amended, and adopted unanimously

INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Mr Leo Liaskos of Ft Lee, New Jersey, cousin of Assemblyman Nicholas C Petris, to the Members of the Assembly, who joined in welcoming him on his visit to the Assembly Chamber

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

The following resolution was offered.

Assembly Joint Resolution No. 3: By Assemblyman Conrad—Relative to the treaty banning atmospheric nuclear tests

Referred by the Speaker pro Tempore to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, July 26, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 33

And reports the same correctly engrossed

POWERS, Chairman

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

ASSEMBLY CHAMBER, July 26, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 9—An act to add Section 17305 7 to, and Article 15 (commencing with Section 6441) to Chapter 6 of Division 6 of, and Article 14 5 (commencing with Section 18270) to Chapter 3 of Division 14 of, the Education Code, relating to instructional television,

Assembly Bill No. 17—An act to add Chapter 5 (commencing with Section 10301) to Division 8 of, and to amend Section 18106 of, the Education Code, relating to specialized teaching materials,

Assembly Bill No. 18—An act to amend Sections 18102 and 18103 of the Education Code, relating to allocations for blind pupils,

And reports the same correctly enrolled, and presented to the Governor at 3 30 p m, July 26, 1963

POWERS, Chairman

ASSEMBLY CHAMBER, July 26, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 2—Relative to state public works projects,

Assembly Concurrent Resolution No. 13—Relative to a joint interim study of the cost of weekend and holiday guides in the Capitol Building,

And reports the same correctly enrolled, and presented to the Secretary of State on the 26th day of July, 1963, at 3 30 p m

POWERS, Chairman

PARLIAMENTARY INQUIRY

Mr. Monagan arose to the following inquiry of Mr Petris through the Speaker pro Tempore When will the next meeting of the Committee on Revenue and Taxation be held?

Reply by Mr. Petris

Mr. Petris replied that the meeting might be held later this afternoon or, perhaps, tomorrow

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 14 FROM COMMITTEE

Mr Monagan gave notice that on the second legislative day he would move to withdraw Assembly Bill No 14 from the Committee on Ways and Means

REQUEST FOR UNANIMOUS CONSENT

Mr Chapel asked for unanimous consent that Mr Unruh be granted 10 minutes time for the answering of questions

Mr Unruh withheld unanimous consent

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No 97

By Assemblyman Belotti

House Resolution No. 97—Relative to the Ferndale Seismograph Station of the University of California

NOTE The full text of House Resolution No 97 appears at page 216 of the Assembly Daily Journal for July 24, 1963

Resolution read, and adopted

Consideration of House Resolution No. 102

By Assemblymen Bane, Waite, and Thelin

House Resolution No. 102—Relative to the Ventura and Golden State Freeways

NOTE The full text of House Resolution No 102 appears at pages 259 and 260 of the Assembly Daily Journal for July 25, 1963

Resolution read, and adopted

RESOLUTIONS

The following resolution was offered.

By Assemblymen Elliott, Warren, and Song

House Resolution No. 114

Relative to the celebration of Nisei Week in Los Angeles

WHEREAS, The Japanese-American Community of Los Angeles will be celebrating the annual Nisei Week Festival in August of this year, and

WHEREAS, This will be the 23d such festival to be celebrated, and

WHEREAS, This festival commemorates the great contributions that Americans of Japanese extraction have made to California and America in the fields of culture business and commerce, national defense, the professions, and in many other ways, and

WHEREAS, The Nisei, the Americans of Japanese extraction of the second generation, along with the Issei, the first generation Japanese-Americans, and the Sansei, the third generation Japanese-Americans, and all groups of Americans of Japanese extraction have been a great asset to America, and

WHEREAS, This festival also highlights the friendship and good will that exists between the United States and the great nation of Japan, and

WHEREAS, This annual festival is a colorful and spectacular event which will attract many thousands of persons to the beautiful Little Tokyo area of the City of Los Angeles, now, therefore, be it

Resolved, By the Assembly of the State of California, That the members hereby extend their congratulations and best wishes to the Annual Nisei Week Festival and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mr Soichi Fukui, General Chairman for the 1963 Annual Nisei Week Festival

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr. Winton was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No 36 for hearing in the Committee on Ways and Means tomorrow, July 30, 1963.

RECESS

At 3 28 p m., on motion of Mr Waldie, the Assembly recessed until 5 30 p.m

REASSEMBLED

At 5.30 p.m , the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk William Greene reading

PARLIAMENTARY INQUIRY

Mr. Mulford arose to the following parliamentary inquiry of the Chairman of the Committee on Ways and Means When will the Committee on Conference concerning Senate Bill No 4 meet again?

Reply by Mr Crown

Mr Crown replied that the Conference Committee had met until midnight on Friday, this morning from 10 a m till noon, and this afternoon from 2 to 5 p m , and that it would meet again at 8 p m tonight

COMMITTEE MEETING ANNOUNCEMENT

Speaker pro Tempore Bee announced that the Committee on Rules would meet at 10 a m tomorrow morning, July 30, 1963, in Room 3188

ANNOUNCEMENTS BY MR. BANE

Mr Bane announced that the Committee on Rules will notify the interim committee chairmen shortly relative to the personnel for their committees and the measures assigned to them for study

Mr Bane requested that the interim committee chairmen submit to the Rules Committee as soon as possible thereafter a schedule of their proposed meetings, the items to be heard thereat, and their proposed budgets, in order that the Rules Committee may settle these problems at the earliest possible date

Mr Bane further announced that funds for organizational meetings to be held in August will be provided by the Rules Committee

Mr. Bane further announced that the Rules provide that no subject matter may be considered by any interim committee without the consent of the Committee on Rules; and advised those members who have addi-

tional subject matter they desire to have studied during the interim to get their resolutions introduced and to the committee immediately

PARLIAMENTARY INQUIRY

Mr. Veneman arose to the following parliamentary inquiry Has the Committee on Conference concerning Senate Bill No. 12 met?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee directed the inquiry to Mr. Mills

Reply by Mr. Mills

Mr. Mills replied that the Conference Committee has met; that the members thereof are presently discussing the constitutionality of various approaches to the problem; and that the committee will soon submit its report.

ANNOUNCEMENT

Mr. Mulford announced that the Republican Caucus would be held at 9.30 a m tomorrow morning, instead of at 10 a m. as previously scheduled

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day.

On request of Mr. Petris of Oakland to Leo Liaskos of Fort Lee, New Jersey.

On request of Mr. Cologne of Indio to Mr. and Mrs J. L. Renck of Riverside, and Mr. and Mrs Milo Johnson of Beaumont.

On request of Mr. Conrad of Sherman Oaks to Mrs. Eugene S. Kelty of Rockaway, Oregon, former Member of the Oregon State House of Representatives.

On request of Mr Meyers of San Francisco to Mr. William E. Whitaker of San Francisco and Mrs Ray H Whitaker of Sacramento

On request of Mr. Collier of Los Angeles to Mr and Mrs George Lewis of Glendale and Miss Mary Shearer of Sacramento

On request of Mr. Rumford of Berkeley to Mr and Mrs. David H Lott and their son and daughter, Andrew David Lott and Emma Marguerite Lott, of Berkeley

On request of Mr Powers of North Sacramento to Kenneth W McCaw, Member of New South Wales Parliament, Sydney, Australia, and Mr Ralph Lutz of Sacramento

On request of Mr Cologne of Indio to Mr and Mrs James Gimian, James Michael Gimian, Dennis Blair Gimian, and Reed Joseph Gimian of Coachella.

On request of Mr. Cusanovich of Van Nuys to Leslie D Melvill of Panorama City.

On request of Mr. Monagan of Tracy to Mrs Katherine Flick, Paul Flick, Annette Flick, David Flick, and Evelyn Flick of Tracy; and Elizabeth Crotzer of Hayward

On request of Mr Burton of San Francisco to the following Summer Service Students of the United Presbyterian Church · Sharon Stuart of San Francisco; Carol Wurtzebach of Denver, Colorado; Betsy Robinson and Dave Sligar of Lubbock, Texas; Melton Delaney of San Francisco, Becky Hobson of Vancouver, Washington; Jack Hodges and Diane Hodges of San Anselmo, and Joan E. Weber of Ackley, Iowa, accompanied by the Rev William Shirley, Minister of Evangelism, Inner-City Council of San Francisco, and the Rev James Christensen, Minister of Social Work, Inner-City Council of San Francisco

ADJOURNMENT

At 5 47 p m, on motion of Mr. Waldie, the Speaker pro Tempore declared the Assembly adjourned until 10.30 a.m., Tuesday, July 30, 1963.

JESSE M. UNRUH, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

TWENTY-THIRD AND TWENTY-FOURTH CALENDAR DAYS

IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, July 30, 1963

The Assembly met at 10 30 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk James Lane reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Wilson, Winton, Young, Z'berg, Zenovich, and Mr. Speaker—77

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Rev Philip W. Bergstresser, Associate Pastor of St John's Lutheran Church, Sacramento:

Almighty God, Our Heavenly Father, the Creator and the Sustainer of the Universe, We thank Thee for the abundant gifts which Thou hast given us. Make us good stewards of these gifts that we may use them in ways pleasing in Thy sight We ask Thee to teach us so to number our days that we apply our hearts unto wisdom Through Jesus Christ, Thy Son, our Lord —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr. Greene then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Williamson, seconded by Mr. Belotti.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, and desired to waive their per diems

Mr Mihas, on motion of Mr Conrad

Mr. Dills, on request of Speaker pro Tempore Bee

The following member was granted leave of absence for this morning

Mr Knox, on request of Speaker pro Tempore Bee

COMMUNICATIONS

The following communication was presented by the Chief Clerk from

Ava R Holcomb of Sacramento, relative to civil rights Referred by the Speaker pro Tempore to the Assembly Interim Committee on Governmental Efficiency and Economy

CHANGE IN MEMBERSHIP OF ASSEMBLY INTERIM COMMITTEE

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, July 29, 1963

State Controller
State Capitol, Sacramento

DEAR SIR Today I appointed Assemblyman E Richard Barnes as a member of the Assembly Interim Committee on Natural Resources, Planning, and Public Works, vice Assemblyman James E Whetmore, who has resigned as a member of this committee

Sincerely,

JESSE M UNRUH
Speaker of the Assembly

cc Assembly Rules Committee
Assemblyman Barnes
Assemblyman Whetmore
Assemblyman Z'berg
Senate Rules Committee
Arthur Ohnimus
Legislative Counsel

RESOLUTIONS

The following resolutions were offered:

By Assemblyman McMillan:

House Resolution No. 115

Relative to relocation of State Highway Route 60

Resolved by the Assembly of the State of California, That the California Highway Commission is requested to defer any further steps or action on relocating State Highway Route 60 in the vicinity of the Los Angeles International Airport until the entire freeway system is determined in that area, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the California Highway Commission

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Marks:

House Resolution No. 116

Relative to the study of the creation of new state departments

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the problems incident to the creation of new state departments, including

the Department of General Services, and to direct such interim committee to report its finding and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

Assistant Clerk Charles Winner Reading

Speaker Presiding

At 10 52 a m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

By Assemblyman Rumford:

House Resolution No. 117

Relative to congratulating Samuel Landers

WHEREAS, The Western Conference, American Federation of Musicians, has chosen Samuel Landers to be its President, and

WHEREAS, Samuel Landers has been a member of the American Federation of Musicians for many years, and for more than 13 years he has served as an officer, and was President of Local 669 until 1960 when this local was merged with Local 6 of the San Francisco area, and

WHEREAS, Samuel Landers was appointed Assistant Business Agent to Local 669 on June 1st, 1950, and served in this capacity until May 1956, and was elected in 1957 as the Business Agent, and

WHEREAS, He is an accomplished musician and has encouraged not only the development of unionism among musicians but has given of his time and talents to many community efforts, and

WHEREAS, The Western Conference of the American Federation of Musicians was organized at Fresno, California, February 25th, 1939, under the name of the California-Arizona Conference, and is composed of 33 locals in several of the western states, and the purpose of this conference is to promote live music, to protect the rights of professional musicians and to bring the harmony and leadership which is necessary to the success of every organization; and

WHEREAS, In 1957 Sam Landers was elected as a delegate to the Western Conference in San Jose and at that time he was elected its seventh Vice President, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Samuel Landers for his election as 22d President of the Western Conference, American Federation of Musicians and congratulate Samuel Landers for being the first Negro to serve in this capacity, and for having served previously for seven years as Vice President; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Samuel Landers

Request for Unanimous Consent

Mr Rumford was granted unanimous consent to take up House Resolution No 117 without reference to committee or file.

Resolution read, and adopted.

Speaker pro Tempore Presiding

At 10.55 a m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Speaker Presiding

At 10.56 a m., Hon. Jesse M. Unruh, Speaker of the Assembly, presiding

APPOINTMENT OF SELECT COMMITTEE

Speaker Unruh appointed Messrs. Bee, Petris, Conrad, and Waldie as a Select Committee to escort Hon J A Rafferty, B A.M.P, Melbourne, Australia, to the Assembly rostrum.

RECESS

At 10.57 a.m., Speaker Unruh declared the Assembly at recess until 11 05 a.m. to hear from Hon. J A. Rafferty, Deputy Speaker of the House of Parliament, Melbourne, Australia, and to meet Mrs. Rafferty

REASSEMBLED

At 11.05 a.m., the Assembly reconvened
Hon. Jesse M. Unruh, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk.
Assistant Clerk Charles Winner reading.

INQUIRY BY SPEAKER

Speaker Unruh inquired of Mr. Monagan what had been his motion yesterday relative to Assembly Bill No 14

Reply by Mr. Monagan

Mr. Monagan replied that he had given notice of his intention to move to withdraw the bill from committee

Statement by Speaker

Speaker Unruh stated that, although the motion was incorrectly stated by Mr. Monagan yesterday, and that he would have ruled it out of order had he been presiding, since it had been corrected at the desk, he would rule that the notice would stand

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received.

ASSEMBLY CHAMBER, July 30, 1963

MR SPEAKER The Committee on Conference concerning

Senate Bill No. 4 (As amended in Assembly July 24, 1963)—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2 2 A, 2 25 A, 2 3 A, 10 2 and 10 57A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

(Item .5)
Amendment No. 1

On page 19, after line 44, of the printed bill, as amended in the Assembly on July 24, 1963, insert

"5—For contingent expenses of the Assembly including personal services for officers, clerks and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly, in augmentation of Item 8, Section 2, Budget Act of 1963 ---------- 125,000"

(Item 2.1)

Amendment No. 2

On page 20, after line 4, insert

"2.1—For support of Poultry Improvement Commission, in carrying out the functions of the commission relating to turkey testing, payable from the Poultry Testing Project Fund, in augmentation of Item 41, Section 2, Budget Act of 1963, in accordance with the following schedule 34,500

Schedule

(a) Personal Services	19,143
(b) Operating Expenses and Equipment	15,357
Total of schedule	34,500".

(Item 2.2)

Amendment No. 3

On page 20, after line 4, insert

"2.2—For augmentation of the Poultry Testing Project Fund 17,997
To be transferred by the State Controller to the Poultry Testing Project Fund"

(Item 3)

Amendment No. 4

On page 20, line 18, strike out "384,577", and insert "504,577".

Amendment No. 5

On page 20, line 29, strike out "3,551", and insert "72,551"

Amendment No. 6

On page 20, line 30, strike out "5,343", and insert "56,343"

Amendment No. 7

On page 20, line 43, strike out "384,577", and insert "504,577".

(Item 7)

Amendment No. 8

On page 21, line 46, strike out "1,704,943", and insert "1,210,943".

Amendment No. 9

On page 22, strike out line 3

Amendment No. 10

On page 22, line 11, strike out "1,704,943", and insert "1,210,943".

(Item 23)

Amendment No. 11

On page 25, strike out lines 40 through 48, inclusive

(Item 26)

Amendment No. 12

On page 26, line 26, strike out "50,000", and insert "211,944".

Amendment No. 13

On page 26, line 29, strike out "50,000", and insert "211,944".

Amendment No. 14

On page 26, line 31, strike out "50,000", and insert "211,944".

(Item 27)

Amendment No. 15

On page 26, line 35, strike out "117,269", and insert "75,000".

Amendment No. 16

On page 26, line 37, strike out "77,245", and insert "39,276".

Amendment No. 17

On page 26, line 39, strike out "40,024", and insert "35,724".

Amendment No. 18

On page 26, line 41, strike out "117,269", and insert "75,000".

(Item 28)

Amendment No. 19

On page 26, line 45, strike out "5,000", and insert "29,980"

Amendment No. 20

On page 26, after line 46, insert
"(a) Personal Services _____18,360"

Amendment No. 21

On page 26, line 48, strike out "5,000", and insert "11,620"

Amendment No. 22

On page 26, line 50, strike out "5,000", and insert "29,980"

(Item 30 5)

Amendment No. 23

On page 27, after line 21, insert
"30 5—For expenditure by the Department of Public Works for investigating and planning landslide remedial measure projects along state highways, payable from the School Land Fund _____ 240,000
provided, that no money shall be expended from this appropriation for the investigation and planning of any project unless and until a county, city, or district has executed an agreement with the department under which it agrees to repay the amount expended by means of deferred payments within 25 years, with repayments to be made in such amounts and at such times as specified, together with a charge fixed by the Pooled Money Investment Board in an amount estimated by it to equal the revenue which the State would have derived by investing the total deferred payment at the interest rate prevailing for legal state investments at the time the money was expended All money received from the county, city, or district shall be deposited in the State Treasury to the credit of the School Land Fund"

(Item 31.5)

Amendment No. 24

On page 27, after line 31, insert
"31 5—For transfer to the Water Resources Revolving Fund to be transferred by the State Controller in such amounts as the Department of Finance may authorize for support of the Department of Water Resources for a final feasibility study for actual construction on the Box Canyon Project on the Sacramento River in the County of Siskiyou _____ 75,000"

(Item 35)

Amendment No. 25

On page 28, line 20, strike out "during", and insert "on or after January 1, 1964 for"

Amendment No. 26

On page 28, line 20, after "64", insert "and 1964-65".

Amendment No. 27

On page 28, line 20, strike out "year", and insert "years".

Amendment No. 28

On page 28, line 22, strike out "14,050,000", and insert "48,300,000"

Amendment No. 29

On page 28, line 25, strike out "11,600,000", and insert "38,600,000"

Amendment No. 30

On page 28, line 28, strike out "1,850,000", and insert "7,275,000"

Amendment No. 31

On page 28, line 31, strike out "600,000", and insert "2,425,000".

Amendment No. 32

On page 28, line 33, strike out "14,050,000", and insert "48,300,000"

Amendment No 33

On page 28, strike out lines 34 through 41, inclusive, and insert

"The appropriation made by this item shall remain available for expenditure until June 30, 1965, provided, that during the 1963-64 fiscal year expenditures from the above schedule shall not be more than $11,900,000 for salaries set by the State Personnel Board, $2,025,000 for nonacademic salaries set by the Regents of the University of California and $675,000 for nonacademic salaries set by the Trustees of the California State Colleges"

Amendment No. 34

On page 29, between lines 4 and 5, insert

"Allocation to any salary-fixing authority shall be made by the Department of Finance upon certification by that salary-fixing authority that any classification proposed for salary range increase is at least 5 percent below comparable salaries being paid in private business and public employment on January 1, 1964, and if any classification does not qualify for salary range change on this date, such classification shall not be certified until such classification is actually found to be at least 5 percent below such comparable employment, but in no case prior to July 1, 1964"

Amendment No 35

On page 29, line 27, strike out "during the 1963-64 fiscal year"

(Item 36)

Amendment No 36

On page 29, line 42, after "established", strike out "during", and insert "on or after January 1, 1964 for"

Amendment No 37

On page 29, line 43, after "64", insert "and 1964-65"

Amendment No. 38

On page 29, line 43, strike out "year", and insert "years"

Amendment No 39

On page 29, line 43, strike out "3,700,000", and insert "5,550,000"

Amendment No. 40

On page 29, after line 43, insert

"The appropriation made by this item shall remain available for expenditure until June 30, 1965, provided, that during the 1963-64 fiscal year expenditures shall not be more than $1,850,000,"

Amendment No. 41

On page 29, line 44, after "provided", insert "further,"

Amendment No. 42

On page 29, line 46, after "64", insert "or 1964-65"

Amendment No. 43

On page 29, line 46, strike out "year", and insert "years".

Amendment No 44

On page 29, line 48, strike out "the amount of this appropriation", and insert "$3,700,000"

(Item 37)

Amendment No. 45

On page 30, line 17, strike out "during", and insert "on or after January 1, 1964 for"

Amendment No. 46

On page 30, line 17, after "64", insert "and 1964-65"

Amendment No. 47

On page 30, line 17, strike out "year", and insert "years".

Amendment No. 48

On page 30, line 18, strike out "2,900,000", and insert "4,350,000"

Amendment No. 49

On page 30, between lines 18 and 19, insert

"The appropriation made by this item shall remain available for expenditure until June 30, 1965,
provided, that during the 1963-64 fiscal year expenditures shall not be more than $1,450,000,".

Amendment No. 50

On page 30, line 19, after "provided", insert "further".

Amendment No. 51

On page 30, line 21, after "64", insert "or 1964-65".

Amendment No. 52

On page 30, line 21, strike out "year", and insert "years".

Amendment No. 53

On page 30, line 23, strike out "the amount of the appropriation", and insert "$2,900,000".

(Item 38)

Amendment No. 54

On page 30, strike out lines 36 through 49, inclusive; and on page 31, strike out lines 2 through 20, inclusive

(Item 39)

Amendment No. 55

On page 31, line 29, after "established", insert "on or after January 1, 1964".

Amendment No. 56

On page 31, line 30, strike out "during", and insert "for".

Amendment No. 57

On page 31, line 31, after "64", insert "and 1964-65"

Amendment No. 58

On page 31, line 31, strike out "year", and insert "years"

Amendment No. 59

On page 31, line 31, strike out "180,000", and insert "270,000"

Amendment No. 60

On page 31, between lines 31 and 32, insert

"The appropriation made by this item shall remain available for expenditure until June 30, 1965; provided, that during the 1963-64 fiscal year expenditures shall not be more than $90,000."

(Item 40)

Amendment No. 61

On page 32, line 20, after "the", insert "State, its".

(Item 41.5)

Amendment No. 62

On page 32, after line 38, insert

"41.5—For augmentation of Service Revolving Fund, in augmentation of Item 291, Section 2, Budget Act of 1963, to be transferred by the State Controller in such amounts as the Department of Finance may authorize for purchase and modification and expense related to operation, of an executive airplane..... 475,000".

(Item 47.5)

Amendment No. 63

On page 34, after line 11, insert

"47 5—For capital outlay, California Museum of Science and Industry, in augmentation of Item 338, Section 2 1, Budget Act of 1963, in accordance with the following schedule 200,000

Schedule

(b) Construct Hall of Health 200,000

Total of schedule ..... 200,000"

(Item 48 5)

Amendment No 64

On page 34, after line 20, insert

"48 5—Of the amount appropriated by Section 10 7 of the Budget Act of 1963, $95,000 may be expended by the Military Department for construction of an armory at Porterville"

(Item 51)

Amendment No. 65

On page 35, line 13, strike out "1,000,000", and insert "800,000"

(Item 51 5)

Amendment No. 66

On page 36, after line 8, insert

"51 5—For site acquisition, to be expended by the Trustees of the California State Colleges for the acquisition of the following described real property: approximately 17 acres along Zelzah Avenue, lying between the south boundary of state property formerly known as the 51st District Agricultural Association Fair Grounds and the north line of the campus of San Fernando Valley State College in the City of Los Angeles, payable from the State Construction Program Fund 500,000

provided, that the appropriation made by this item shall be in lieu of, and no expenditures shall be made from, the appropriation contained in Section 3 of Assembly Bill No 2490 of the 1963 Regular Session It is the intent of the Legislature in making this appropriation that an amount equal or nearly equal thereto will be reimbursed to the State Construction Program Fund in accordance with the provisions of Section 2 of "An act authorizing the acquisition and disposal of real property by the State, and making an appropriation therefor," as proposed to be enacted by Assembly Bill No 2190 of the 1963 Regular Session, which provides that all money received from the sale of the property described in said Section 2 shall be paid into the State Construction Program Fund, except that any costs or expenses necessarily incurred in the sale shall be reimbursed from the proceeds of sale"

(Item 56)

Amendment No. 67

On page 37, strike out lines 2 through 11, inclusive

(Item 56 5)

Amendment No. 68

On page 37, after line 11, insert

"56 5—For capital outlay for junior colleges, to the Department of Education for expenditure pursuant to Chapter 6 (commencing with Section 25546 01) of Division 18 5 of the Education Code, as added by Senate Bill No 1515 of the 1963 Regular Session, payable from the State Construction Program Fund 20,000,000

provided, that the appropriation made by this item shall be in lieu of, and no expenditure shall be made from, the appropriation of $20,000,000 from the State Construction Program Fund contained in Section 2 of Chapter 1790 of the Statutes of 1963 (S B 1515 of the 1963 Regular Session)"

(Item 67)

Amendment No. 69

On page 40, after line 18, insert

67—For loan to cities, counties, or districts pursuant to Section 5827 of the Public Resources Code, Department of Parks and Recreation, Division of Small Craft Harbors, payable from the Small Craft Harbor Revolving Fund ..... 75,000"

(Item 68)

Amendment No. 70

On page 40, after line 18, insert

"68—For grants to cities, counties, or districts pursuant to Section 5865 of the Public Resources Code, Department of Parks and Recreation, Division of Small Craft Harbors, payable from the Small Craft Harbor Revolving Fund ..... 250,000"

(Sec. 7.5)

Amendment No. 71

On page 40, after line 36, insert

"SEC 7 5 In addition to any other money provided therefor, not to exceed forty-five thousand dollars ($45 000) of the amount heretofore appropriated for the contingent expenses of the Senate and Assembly may be expended for the expenses of the Citizens Advisory Commission appointed by the Joint Committee on Legislative Organization to assist the committee in its studies of revision of the California Constitution"

STEPHEN P TEALE	ROBERT W CROWN
STANLEY ARNOLD	RICHARD J DONOVAN
STAN PITTMAN	GEORGE N ZENOVICH
Senate Committee on Conference	Assembly Committee on Conference

Report of Committee on Conference concerning Senate Bill No 4 read.

Request for Unanimous Consent

Mr Crown was granted unanimous consent that Mr Post, the Legislative Analyst, and Mr Beach from the Department of Finance be permitted on the floor of the Assembly during consideration of the conference committee report

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No 4

Motion to Recess

Mr Mulford moved that the Assembly recess to permit a Republican Caucus

Motion carried

ANNOUNCEMENT

Speaker Unruh announced that the Senate had just adopted the report of the Committee on Conference concerning Senate Bill No 4

Parliamentary Inquiry

Mr Pattee arose to the following parliamentary inquiry By what vote was the report adopted by the Senate?

Reply by Speaker

Speaker Unruh replied that he did not have the exact vote, but that at least 27 votes were required for adoption of the report by the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 30, 1963

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. 4—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Sections 2 A, 2 1 A, 2.2 A, 2 25 A, 2 3 A, 10 2 and 10 55A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

J A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

RECESS

At 11.42 a m, pursuant to the motion by Mr Mulford previously carried, the Speaker declared the Assembly at recess until 12.13 p m to permit a Republican Caucus

REASSEMBLED

At 12.13 p.m., the Assembly reconvened.
Hon Jesse M Unruh, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk.
Assistant Clerk Charles Winner reading

FURTHER CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 4

Report of Committee on Conference concerning Senate Bill No 4 read previously (Assembly Journal, page 292)

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No 4 (Assembly Journal, pages 286-292)

Motion to Set Conference Committee Report Concerning Senate Bill No. 4 for Special Order

Mr. Conrad moved that the Conference Committee report concerning Senate Bill No 4 be made a special order of business for after consideration of the Conference Committee report concerning Senate Bill No. 12.

Parliamentary Inquiry

Mr Waldie arose to the following parliamentary inquiry Since the report of the Committee on Conference is now under consideration, is the motion in order?

Reply by Speaker

Speaker Unruh replied that it requires a two-thirds vote.

Point of Order

Mr Conrad arose to the following point of order That his motion was a privileged motion, pursuant to Rule No 89

Ruling by Speaker

The Speaker ruled the point of order well taken

Statement by Speaker Unruh

Speaker Unruh stated that if the report of the Committee on Conference be refused adoption, a second Committee on Conference would be appointed, and consideration of the Budget Bill would be back where it was six days ago

Parliamentary Inquiry

Mr Waldie arose to the following parliamentary inquiry. Is a two-thirds vote required for the motion by Mr. Conrad to carry?

Reply by Speaker

Speaker Unruh replied that he had so ruled.

Parliamentary Inquiry

Mr Waldie arose to the following parliamentary inquiry If members abstain from voting, and the Conference Committee report is refused adoption, will a new Conference Committee have to be appointed?

Reply by Speaker

Speaker Unruh replied that the Rules so provide

The question being on the motion by Mr Conrad that consideration of the report of the Committee on Conference concerning Senate Bill No. 4 be made a special order of business

Motion lost by the following vote

AYES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Holmes, Lanterman, Marks, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, Veysey, and Whetmore—27

NOES—Allen, Alquist, Bane, Bee, Beilenson, Booth, Burton, Carrell, Casey, Crown, Dunnelson, Dannemeyer, Davis, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Lunardi, McMillan, Meyers, Mills, Moreno, Peters, Porter, Powers, Quimby, Rumford, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—49

Speaker pro Tempore Presiding

At 12 30 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No 4

Motion to Recess

Mr. Mulford moved that the Assembly recess to permit a Republican Caucus

Motion carried

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 30, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 105
House Resolution No 111

With amendments with the recommendation Be amended, and that the resolutions, as amended be returned to the committee, and the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Above resolutions ordered on file

ASSEMBLY CHAMBER, July 30, 1963

MR SPEAKER. Your Committee on Rules reports

House Resolution No 107

With the recommendation That the resolution be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BANE, Chairman

Subject matter of the above resolution referred to the Committee on Rules

ASSEMBLY CHAMBER, July 30, 1963

MR SPEAKER Your Committee on Rules reports.

House Resolution No 106

With amendments with the recommendation Amend, and be adopted, as amended

BANE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, July 30, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No. 108
House Resolution No 110
House Resolution No. 114

With the recommendation Be adopted

BANE, Chairman

Above resolutions ordered on file

RESOLUTIONS

The following resolutions were offered:

By Assemblyman Pattee:

House Resolution No. 118

Relative to the death of Howard F Cozzens

WHEREAS, It was with the most sincere and profound regret that the Members of the Assembly of the State of California learned of the death of Howard F Cozzens, the former Road Commissioner of Monterey County; and

WHEREAS, A distinguished and able public servant, Mr. Cozzens rendered long and outstanding service to the people of this State and to Monterey County, and

WHEREAS, He was elected to the office of Surveyor of Monterey County in 1914 and was thereafter continuously elected to that office until his appointment as Road Commissioner in 1946, and

WHEREAS, He had a close relationship with the California Highway Commission and the State Highway Engineer on all matters pertaining to highway construction in Monterey County and, as a result of his efforts, Monterey County has an excellent system of highways and bridges and other public works; and

WHEREAS, A charter member of the Monterey County Planning Commission, he gave untiringly of his time and efforts to the growth and development of Monterey County in many civic capacities, and

WHEREAS, Mr. Cozzens, a man noted for his modesty and deep humility, well earned the admiration and respect of all who knew him, and

WHEREAS, To mourn his passing and receive the heartfelt sympathy of all, he leaves his widow, Mrs Alice Cozzens, and a son, Mr Paul Cozzens; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby extend their sincere condolences to the bereaved widow and son of Howard F. Cozzens, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare and transmit suitable copies of this resolution to Mrs Alice Cozzens and to Mr Paul Cozzens

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Donovan:

House Resolution No. 119

Relative to a study of forfeiture of bail

Resolved by the Assembly of the State of California, That the Committee on Rules is hereby directed to assign the subject of forfeiture of bail to an appropriate

committee for interim study, and to direct such committee to report its findings and recommendations to the Legislature no later than the fifth legislative day of the 1965 Regular Session

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Donovan

House Resolution No. 120

Relative to aid to needy children

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to refer to an appropriate interim committee for study the subject of requiring a caretaker of a child who receives aid under the aid to needy children program to give reasonable assistance to law enforcement officers charged with the duty of enforcing the support obligation of the child's absent parent, and to require such interim committee to report its findings and recommendations not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

By Assemblyman Donovan

House Resolution No. 121

Relative to a study concerning drivers' licenses and instruction permits for minors

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for interim study the subject of the issuance of drivers' licenses and instruction permits to minors and to direct such interim committee to report its findings and recommendations to the Assembly no later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

RECESS

At 12 37 p m., pursuant to the motion by Mr. Mulford previously carried, the Speaker pro Tempore declared the Assembly at recess until 12 48 p m to permit a Republican Caucus

REASSEMBLED

At 12 48 p m , the Assembly reconvened

Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk

Assistant Clerk Charles Winner reading

RESOLUTIONS

The following resolutions were offered

By Assemblyman Dannemeyer

House Resolution No. 122

Relative to communications relating to legislation

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to refer for study to an appropriate interim committee the subject of legislation that would require state agencies communicating with the Governor with respect to pending bills (including bills which are before the Governor for signature) to send copies of such communications simultaneously if written and reduce to writing if oral to the author of the bill; and that such interim committee shall report its findings and recommendations to the Assembly no later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

By Assemblyman Dannemeyer

House Resolution No. 123

Relative to inheritance by aliens residing in communist countries

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to refer to an appropriate interim committee for study the subject of legislation to prohibit aliens residing in Albania, Bulgaria, communist China, Cuba, Czechoslovakia, Estonia, communist Germany, Hungary, Latvia, Lithuania, Poland, Rumania, or the Union of Soviet Socialist Republics from taking real or personal property in this State by succession or testamentary disposition and which would permit the escheat of such property if no eligible heirs other than aliens residing in the countries named are found, and in particular to study any objection which the Department of State of the United States could have to such legislation and the means by which objections could be resolved, and to require such interim committee to report its finding and recommendation to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No 38: By Assemblyman Bane—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 37A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California

Bill ordered printed, and held at desk by order of the Speaker pro Tempore

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that press photographers be permitted to take pictures in the Assembly Chamber during the vote on the Budget Bill

FURTHER CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 4

Report of Committee on Conference concerning Senate Bill No 4 read previously (Assembly Journal, page 292)

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No 4, which appears at pages 286-292 of this day's Journal

Demand for Previous Question

Messrs Holmes, Mills, Garrigus, Casey, and Williamson demanded the previous question Demand sustained

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No. 4.

Parliamentary Inquiry

Mr Cologne arose to the following parliamentary inquiry What would be the vote required to expunge the record, and rescind the action on the report of the committee on conference?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that 54 votes would be necessary

Speaker Presiding

At 1 36 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding.

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No 4

The roll was called

Speaker pro Tempore Presiding

At 1 39 p.m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Call of the Assembly

Pending the announcement of the vote, Mr Crown moved a call of the Assembly

Mr Waldie seconded the motion

Motion carried Time, 1 42 p m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members

Speaker Presiding

At 1 43 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

Speaker pro Tempore Presiding

At 1 53 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT

Mr Waldie was granted unanimous consent that permission to take pictures on the floor of the Assembly be revoked while the House is under the call

Hon. Pauline Davis Presiding

At 3 15 p m, Hon Pauline Davis, Member of the Assembly from the 2d District, presiding

Speaker pro Tempore Presiding

At 3 18 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Hon. Jack T. Casey Presiding

At 3 22 p m, Hon Jack T Casey, Member of the Assembly from the 38th District, presiding

Speaker pro Tempore Presiding

At 3 35 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Speaker Presiding

At 4 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

Chief Assistant Clerk James Driscoll Reading

CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE COMMITTEE REPORT CONCERNING SENATE BILL NO. 4

At 4 03 p m, on motion of Mr Beilenson further proceedings under the call of the Assembly were dispensed with on the report of the Committee on Conference concerning Senate Bill No. 4.

The names of the absentees were called

Call of the Assembly

Pending the announcement of the vote, Mr Allen moved a call of the Assembly

Mr Knox second the motion

Motion carried Time, 4 04 p m

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

Assistant Clerk Charles Winner Reading

Majority Floor Leader Presiding

At 4 18 p m, Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

Speaker pro Tempore Presiding

At 4 28 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 4 31 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding.

Majority Floor Leader Presiding

At 4 56 p m, Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

Speaker Presiding

At 5 14 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

MOTION FOR QUORUM CALL OF ASSEMBLY

Mr Crown moved a quorum call of the Assembly.

Mr Knox seconded the motion

Speaker Unruh ruled the motion not in order; but directed the Sergeant at Arms to bring in any members who were absent from the floor of the Assembly

Majority Floor Leader Presiding

At 5 26 p m, Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

Speaker Presiding

At 6 04 p m, Hon Jesse M Unruh, Speaker of the Assembly, presiding.

MEMBERS EXCUSED FOR REPUBLICAN CAUCUS

At 6 05 p m, Mr Waldie was granted unanimous consent that the Republican members be excused for the purpose of holding a caucus in the Assembly Lounge

Majority Floor Leader Presiding

At 6 06 p m, Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

Speaker pro Tempore Presiding

At 6 41 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Majority Floor Leader Presiding

At 6 47 p m, Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

Hon. Nicholas C Petris Presiding

At 7.11 p m , Hon Nicholas C Petris, Member of the Assembly from the 15th District, presiding

Majority Floor Leader Presiding

At 8 34 p.m , Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

INTRODUCTION OF GUESTS

Mr Petris introduced his cousins, Mr and Mrs Leo Liaskos of Fort Lee, New Jersey, and Mr and Mrs Dick Smith of Sacramento, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber

Hon Carley V. Porter Presiding

At 10 14 p m , Hon Carley V Porter, Member of the Assembly from the 38th District, presiding

REQUEST FOR UNANIMOUS CONSENT

Mr Conrad was granted unanimous consent that the United Press photographer be permitted on the floor of the Assembly to take a picture of Mr Conrad at his desk

CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE COMMITTEE REPORT CONCERNING SENATE BILL NO. 4

At 11 37 p m , on motion of Mr Unruh, seconded by Mr Foran, further proceedings under the call of the Assembly were dispensed with on the report of the Committee on Conference concerning Senate Bill No 4

The names of the absentees were called

Speaker pro Tempore Presiding

At 11 41 p m , Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Motion to Instruct Member to Vote

Mr Unruh moved that Mr Chapel be instructed to vote

Statement by Speaker pro Tempore

Speaker pro Tempore Bee stated that Mr Chapel had been granted a pass because of illness

The names of the absentees were called

Call of the Assembly

Pending the announcement of the vote, Mr McMillan moved a call of the Assembly

Mr Williamson seconded the motion

Motion carried Time, 11 51 p m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members

MEMBERS EXCUSED FOR DEMOCRATIC CAUCUS

At 11 52 p m , Mr Waldie was granted unanimous consent that the Democratic members be excused for the purpose of holding a caucus in the Assembly Lounge, at this time

TWENTY-FOURTH CALENDAR DAY
JULY 31, 1963

MEMBERS EXCUSED FOR REPUBLICAN CAUCUS

At 12 15 a m, Speaker pro Tempore Bee was granted unanimous consent that the Republican members be excused for the purpose of holding a caucus in the rear of the Chamber

Speaker Presiding

At 12 59 a m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

POINT OF ORDER

Mr Conrad arose to the following point of order That a quorum was not present

Ruling by Speaker

The Speaker ruled the point of order well taken; and directed the Sergeant at Arms to bring in the absent members

Speaker pro Tempore Presiding

At 1 02 a m Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

INQUIRY

Mr Cologne inquired as to the working hours of the ladies at the Assembly desk

REQUEST FOR UNANIMOUS CONSENT

Mr Bane was granted unanimous consent that recording equipment be installed in the Assembly Chamber in order to record the proceedings of the House, if necessary, so that the desk force may have the necessary breaks and rest during the call of the House

Speaker Presiding

At 1 22 a m Hon Jesse M Unruh, Speaker of the Assembly, presiding

Speaker pro Tempore Presiding

At 1 40 a m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Hon John C. Williamson Presiding

At 2 06 a m, Hon John C Williamson, Member of the Assembly from the 29th District, presiding

POINT OF ORDER

Mr Conrad arose to the following point of order· That a quorum was not present

Ruling by Acting Speaker

The Acting Speaker ruled the point of order well taken; and directed the Sergeant at Arms to bring in the absent members

Speaker Presiding

At 2 25 a m, Hon. Jesse M Unruh, Speaker of the Assembly, presiding.

MEMBER GRANTED PASS

Upon request of Mr. Mulford, Mr. Stevens was granted a pass because of illness.

PARLIAMENTARY INQUIRY

Mr. Warren arose to the following parliamentary inquiry: Is the House under a quorum call?

Reply by Speaker

Speaker Unruh replied that the House is under a call of the Assembly on the conference report concerning Senate Bill No. 4; that the Rule which precludes a call upon a call has not been suspended; and that a quorum call is not in order when the House is already under a call

Hon Tom Waite Presiding

At 2.40 a m, Hon Tom Waite, Member of the Assembly from the 62d District, presiding

Speaker pro Tempore Presiding

At 4 42 a m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Hon. Walter W. Powers Presiding

At 5 18 a.m, Hon Walter W. Powers, Member of the Assembly from the 8th District, presiding.

Speaker pro Tempore Presiding

At 5 25 a m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

Hon. Joseph M. Kennick Presiding

At 5.48 a.m., Hon. Joseph M Kennick, Member of the Assembly from the 44th District, presiding.

Speaker pro Tempore Presiding

At 5.59 a.m, Hon Carlos Bee, Speaker pro Tempore of the Assembly presiding

Hon. Thomas C. Carrell Presiding

At 6 16 a m, Hon Thomas C Carrell, Member of the Assembly from the 41st District, presiding

Assistant Clerk James Lane Reading

Speaker Presiding

At 9 35 a m, Hon Jesse M Unruh, Speaker of the Assembly, presiding

PRAYER

The following prayer was offered by the Chaplain, the Rev Robert R. Ferguson

God, Our Father, We pray for the adaptability of St Paul who said, "In whatsoever state I am there will I be content" For Thy servants who are tired, whose nerves are stretched, whose tempers wear thin, give them the added plus in life to

continue their work until it is finished May we ever accept the responsibility which is laid upon us and overcome all obstacles until the right decisions are reached.

May this session come to a reasonable conclusion and give depth of thought and humaneness of purpose to the Members of this Assembly as they reach their decisions

In our Master's Name —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Jesse M Unruh, Mr Ryan then led the Assembly in the pledge of allegiance to the Flag

MOTION TO TEMPORARILY SUSPEND RULE NO. 113

Mr Conrad moved that Rule No 113 be temporarily suspended for the purpose of permitting a call upon a call

Mr Burgener seconded the motion.

Motion for temporary suspension of the Rules lost.

Majority Floor Leader Presiding

At 9 44 a m , Hon Jerome R Waldie, Majority Floor Leader of the Assembly, presiding

Speaker Presiding

At 10 51 a m , Hon. Jesse M Unruh, Speaker of the Assembly, presiding

Hon. William Byron Rumford Presiding

At 10 52 a m , Hon William Byron Rumford, Member of the Assembly from the 17th District, presiding

MEMBERS EXCUSED FOR DEMOCRATIC CAUCUS

At 11 02 a m , Mr Waldie was granted unanimous consent that the Democratic members be excused for the purpose of holding a caucus in the Assembly Lounge

MEMBERS EXCUSED FOR REPUBLICAN CAUCUS

At 12 10 p m , Mr Mulford was granted unanimous consent that the Republican members be excused, for the purpose of holding a caucus, in the Sergeant at Arms Room

Assistant Clerk William Greene Reading

CALL OF THE ASSEMBLY DISPENSED WITH ON REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 4

At 12 27 p m., Mr Conrad moved that further proceedings under the call of the Assembly be dispensed with

Mr Britschgi seconded the motion

Motion carried.

Speaker Presiding

At 12 28 p m , Hon Jesse M Unruh, Speaker of the Assembly, presiding

The names of the absentees were called, and the report of the Committee on Conference concerning Senate Bill No 4 was adopted by the following vote:

AYES—Allen, Alquist, Bane, Bee, Beilenson, Belotti, Booth, Burton, Carrell, Casey, Cologne, Crown, Danielson, Dannemeyer, Davis, Donovan, Dymally, Elliott,

Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Johnson, Kennick, Knox, Lunardi, Marks, McMillan, Meyers, Mills, Moreno, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thomas, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Wilson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—60

NOES—Ashcraft, Badham, Bagley, Barnes, Britschgi, Burgener, Collier, Conrad, Cusanovich, Deukmejian, Flournoy, Holmes, Lanterman, Monagan, Mulford, Thelin, and Veneman—17

Explanations of Votes

While I am still opposed to the acceleration of the tax on banks and corporations and certain other revenue measures, I cast my vote in favor of the Budget in order to make certain that funds from these taxes will be properly used for education, scholarships, etc for the children of the State of California

JAMES E WHETMORE

July 31, 1963

When I left the Assembly Chamber before midnight yesterday, July 30, 1963, I was excused The roll call on concurrence in Assembly amendments to Senate Bill No 4 took place suddenly, without any advance notice to the Members of the Assembly in general At that instant I was in my office, on legislative business When I arrived on the floor of the Assembly the House had adjourned until 4 p m this date obviously too suddenly and too late for me to be recorded as voting on the above-mentioned bill If I had been present I would have voted "No" Repeat "No" Repeat "No"

CHARLES EDWARD CHAPEL
Member of the Assembly

RESOLUTIONS

The following resolution was offered

By Assemblymen Meyers, Gaffney, Burton, Marks, and Foran

House Resolution No. 124

Relating to the United Nationalities of San Francisco

WHEREAS, On April 26, 1950, the United Nationalities of San Francisco was founded, and

WHEREAS, The United Nationalities of San Francisco was organized to commemorate the birth of the United Nations in San Francisco, to promote mutual understanding, appreciation, and co-operation within various racial and nationality groups in San Francisco, and to promote the ideals of Americanism among its member groups by fostering a full appreciation of the privileges and responsibilities of American citizenship, and

WHEREAS The present membership of the United Nationalities is composed of representatives of 35 different nationalities, each of whom is interested in enhancing and promoting the ethnic culture of all the nationalities in the organization, and

WHEREAS, At each meeting of the United Nationalities, a different nationality group provides entertainment and refreshments based upon the customs of their former land to give the other nationalities in the organization and the people of San Francisco a better and deeper understanding of that particular nationality's customs, and

WHEREAS, The United Nationalities of San Francisco is an outstanding example of a voluntary citizens civic organization dedicated to developing warmth and understanding among all the different nationalities found in the City of San Francisco which all areas of this country should be encouraged to emulate, and

WHEREAS, On Sunday, October 20, 1963, the organization will hold its annual celebration of United Nationalities Day in San Francisco and will present a program in Golden Gate Park which will consist of short talks and entertainment furnished by the various nationalities found in the membership of the organization; and

WHEREAS, On United Nationalities Day the citizenry of the City and County of San Francisco will pay tribute to the many nationality clubs and organizations found in that city, now, therefore, be it

Resolved by the Assembly of the State of California, That its members commend the United Nationalities of San Francisco for its many fine activities to promote understanding among the various nationalities in the City of San Francisco and for the imaginative and colorful program which the organization will sponsor in the City of San Francisco on United Nationalities Day, October 20, 1963; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies to the United Nationalities of San Francisco, to each of the following officers Leo A Isaeff, President, Nubar Tashjian, Vice President, Joe Cervetto, 2d Vice President, Frances Fischer, Recording Secretary, Pauline Pedroza, Corresponding Secretary, Charles T Chesterman, Financial Secretary, and to Theodore Fischer, Treasurer

Resolution read, and referred by the Speaker to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 38

Mr Bane was granted unanimous consent to take up Assembly Bill No 38, at this time, without reference to file

CONSIDERATION OF ASSEMBLY BILL NO. 38

Resolution to Dispense With Constitutional Provision

The following resolution was offered

By Mr Bane

Resolved, That Assembly Bill No 38 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read

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

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Beilenson, Belotti, Booth, Britschgi, Burgener, Carrell, Casey, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Denkmejian, Donovan, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Thelin, Thomas, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—68

NOES—None

Article IV, Section 15 of the Constitution was declared dispensed with

Assembly Bill No. 38—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 37A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California

Bill read second time

Assembly Bill No. 38—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 37A, relating to appropriations for the support of the government of the State of California and for several public pur-

poses in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California

Bill read third time, and passed by the following vote

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Beilenson, Belotti, Booth, Britschgi, Burgener, Carrell, Casey, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Wilson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr. Bane was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of permitting all House resolutions offered on this legislative day to be set for hearing this afternoon

COMMITTEE MEETING ANNOUNCEMENT

Mr Bane announced a meeting of the Committee on Rules at 3 p m this afternoon

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO WITHDRAW ASSEMBLY BILL NO. 14 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr Monagan moved that Assembly Bill No 14 be withdrawn from the Committee on Ways and Means

Mr. Bagley seconded the motion

Motion to Continue Motion

Mr. Crown moved that further consideration of the motion be continued until the next day

Mr Petris seconded the motion

Motion carried by the following vote

AYES—Allen, Alquist, Bane, Beilenson, Belotti, Booth, Britschgi, Carrell, Casey, Crown, Danielson, Dannemeyer, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Marks, McMillan, Meyers, Mills, Moreno Petris, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie Warren, Williamson, Young, Z'berg, Zenovich, and Mr Speaker—44

NOES—Ashcraft, Badham, Bagley, Barnes, Burgener, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Flournoy, Holmes, Lanterman, Monagan, Pattee, Thelin Veneman, and Veysey—18

LEAVE OF ABSENCE FOR THE DAY

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

Mr. Milias, on motion of Mr Conrad

NAME PLACED UPON ROLL CALL ON CONFERENCE COMMITTEE REPORT CONCERNING SENATE BILL NO. 4

Mr Badham was granted unanimous consent that he be recorded as voting "No" on the report of the Committee on Conference concerning Senate Bill No. 4

RESOLUTIONS

The following resolutions were offered

By Assemblyman Bane

House Resolution No. 125

Relative to amendment of the Temporary Rules of the First Extraordinary Session of 1963

Resolved by the Assembly of the State of California

First—That the Temporary Rules of the Assembly of the First Extraordinary Session of 1963 are amended by adding a new Rule 131 thereto, to read

Selection of Speaker and Committee Members

131 Any other provisions of these Rules or of the Permanent Standing Rules adopted at the 1963 Regular Session notwithstanding, the Speaker of the Assembly shall be selected by a caucus of the members of the majority party In the event of a vacancy in the office of Speaker, such office shall be filled pursuant to this rule rather than Rule 22 5

Any other provisions of such rules notwithstanding, the Speaker of the Assembly shall appoint the members of all standing and interim committees, other than the Rules Committee, and shall designate the chairmen and vice chairmen thereof, which chairmen and vice chairmen shall be of the same party as the Speaker

Second—That immediately upon the adoption of this resolution, all memberships on all such committees are vacant, and the provisions of Rule 131 shall immediately take effect

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblymen Meyers, Gaffney, Foran, Marks, and Burton:

House Resolution No. 126

Relative to the 55th annual Novena to St Anne held in San Francisco at the Basilica of St. Anne's

WHEREAS, Each year during the month of July a Novena to St Anne is held at the Basilica of St Anne in San Francisco; and

WHEREAS, This solemn service had its inception in 1908 and has throughout the years attracted an increasing number of pilgrims so that at the present time thousands of faithful from all parts of the Bay Region take part in the service, and

WHEREAS, This year the ceremonies included a Solemn Procession of the Blessed Sacrament at which His Excellency, the Most Reverend Joseph T. McGucken, Archbishop of San Francisco, officiated; and

WHEREAS, Also included in the solemn services was a blessing of the sick and infirm; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend congratulations to St Anne's Church on the beautiful services to Good St Anne which were recently held by it; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to His Excellency, the Most Reverend Joseph T McGucken, Archbishop of San Francisco, and to the Right Reverend Monsignor Patrick G. Moriarity, the Pastor of St. Anne's Church.

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblyman Stanton

House Resolution No. 127

Relative to recruiting faculty members for the University of California and the state colleges

Resolved by the Assembly of the State of California, That the Assembly Committee on Ways and Means is directed to subject to interim study the problems of recruiting the best possible faculties for the University of California and the state colleges, including economic factors involved, the determination of salaries and all other matters related and necessary to an economical and effective recruitment program, and the committee is directed to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature.

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Stanton:

House Resolution No. 128

Relative to Faculty Research Programs at State Colleges

WHEREAS, Faculty research consistent with the primary function of the State Colleges is authorized by the Donahoe Higher Education Act; and

WHEREAS, The primary function of the State Colleges is the provision of instruction for graduate as well as undergraduate students, and

WHEREAS, Appropriate faculty research is of vital importance to the teaching program of the State Colleges, and to the maintenance and improvement of the excellence of its faculties, and

WHEREAS, This objective has been endorsed by the Coordinating Council for Higher Education, now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign the subject of faculty research programs at State Colleges to the appropriate committee for interim study, and to direct such committee to report its findings and recommendations to the Legislature no later than the fifth legislative day of the 1965 Regular Session.

Resolution read, and referred by the Speaker to the Committee on Rules.

By Assemblymen Deukmejian and Kennick.

House Resolution No. 129

Relative to memorializing Lewis D. Reese

WHEREAS, Lewis D Reese, the "Father of the Long Beach Marina," succumbed following a short illness, thus ending nine years of service as a city councilman of the city of Long Beach and countless other labors on behalf of his community, and

WHEREAS, It was characteristic of his selfless dedication that his final illness struck while he was in council chambers advocating a committee on human relations, and

WHEREAS, Lewis Reese was a man in whom integrity, intelligence and vision combined to produce a will and capacity for service that elicited respect and admiration from all those who knew him, and

WHEREAS, He liked to say that the depression "booted me out West" in 1930 from his home in Pennsylvania where he had acquired knowledge and experience in construction and engineering, which was the basis of his later service in the construction industry in Long Beach and Port Hueneme where his wartime effort on defense projects was recognized by the Meritorious Civilian Service Award given him in 1944, and

WHEREAS, Farsighted men like Lewis Reese provide not only the plan to meet community needs but the leadership to set those plans in motion, and the community's debt to them cannot be overstated, now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof extend their sympathy to the widow and family of Lewis D Reese, and in this manner give recognition of the great worth of his many endeavors; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs Lewis D Reese and to his mother and stepfather, Mr and Mrs F L Sievers

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Meyers

House Resolution No. 130

Relative to the 25th Anniversary of the West O'Twin Peaks Lions Club

WHEREAS, On September 14, 1938, in San Francisco the West O'Twin Peaks Lions Club was formed by a group of civic-minded business and professional men, and

WHEREAS, Over the years this club has admirably portrayed the creed of Lions International, "the happiest moments of our lives are those we spend in unselfish causes," by advancing civic improvement and by making significant contributions of time and money towards assistance of the blind, aged, crippled and underprivileged, and

WHEREAS, The youth of the community have also received invaluable assistance through the sponsorship of Boy and Girl Scouting activities and similar organizations by the West O'Twin Peaks Lions Club, and

WHEREAS, At the October 25, 1963, meeting this distinguished club will celebrate its 25th Anniversary, now, therefore, be it

Resolved by the Assembly of the State of California, That the members hereby extend their congratulations to the West O'Twin Peaks Lions Club on the occasion of its 25th Anniversary and commend the members of that club for their outstanding contributions to their community and their fair city, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the following officers of the West O'Twin Peaks Lions Club John Milton, Dr John E Tobin, Jr, Dr. Francis L Bushnell, Dr Joseph Albrecht, Frank P Tarantino, John E McInerney, Jr, C M Murphy, Angelo J Derenzi, John Loebbing, Rev Clark Neale Edwards, and Rev Ilmo A Janssen, Jr

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Garrigus

House Resolution No. 131

Commending Dr. Wallace W. Hall

WHEREAS, It has come to the attention of the Assembly that Dr Wallace W Hall, Chief of the Division of Higher Education of the Department of Education since 1961, has been recently appointed Superintendent of the West Valley Junior College District and President of the West Valley Junior College in Campbell, Santa Clara County; and

WHEREAS, Dr Hall received a Bachelor of Arts degree and a Bachelor of Science degree from Ohio State University in 1931, a Master of Arts degree from the College of the Pacific in 1932, and a Doctor of Philosophy from the University of California at Berkeley, in 1936, and has participated in post doctoral work in the field of school administration at the University of California at Berkeley, the College of the Pacific, and San Francisco State College, and

WHEREAS, Dr Hall began his illustrious career in 1933 as a teaching assistant in the Department of Political Science of the University of California at Berkeley, leaving in 1935 to serve as Dean of Men at Coalinga Junior College until 1938 when he became Director of Adult Education at the College of Marin, the Vice Presidency of which college he accepted in 1944; and

WHEREAS, In 1946 he accepted the position of Executive Secretary of the California Teachers Association, Bay Section, leaving in 1951 upon his election as Marin County Superintendent of Schools, in which office he served until his appointment in 1958 as Associate Superintendent of Schools and Chief of the Division of Public School Administration, and

WHEREAS, He has been very active in various professional and fraternal organizations maintaining memberships in the California Teachers Association the National Education Association, the American Association of School Administrators, the California Association of School Administrators, and the Association of California County Superintendents of Schools, and the Phi Beta Kappa and Phi Delta Kappa fraternities, and

WHEREAS, His charming personality, his scholarly achievements, and his administrative genius have won the respect, admiration, and affection of all those who have been privileged to know and work with him; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof hereby commend Dr. Wallace W Hall for his outstanding service to the State as an educator and school administrator and extend their heartiest congratulations upon his appointment as Superintendent of the West Valley Junior College District and President of the West Valley Junior College; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr Wallace W Hall

Resolution read, and referred by the Speaker to the Committee on Rules

By Assemblyman Cusanovich

House Resolution No. 132

Relative to commending the State Capitol Garage Employees

WHEREAS, As the end of the 1963 First Extraordinary Session nears completion it is most fitting that the Members of the Assembly extend their thanks to the employees of the State Capitol Garage for the diligent and conscientious service rendered to this body; and

WHEREAS, The courteous and efficient manner in which these state employees perform their duties is deserving of much praise; and

WHEREAS, Each employee of the Capitol Garage at all times demonstrated a willingness to be of service, a cheerful disposition, and an efficient manner; and

WHEREAS, The outstanding quality of the services which these employees render has not escaped the attention of the Members of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend their hearty and sincere "Thanks" to the employees of the State Capitol Garage; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the employees of the State Capitol Garage

Resolution read, and referred by the Speaker to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Thomas was granted unanimous consent that the following amendment to Senate Bill No 4 which he had proposed for consideration, be ordered printed in the Journal

PROPOSED AMENDMENT TO SENATE BILL NO. 4

By Assemblyman Thomas

Amendment No. 1

On page 26 of the printed bill, as amended in the Assembly on July 24, 1963, between lines 31 and 32, insert

"26 1—For the payment of severance pay, upon the completion of the San Pedro-Terminal Island Toll Bridge and the discontinuance of the operation of the existing ferry system between San Pedro and Terminal Island operated by the Harbor Department of the City of Los Angeles, by the Department of Public Works to each city employee employed in connection with the operation of such ferry system who is laid off from employment by the city as a result of the construction and operation of the toll bridge and the discontinuance of the ferry system, an amount equal to one month's pay for each year of service in connection with such ferry system up to a maximum of 15 years, the sum of $50,000,

or so much thereof as may be necessary, payable from the Motor Vehicle Transportation Tax Fund

These funds shall not be used to pay severance pay to any city employees who are offered permanent employment and who become permanent employees of any state agency under the following conditions

1 The rate of pay shall be substantially the same as that received at the time operations are discontinued

2 The place of employment shall be within a radius of 50 miles of San Pedro unless the employee, at his option, accepts employment at a place outside said 50-mile radius

Any employee who accepts employment with a state agency and whose employment is terminated by said agency prior to the expiration of his probationary period for any reason which is the fault of said employee shall not be entitled to severance pay.

An employee eligible for retirement under the City Employees' Retirement System of the City of Los Angeles and accepts such retirement shall not be entitled to severance pay "

INQUIRY BY SPEAKER UNRUH

Speaker Unruh inquired of Mr Mills as to when the report of the Committeee on Conference concerning Senate Bill No 12 would be before the House for consideration

Reply by Mr. Mills

Mr Mills replied that, at between 11 30 a m and 12 noon today, the Legislative Counsel had advised him that the amendments proposed by the Conference Committee would require about four hours for preparation; so the report should be ready at around 4 p m. this afternoon

COMMENDATION OF SERGEANT AT ARMS

Mr Britschgi expressed his appreciation to, and commendation of, Assembly Sergeant at Arms Tony Beard and his staff for the courtesies and co-operation extended to the members during the call of the House on the conference report concerning Senate Bill No 4.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 59

Mr Petris was granted unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No 37 for hearing in the Committee on Revenue and Taxation, on adjournment

Mr Monagan asked for unanimous consent that Rule No 59 be temporarily suspended for the purpose of setting Assembly Bill No. 32 for hearing in the Committee on Revenue and Taxation, on adjournment

Mr Unruh withheld unanimous consent

NAME PLACED UPON ROLL CALL ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 4

Mr. Stevens was granted unanimous consent that he be recorded as voting "Aye" on the report of the Committee on Conference concerning Senate Bill No. 4.

INTRODUCTION OF GUESTS

Mr McMillan introduced his nephew and niece, Jack and Llewellyn Bowe and their children, Sandra and Sally Bowe of Scottsdale, Arizona, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber

RESOLUTIONS

The following resolution was offered:

By Assemblymen Meyers, Marks, Gaffney, Foran, and Burton

House Resolution No. 133

Relative to the 58th Wedding Anniversary of Mr and Mrs John M. Ratto

WHEREAS, The Members of the Assembly have learned with pleasure that this year marks the 58th Wedding Anniversary of the John M. Rattos, an event which was celebrated by a recent family dinner, and

WHEREAS, The mutual devotion of this happy couple has brought them a full life and continues to be the keystone of their social and community activity; and

WHEREAS, The personal contributions of Mr. and Mrs. Ratto to the State of California and to the City and County of San Francisco is attested to by the years they have spent in the service of others, and

WHEREAS, John Ratto was for eight years a supervisor of the City and County of San Francisco, during which time he devoted himself unstintingly to the service of the people of San Francisco, and

WHEREAS, Mr Ratto continues to be active in the Native Sons of the Golden West and the Eagles, sharing such interests with Mrs Ratto whose social interests include the California Club and the Native Daughters of the Golden West, and

WHEREAS, Their marriage has been blessed with a son, now very successful in the real estate business and a daughter whose husband is prominent in banking circles, and

WHEREAS, The warmth and interest in others, of these two fine people has attracted to them a host of friends, young and old, whose lives have been enriched by this association; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate the John Rattos on the 58th Anniversary of their wedding and express the wish that they may have many more years together, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. and Mrs John M Ratto.

Resolution read, and referred by the Speaker to the Committee on Rules.

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day

On request of Mr Waldie of Antioch to Mrs Pat Silva and Miss Marjorie Perry of Concord

On request of Mr Petris of Oakland to his cousins, Mr and Mrs Leo Liaskos of Fort Lee, New Jersey, and his cousins, Mr and Mrs Dick Smith of Sacramento

ADJOURNMENT

At 12 58 p m, on motion of Mr Waldie, the Speaker declared the Assembly adjourned until 4 p m, Wednesday, July 31, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, July 31, 1963

The Assembly met at 4 p m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk James Lane reading

ROLL CALL

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

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Burnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—78

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Rev F Douglas Ferrell, Member of the Assembly from the 55th Assembly District

Our Gracious God and our Father, Thou Who has given to us the light of this day and to Whom we must look for the guidance of Thy Spirit We thank Thee that Thou has kept us safe for this hour and pray Thy Spirit will guide us in all our deliberations as we strive to do that which is well pleasing in Thy sight as we seek to represent those who sent us to be a part of this body

In the Master's name we pray —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Johnson then led the Assembly in the pledge of allegiance to the Flag

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Casey, seconded by Mr Mulford

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr Dills, on motion of Mr Waldie

Mr Milias, on motion of Mr. Conrad

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, July 31, 1963

MR SPEAKER. Your Committee on Rules reports

House Resolution No 118
House Resolution No. 124
House Resolution No 125
House Resolution No. 126
House Resolution No 129
House Resolution No 130
House Resolution No. 131
House Resolution No 132
House Resolution No. 133

With the recommendation: Be adopted.

BANE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, July 31, 1963

MR SPEAKER. Your Committee on Rules reports

House Resolution No 116
House Resolution No. 119
House Resolution No 120

With the recommendation That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules.

ASSEMBLY CHAMBER, July 31, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 121
House Resolution No 122
House Resolution No 123

With the recommendation That the resolutions be retained in committee, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Subject matter of the above resolutions referred to the Committee on Rules

ASSEMBLY CHAMBER, July 31, 1963

MR. SPEAKER Your Committee on Rules reports

House Resolution No 115
House Resolution No 127
House Resolution No 128

With amendments with the recommendation. Be amended, and that the resolutions, as amended, be returned to the committee, and the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BANE, Chairman

Above resolutions ordered to second reading

ASSEMBLY BILL NO. 5 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file·

Assembly Bill No. 5, on motion of Mr Crown

NOTICE

Mr Cusanovich served notice that he would withhold consideration of House Resolution No 125 as one of a group of resolutions.

PARLIAMENTARY INQUIRY

Mr. Conrad arose to the following parliamentary inquiry: What is the question before the House?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that the question was upon the House resolutions which appear at page 67 of the Daily File for today

Demand by Mr. Conrad

Mr. Conrad demanded that each resolution on file be read in full by the Clerk, and taken up individually.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 106

By Assemblymen Alquist and Stanton:

House Resolution No. 106—Relative to congratulating the police department of the City of San Jose.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No. 1

In the fourth WHEREAS clause of the measure, as printed in the Assembly Daily Journal, July 25, 1963, on page 267, on line 1, after the third "the", insert "City of"

Consideration of House Resolution No. 106, as Amended

By Assemblymen Alquist and Stanton

House Resolution No. 106

Relative to congratulating the police department of the City of San Jose

WHEREAS, National recognition has been won for the third consecutive year by the police department of the City of San Jose for exceptional work in police traffic supervision, and

WHEREAS, Based on the yearly National Safety Council traffic survey, an "Outstanding Award" was conferred on the city by the International Association of Chiefs of Police, and

WHEREAS, Many factors are considered in making the award, including the quality and amount of enforcement, the special training given officers, the type of accident investigation, the handling of drunken driver arrests and pedestrian control, and

WHEREAS, Credit for the honor conferred upon the police department of the City of San Jose belongs to the entire police force of that city and particularly to Chief Ray Blackmore and to Captain Elmer Klein and Captain Mel Hornbeck, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate the police department of the City of San Jose on receiving this distinction and commend all of the personnel thereof through whose efforts and dedication to duty the award was earned, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Chief Ray Blackmore

Resolution, as amended, read, and adopted

Assistant Clerk Charles Winner Reading

Request for Unanimous Consent

Mr Elliott asked for unanimous consent that further reading of each House resolution in full be dispensed with

Mr Conrad withheld unanimous consent

Consideration of House Resolution No. 108

By Assemblyman Waldie

House Resolution No. 108—Relative to congratulating Mrs Maxine Page Johnson

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NOTE The full text of House Resolution No 108 appears at page 273 of the Assembly Daily Journal for July 29, 1963

Resolution read

Members Made Coauthors of House Resolution No. 108

Mr Burton was granted unanimous consent that all members so desiring be placed upon House Resolution No 108 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, McMillan, Meyers, Monagan, Moreno, Mulford, Pattee, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—71

NOES—None

The question being on the adoption of House Resolution No. 108, as amended

Resolution adopted unanimously

Consideration of House Resolution No 110

By Assemblyman Dymally

House Resolution No. 110—Relative to the 100th birthday of Mrs Ida B Wells

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NOTE The full text of House Resolution No 110 appears at page 274 of the Assembly Daily Journal for July 29, 1963

Resolution read, and adopted

Consideration of House Resolution No. 105

By Assemblymen Kennick and Deukmejian

House Resolution No. 105—Relative to the purchase by American airline companies of British jets

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No. 1

On page 1 of the printed measure, as printed on pages 263 and 264 of the Assembly Journal for July 25, 1963, strike out the first and second "WHEREAS" clauses; and on page 264, strike out all of the "WHEREAS" clauses and the "*Resolved*" clauses, and insert

"WHEREAS, It would appear that a world market need exists for short-to-medium range jet transports and that Douglas Aircraft Company has embarked on a program of development and production of such aircraft; and

WHEREAS, Douglas Aircraft, in developing and producing short-to-medium range jet transports may be in competition with the British Aircraft Corporation, since it seems that at least three United States airlines have already placed orders for 31 short-to-medium range jet transports built by that corporation, supposedly because of the promise of earlier delivery, and

WHEREAS, The purchase of foreign jet transports by United States airlines would appear to have a detrimental effect upon not only employment in California, but throughout the United States, upon this Nation's balance of trade, and upon the national defense capability represented by a healthy airframe industry, now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the purchase of foreign jet transports by United States airlines and its effect upon the economy and the aircraft industry of this State and to direct such interim committee to report thereon to the Legislature not later than the fifth legislative day of the 1965 Regular Session

House Resolution No. 105, as Amended

By Assemblymen Kennick and Deukmejian

House Resolution No. 105

Relative to the purchase by American airline companies of British jets

WHEREAS, It would appear that a world market need exists for short-to-medium range jet transports and that Douglas Aircraft Company has embarked on a program of development and production of such aircraft, and

WHEREAS, Douglas Aircraft, in developing and producing short-to-medium range jet transports may be in competition with the British Aircraft Corporation, since it seems that at least three United States airlines have already placed orders for 31 short-to-medium range jet transports built by that corporation, supposedly because of the promise of earlier delivery, and

WHEREAS, The purchase of foreign jet transports by United States airlines would appear to have a detrimental effect upon not only employment in California, but throughout the United States, upon this Nation's balance of trade, and upon the national defense capability represented by a healthy airframe industry, now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the purchase of foreign jet transports by United States airlines and its effect upon the economy and the aircraft industry of this State and to direct such interim committee to report thereon to the Legislature not later than the fifth legislative day of the 1965 Regular Session

Resolution, as amended, re-referred to the Committee on Rules; and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study

Consideration of House Resolution No. 111

By Assemblymen Willson and Marks

House Resolution No. 111—Relative to a study of alcoholic rehabilitation

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No 1

In lines 1 and 2 of the "*Resolved*" clause in the resolution, as printed on page 274 of the Assembly Journal for July 29, 1963, strike out "Interim Committee on Government Organization is directed to study", and insert "Committee on Rules is directed to refer for study to an appropriate interim committee"

House Resolution No. 111, as Amended

By Assemblymen Willson and Marks

House Resolution No. 111

Relative to a study of alcoholic rehabilitation

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to refer for study to an appropriate interim committee the subject of alcoholic rehabilitation, including but not limited to early detection of alcoholism, and the sources of funds and appropriations for rehabilitation of alcoholics, and such committee shall report its findings and recommendations to the Assembly no later than the fifth legislative day of the 1965 Regular Session of the Legislature.

Resolution, as amended, re-referred to the Committee on Rules, and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study

Consideration of House Resolution No. 114

By Assemblymen Elliott, Warren, and Song

House Resolution No. 114—Relative to the celebration of Nisei Week in Los Angeles

NOTE The full text of House Resolution No 114 appears at pages 278 and 279 of the Assembly Daily Journal for July 29, 1963

Resolution read

Members Made Coauthors of House Resolution No. 114

Mr Elliott was granted unanimous consent that all members so desiring be placed upon House Resolution No 114 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Bagley, Bane, Barnes, Bee, Belotti, Booth, Britschgi, Bulgener, Burton, Carrell, Casey, Chapel, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—72

NOES—None

The question being on the adoption of House Resolution No 114, as amended.

Resolution adopted unanimously

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4 23 p m, Mr Crown asked for unanimous consent that the members of the Committee on Ways and Means be excused, for the purpose of holding a meeting in Room 3188, at this time

RECESS

At 4 24 p m, on motion of Mr Monagan, the Assembly recessed until 4 43 p m to permit a meeting of the Committee on Ways and Means

REASSEMBLED

At 4 43 p m , the Assembly reconvened
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, July 31, 1963

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

Assembly Bill No 38

J A BEEK, Secretary of the Senate
By JAMES D MACARTHUR, Assistant Secretary

Above bill ordered enrolled

RESOLUTIONS

The following resolution was offered ·

By Assemblymen Gaffney and Marks

House Resolution No. 134

Memorializing Henry Ford and congratulating the Ford Motor Company

WHEREAS, July 30, 1963, marked the 100th anniversary of the birth of Henry Ford, the world renowned industrialist, inventor and philanthropist and founder of the Ford Motor Company; and

WHEREAS, Henry Ford was born in Dearborn Township, Wayne County, Michigan in the year 1863 and early showed the inventive and mechanical genius which was to make him one of the world's foremost manufacturers of automobiles, and

WHEREAS, It was in 1893 that Henry Ford completed the building of his first automobile, followed in 1909 by the famous "Model T," the forerunner of the millions of automobiles which fulfilled Henry Ford's dream of building a motor car for the great multitudes, and

WHEREAS, Henry Ford organized the Ford Motor Company in 1903 and thereafter his genius led him to conceive and institute the moving assembly line method of manufacturing automobiles, a concept which revolutionized industrial production methods and led to much of the industrial progress which the world has enjoyed over the past half century, and

WHEREAS, Henry Ford proved himself to be one of our Nation's greatest industrialists and introduced the $5-a-day wage and the eight-hour day thereby helping begin the social and economic progress that has enabled American workers to achieve a standard of living and way of life unequaled throughout the world, and

WHEREAS, Henry Ford was not content to make his place in the world simply as a manufacturer of automobiles but also established the Ford Foundation in 1936, whose varied activities as a private philanthropic corporation and expenditures of millions of dollars have advanced the work of educators, scientists and administrators everywhere and have been of incalculable benefit to all mankind, and

WHEREAS, The Ford Motor Company today is one of the world's largest industrial concerns and makes an immeasurable contribution to the economy of our Country and the world and employs many thousands of persons in the manufacture of many products which make our lives easier and more enjoyable, now, therefore, be it

Resolved by the Assembly of the State of California, That the members take this occasion to honor the memory of Henry Ford and his countless contributions to his Country and the world and to congratulate the Ford Motor Company on its years of industrial success and wish it well for the future, and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Henry Ford II, grandson of Mr Ford and present Chairman of the Board of Directors of the Ford Motor Company, and to Mr Ford's other grandchildren

Resolution read, and referred by the Speaker pro Tempore to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, July 31, 1963

MR SPEAKER. Your Committee on Ways and Means reports

Assembly Bill No 36

With amendments with the recommendation Amend, and do pass, as amended

CROWN, Chairman

Above bill ordered to second reading

Request for Unanimous Consent to Take Up Assembly Bill No. 36

Mr Crown was granted unanimous consent to take up Assembly Bill No 36 without reference to file

SECOND READING OF ASSEMBLY BILL NO. 36 (BY UNANIMOUS CONSENT)

Assembly Bill No. 36—An act to amend Section 17263 1 of, and to add Section 17263 2 to, the Education Code, relating to the financial support of the public school system, declaring the urgency thereof, to take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted·

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and to amend Section 1819 of the Revenue and Taxation Code,"

Amendment No. 2

On page 1, lines 8 and 9, strike out "relationship transmitted", and insert "ratio published for the county"

Amendment No. 3

On page 1, line 9, strike out "1817", and insert "1819"

Amendment No. 4

On page 1, line 10, strike out "greater", and insert "less"

Amendment No. 5

On page 1, line 11, strike out "of the preceding fiscal year"

Amendment No. 6

On page 1, line 13, strike out "data transmitted", and insert "ratio published".

Amendment No. 7

On page 1, line 14, strike out "1817", and insert "1819"

Amendment No. 8

On page 1, line 14, strike out "by", and insert "into".

Amendment No. 9

On page 1, line 15, strike out "of the preceding fiscal year".

Amendment No. 10

On page 1, line 19, strike out "In"; on page 2 strike out lines 1 and 2, and in line 3, strike out "certification shall apply only to supplemental support"

Amendment No. 11

On page 2, lines 18 and 19, strike out "for the 1963-1964 fiscal year,".

Amendment No. 12

On page 2, between lines 26 and 27, insert

"SEC 3 Section 1819 of the Revenue and Taxation Code is amended to read

1819 As soon as tabulations have been made pursuant to Section 1818, but not later than August 1st, the board shall give the assessor of each county a reasonable opportunity to examine and discuss with it that portion of the tabulations affecting property in his county After making any adjustment it deems appropriate as the result of such discussion, but not later than ~~September 2d~~ *August 23d*, the board shall make available for public inspection all such tabulations and shall publish the ratio of assessed to full cash value of locally assessable tangible property for each county "

Amendment No. 13

On page 2, line 27, strike out "SEC 3", and insert "SEC 4"

Bill ordered reprinted, and engrossed.

Rush Order Placed Upon Printing of Assembly Bill No. 36

Mr Crown was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 36.

Hon. John P. Quimby Presiding

At 4 51 p m, Hon John P Quimby, Member of the Assembly from the 72d District, presiding

Speaker pro Tempore Presiding

At 4 54 p m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 37

Mr Petris was granted unanimous consent that Assembly Bill No. 37 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Rules, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

CONSIDERATION OF HOUSE RESOLUTION NO. 118

By Assemblyman Pattee

House Resolution No. 118—Relative to the death of Howard F. Cozzens

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NOTE The full text of House Resolution No 118 appears at page 295 of the Assembly Daily Journal for July 30-31, 1963

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 124

By Assemblymen Meyers, Gaffney, Burton, Marks, and Foran:

House Resolution No. 124—Relating to the United Nationalities of San Francisco

NOTE The full text of House Resolution No. 124 appears at pages 304-305 of the Assembly Daily Journal for July 30-31, 1963

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 125

By Assemblyman Bane

House Resolution No. 125—Relative to amendment of the Temporary Rules of the First Extraordinary Session of 1963

NOTE: The full text of House Resolution No 125 appears at page 307 of the Assembly Daily Journal for July 30-31, 1963

Resolution read

Speaker Presiding

At 4 59 p m., Hon. Jesse M Unruh, Speaker of the Assembly, presiding

Demand for Previous Question

Messrs Mills, Garrigus, Casey, Frew, and Kennick demanded the previous question

Demand sustained by the following vote

AYES—Allen, Alquist, Bane, Bee, Beilenson, Booth, Carrell, Casey, Crown, Danielson, Davis, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lunardi, McMillan, Meyers, Mills, Moreno, Petris, Porter, Powers, Quimby, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—47

NOES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Burton, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Holmes, Lanterman, Marks, Monagan, Mulford, Pattee, Veneman, Veysey, and Whetmore—26

The question being on the adoption of the resolution

Motion

Mr. Cologne moved that Mr Bane be granted 10 minutes additional time for the purpose of answering questions

Mr. Burton seconded the motion

Motion carried.

The question being on the adoption of House Resolution No. 125

Resolution adopted by the following vote·

AYES—Allen, Alquist, Bane, Bee, Beilenson, Booth, Burton, Casey, Crown, Danielson, Davis, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, McMillan, Meyers, Mills, Moreno, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Willson, Young, Z'berg, Zenovich, and Mr Speaker—47.

NOES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Holmes, Lanterman, Marks, Monagan, Mulford, Pattee, Stevens, Veneman, Veysey, and Whetmore—26

PARLIAMENTARY INQUIRY

Mr. Bagley arose to the following parliamentary inquiry Under the new Rule just adopted, when the next Legislature convenes, assuming that the Democratic Caucus will have met and selected a Speaker, by a majority vote, will the House then be called upon to adopt a resolution for the election of that Speaker as called for by the Constitution?

Reply by Speaker

Speaker Unruh replied that he could not answer the question, at this time.

MOTION

Mr Veneman moved that the Assembly recess until it has been properly reconstituted pursuant to House Resolution No. 125

Mr. Bagley seconded the motion

Motion ruled not in order, since Mr. Veneman had not been recognized for the purpose of making a motion

PARLIAMENTARY INQUIRY

Mr. Veneman arose to the following parliamentary inquiry: Is it not true that pursuant to the provisions of House Resolution No 125 there are now no committees for this session, except the Committee on Rules?

Reply by Speaker

Speaker Unruh replied that this was true

PARLIAMENTARY INQUIRY

Mr. Veneman arose to the following parliamentary inquiry: How can the House function properly without a Committee on Engrossment and Enrollment?

Reply by Speaker

Speaker Unruh replied that if there were any question, he would appoint such a committee

APPOINTMENT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT

Speaker Unruh appointed Messrs Powers (Chairman), Bee, and Unruh as the Assembly Standing Committee on Engrossment and Enrollment

POINT OF ORDER

Mr. Monagan arose to the following point of order: That, pursuant to the provisions of House Resolution No 125, the office of Speaker of the Assembly is automatically vacant until a new Speaker has been elected.

Speaker pro Tempore Presiding

At 5 59 p.m , Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

NOMINATION FOR SPEAKER

Mr. Tom Bane of North Hollywood placed in nomination for Speaker Mr. Jesse M Unruh of Inglewood

Mr. Lester A McMillan of Los Angeles seconded the nomination

Parliamentary Inquiry

Mr. Waite arose to the following parliamentary inquiry Is the office of Speaker vacant?

Reply by Speaker pro Tempore

Speaker *pro Tempore* Bee replied that there had been no resignation

RECESS

At 6 p m, on motion of Mr Bane, the Assembly recessed until 6 05 p.m. to hold a Democratic Caucus pursuant to Rule No. 131.

REASSEMBLED

At 6 13 p.m, the Assembly reconvened
Hon Jesse M Unruh, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk Charles Winner reading

ANNOUNCEMENT BY SPEAKER UNRUH

Speaker Unruh announced that, after consultation with the Chief Clerk, he was ruling that adoption of House Resolution No 125 did not vacate the office of Speaker of the Assembly, and that the action by the Democratic Caucus would be accepted as a vote of confidence by the Caucus

PARLIAMENTARY INQUIRY

Mr Lanterman arose to the following parliamentary inquiry. Where in the history of this Legislature is there any precedent to justify the actions of this House?

Reply by Speaker

Speaker Unruh replied that a search of the records would be required to answer the inquiry.

PARLIAMENTARY INQUIRY

Mr Bagley arose to the following parliamentary inquiry: How was the House called back into session, at this time?

Reply by Speaker

Speaker Unruh replied that a five-minute recess had been granted.

PARLIAMENTARY INQUIRY

Mr Bagley arose to the following parliamentary inquiry Since there will be a vacancy in the office of Speaker at the next session of the Legislature, will the Speaker at that session be selected by majority party caucus or elected by the House?

Reply by Speaker

Speaker Unruh replied that the question would be answered when the occasion arises

PARLIAMENTARY INQUIRY

Mr Badham arose to the following parliamentary inquiry Since Rule No 131 is now a part of the Rules, if the office of Speaker were to be declared vacant, this motion could never be made by a member of the minority party?

Reply by Speaker

Speaker Unruh replied that he believed the motion could be made, but he doubted its power or effect

REQUEST FOR UNANIMOUS CONSENT

Mr Bane was granted unanimous consent that the balance of the House resolutions reported from the Committee on Rules today, and appearing on the supplementary file, be considered at this time.

Speaker pro Tempore Presiding

At 6 21 p.m., Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

CONSIDERATION OF HOUSE RESOLUTION NO. 126

By Assemblymen Meyers. Gaffney, Foran, Marks, and Burton:

House Resolution No. 126—Relative to the 55th annual Novena to St. Anne held in San Francisco at the Basilica of St. Anne's

NOTE The full text of House Resolution No 126 appears at page 307 of the Assembly Daily Journal for July 30-31, 1963

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 129

By Assemblymen Deukmejian and Kennick

House Resolution No. 129—Relative to memorializing Lewis D. Reese.

NOTE The full text of House Resolution No 129 appears at pages 308-309 of the Assembly Daily Journal for July 30 31, 1963

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 130

By Assemblyman Meyers

House Resolution No. 130—Relative to the 25th Anniversary of the West O Twin Peaks Lions Club

NOTE The full text of House Resolution No 130 appears at page 309 of the Assembly Daily Journal for July 30-31, 1963

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 131

By Assemblyman Garrigus

House Resolution No. 131—Commending Dr. Wallace W. Hall

NOTE: The full text of House Resolution No 131 appears at pages 309-310 of the Assembly Daily Journal for July 30-31, 1963.

Resolution read.

Members Made Coauthors of House Resolution No. 131

Mr. Garrigus was granted unanimous consent that all members so desiring be placed upon House Resolution No 131 as coauthors

Roll Call

The following members indicated a desire to become coauthors

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Thelin, Thomas, Veneman, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Mr Speaker—76

NOES—None

The question being on the adoption of House Resolution No 131, as amended.

Resolution adopted unanimously

CONSIDERATION OF HOUSE RESOLUTION NO. 132

By Assemblyman Cusanovich·

House Resolution No. 132—Relative to commending the State Capitol Garage employees

NOTE: The full text of House Resolution No 132 appears at page 310 of the Assembly Daily Journal for July 30-31, 1963

Resolution read, and adopted

CONSIDERATION OF HOUSE RESOLUTION NO. 133

By Assemblymen Meyers, Marks, Gaffney, Foran, and Burton:

House Resolution No. 133—Relative to the 58th wedding anniversary of Mr. and Mrs John M Ratto

NOTE: The full text of House Resolution No. 133 appears at page 312 of the Assembly Daily Journal for July 30-31, 1963

Resolution read, and adopted.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal·

SAN JOSE, CALIFORNIA, July 23, 1963

Mr. Jesse M. Unruh
Speaker of the Assembly

DEAR MR UNRUH To you and every other member of our State Assembly who so unselfishly took time during an extremely busy session to confer upon me an honor granted to only a special few; I wish to express my gratitude

Mr Stanton has probably told you the plaque, of which I am very proud, holds a prominent place in our glass-enclosed office where, looking east, one views a panorama of orchards and encircling hills—dotted on the lower levels by ever-increasing, modern homes. Here, ofttimes alone, during morning hours, I read the reports on decisions made by yourself and your colleagues

I trust that you will soon be relieved of these official requirements and that there will be sufficient time for each of you to enjoy a restful vacation

Very sincerely yours,

MILDRED L OVERFELT

REMARKS ON CONDITION OF THE FILE

Mr. Burton arose to speak on the condition of the file

Point of Order

Mr. Conrad arose to the following point of order: That, since the motion to adjourn had not been offered, to speak on the condition of the file was not in order.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

MOTION TO ADJOURN

Mr. Waldie moved that the Assembly adjourn until 10 a m, Thursday, August 1, 1963.

Mr Conrad seconded the motion

Remarks on Condition of the File

Mr Burton spoke on the condition of the file.

Point of Order

Mr Dannemeyer arose to the point of order that Mr. Burton was not speaking to the condition of the file

Ruling by Speaker pro Tempore

Speaker pro Tempore Bee ruled the point of order well taken.

Further Remarks on Condition of the File

Mr Mulford spoke on the condition of the file.

Mr. Lanterman spoke on the condition of the file

Mr Britschgi spoke on the condition of the file.

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day·

On request of Mr Meyers of San Francisco to Dr Daniel J Mazzoncini of San Francisco.

On request of Mr Williamson of Bakersfield to Rosemary and Kenneth Twisselman of McKittrick

On request of Mr Waldie of Antioch to Mr and Mrs Kenneth Byrd and sons, George and Kenneth Byrd, of Concord

On request of Mr McMillan of Los Angeles to his nephew and niece, Jack and Llewellyn Bowe, and their daughters Sandra and Sally Bowe, of Scottsdale, Arizona

ADJOURNMENT

At 6 30 p m, on motion of Mr Waldie, the Speaker pro Tempore declared the Assembly adjourned until 10 a m, Thursday, August 1, 1963

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, August 1, 1963

The Assembly met at 10 a m
Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk
Assistant Clerk James Lane reading

ROLL CALL

The roll was called

Call of the Assembly

Mr Conrad moved a call of the Assembly
Mr Collier seconded the motion
Motion carried Time, 10 06 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members

Parliamentary Inquiry

Mr. Flournoy arose to the following parliamentary inquiry. Did the initial calling of the roll indicate the presence of a quorum?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that it did not

Parliamentary Inquiry

Mr Flournoy arose to the following parliamentary inquiry· How many members answered to the initial calling of the roll?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that 35 members are present.

Call of the Assembly Dispensed With

At 10.08 a m, on motion of Mr Elliott, seconded by Mr. Powers, further proceedings under the call of the Assembly were dispensed with

The calling of the roll was completed, and the following members answered to their names

Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Vevsey, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Zenovich, and Mr Speaker—75

Quorum present

PRAYER

Upon invitation of Speaker pro Tempore Bee, the following prayer was offered by Rev M M Follansbee, Jr, Field Director for Christian Education, Central Area, Synod of California, United Presbyterian Church, U S A

Most Gracious God, We humbly beseech Thee, as for the people of this Nation in general, so especially for the Assembly now in session, that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy Church, the safety, honor, and welfare of the people, that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, virtue and piety, may be established among us These and all other necessaries, for them, for us, and for Thy whole Church, we humbly beg in the name of Jesus Christ, our most blessed Lord and Saviour —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Carlos Bee, Mr Greene then led the Assembly in the pledge of allegiance to the Flag

Assistant Clerk William Greene Reading

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr Kennick, seconded by Mr. Elliott

LEAVES OF ABSENCE FOR THE DAY

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

Mr Willson, on request of Speaker pro Tempore Bee

Mr Quimby, on request of Speaker pro Tempore Bee

The following members were granted leaves of absence for the day, and desired to waive their per diems·

Mr Mihas, on motion of Mr Conrad

Mr Dills, on request of Speaker pro Tempore Bee

Mr Z'berg, on motion of Mr Waldie

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER· Your Committee on Engrossment and Enrollment has examined Assembly Bill No 36

And reports the same correctly engrossed

POWERS, Chairman

Above bill ordered to third reading

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received:

ASSEMBLY CHAMBER, July 31, 1963

MR SPEAKER The Committee on Conference concerning:

Senate Bill No. 12 (As amended in Assembly July 24, 1963)—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955 1, 17261, 17262, 17263, 17263 1, 17301, 17301.3, 17303, 17303 5, 17352, 17353, 17402, 17405, 17411, 17456, 17601, 17607, 17611, 17655, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17667, 17702, 17703, 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990, 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18455, 18460 and 20901 of, to amend the heading of Article 3 (commencing with Section 17701), of Chapter 3 of Division 14 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17612, 17613, 17666, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to repeal Section 17305 8 as added to the Education Code by Assembly Bill No 653 of the 1963 Regular Session, to add Sections 17401, 17404, 17407, 17601 1, 17611 5, and 17665 5 to, and to add Sections 17654 5, 17702 1, 17702 2, and 17706 to, and to add Article 2 5 (commencing with Section 17680) and Article 7.1 (commencing with Section 17920) to Chapter 3 of Division 14 of, to add Chapter 3 5 (commencing with Section 20910) to Division 16 of, and to repeal Section 6427 of, the Education Code, relating to the public school system, and making an appropriation.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on July 24, 1963, strike out "17262, 17263,"

Amendment No. 2

In line 4 of the title, after "17303 5," insert "17305,".

Amendment No. 3

In line 4 of the title, after "17601," insert "17602,".

Amendment No. 3 5

In line 5 of the title, after "17611," insert "17653, 17654,"

Amendment No. 4

In line 8 of the title, after "18057," insert "18251, 18253,".

Amendment No. 5

Strike out lines 10 to 12, inclusive, of the title, and insert "and 20901 of, to repeal Sections"

Amendment No. 6

In line 19 of the title after "17611 5," insert "17654 5,"

Amendment No. 7

Strike out lines 20 to 22, inclusive, of the title, and insert "17665 5 to, and to add Article".

Amendment No. 8

In line 23 of the title, after "17920)", insert "and Article 7 2 (commencing with Section 17940)".

Amendment No. 9

Strike out lines 24 and 25 of the title, and insert "sion 14 of, and to".

Amendment No. 10

On page 6, strike out lines 16 to 39, inclusive.

Amendment No. 11

On page 6, lines 46 and 47, strike out "relationship transmitted", and insert "ratio published for the county".

Amendment No. 12

On page 6, line 47, strike out "1817", and insert "1819"

Amendment No. 13

On page 6, line 48, strike out "greater", and insert "less"

Amendment No. 13.5

On page 6, lines 14 and 15, strike out "of the preceding fiscal year"

Amendment No. 14

On page 6, line 49, strike out "of the preceding fiscal year"

Amendment No. 15

On page 7, line 2, strike out "data transmitted", and insert "ratio published"

Amendment No. 16

On page 7, strike out line 3, and insert "Section 1819 of the Revenue and Taxation Code, divided into the"

Amendment No. 17

On page 7, line 4, strike out "of the preceding fiscal year"

Amendment No. 18

On page 7, line 8, strike out "In", and strike out lines 9 to 11, inclusive, and insert "The"

Amendment No. 19

On page 7, lines 44 and 45, strike out "thirty-two dollars and twenty-two cents ($32 22)", and insert "twenty-eight dollars and forty-four cents ($28 44)"

Amendment No. 20

On page 7, lines 45 and 46, strike out "thirty-seven dollars ($37)", and insert "twenty-eight dollars and fifty-eight cents ($28 58)"

Amendment No. 21

On page 8, line 26, strike out "and", and insert "or".

Amendment No. 22

On page 9, strike out lines 34 to 36, inclusive, and insert "preceding school year had less than 1,501 units of average daily attendance, but".

Amendment No. 23

On page 10, strike out lines 22 to 25, inclusive, and insert

"(f) Nine dollars and forty-nine cents ($9 49) multiplied by the average daily attendance dur-".

Amendment No. 24

On page 10, between lines 32 and 33, insert

"SEC 10 3 Section 17305 of said code is amended to read:

17305. (a) In addition, subject to the provisions of Section 17305.5, there shall be provided such sum as the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for the actual cost of instructing pupils in the operation of motor vehicles The amount shall not exceed ~~forty-two dollars ($42)~~ *forty-five dollars ($45)* per pupil instructed in automobile driver training, in accordance with the rules and regulations as set forth by the State Board of Education Such amounts as are necessary to carry out the provisions of this section are appropriated from the General Fund and shall be transferred therefrom to the State School Fund by the State Controller each fiscal year

(b) Subject to the provisions of Section 17305 5, there shall also be provided the sum the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for the actual cost of replacing vehicles used exclusively in automobile driver training programs and simulators used in such programs, but the amount shall not ex-

ceed three-fourths of that part of the actual cost of instructing pupils in automobile driver training during the preceding fiscal year which was· (1) in excess of ~~forty-two dollars ($42),~~ *forty-five dollars ($45)* per pupil instructed, and (2) expended by the district in replacing such vehicles and simulators

A simulator is any automobile driver training device approved by the Department of Education to be used in classrooms for purposes of driver training instruction under simulated driving conditions ''

Amendment No. 25

On page 11, line 25, after "districts", insert "and county school service funds for classes maintained by county superintendents of schools"

Amendment No. 26

On page 11, line 34, after "districts", insert "and county school service funds for classes maintained by county superintendents of schools"

Amendment No. 27

On page 11, line 41, after "districts", insert "and county school service funds for classes maintained by county superintendents of schools"

Amendment No. 28

On page 15, line 36, after "enrolled", insert "in the district".

Amendment No. 29

On page 15, line 48, after ' enrolled", insert "in the district"

Amendment No. 30

On page 16, between lines 15 and 16, insert

''SEC 27 5 Section 17602 of said code is amended to read

17602 Whenever in ~~any section of Sections 11256, 11257 and 17251, Sections 17401 to 17417, and Sections 17601 to 18460 1, whichever are in effect,~~ *this chapter* any computation, *including but not limited to the computation of supplemental support under Article 7 1,* is required to be made which is based in whole or in part on the assessed valuation of a school district as shown by the equalized assessment roll of the district for the ~~preceding year or preceding~~ fiscal year, there shall be substituted for such assessed valuation, as to such computation, a sum determined by adding to such assessed valuation an amount which would, if the current tax rate, as defined in Section 17604, of such district were levied on such added amount, produce or will produce 40 percent of the equivalent of all federal funds as federal funds are defined in Section 17605 and 75 percent of the equivalent of all miscellaneous funds as miscellaneous funds are defined in Section 17606, received or to be received by such district for the fiscal year for which such added amount was determined

Should the amount of federal funds as defined in Section 17605 actually received by a school district for any fiscal year be more or less than that reported for such district by the United States Commissioner of Education to the Superintendent of Public Instruction, the Superintendent of Public Instruction shall during the fiscal year next succeeding that in which the district has received all of the federal funds actually paid the district for the first mentioned fiscal year withhold from or add to the apportionment made to the district from the State School Fund the amount of the excess or deficiency, as the case may be, in the apportionment of state equalization aid *and supplemental support* from the State School Fund for the preceding year, if the amount of the excess or deficiency in such apportionment was one hundred dollars ($100) or more ''

Amendment No. 31

On page 16, line 42, after "of", insert "resident pupils in"

Amendment No. 32

On page 16, line 47, after "attendance", insert "of resident pupils".

Amendment No. 33

On page 16, after line 49, insert

"SEC 31 1 Section 17653 of said code is amended to read

17653 With respect to any unified district formed under Sections 3001 to 3451, inclusive, of this code, which became effective for all purposes on or after July 1, 1953, and which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of less than ten thousand (10,000), the foundation program actually computed for such district under this article and the ~~alternate foundation~~ *supplemental support* program for such district under ~~Sections 17901 or 17903, or 17901 1 or 17903 1, whichever are in effect, as the case may be,~~ *Article 7.1 of this chapter* shall be increased by 5 percent for the first fiscal year, 4 percent for the second fiscal year, 3 percent for the third fiscal year, 2 percent for the fourth fiscal year, and 1 percent for the fifth fiscal year of its existence

SEC. 31.2. Section 17654 of said code is amended to read:

17654. With respect to any unified district formed under Sections 3001 to 3451, inclusive, of this code, which became effective for all purposes on or after July 1, 1953, and which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified ~~district, an average~~ daily attendance of more than ten thousand (10,000) and in which there was not on July 1, 1952, or thereafter a single chief administrative officer and staff that administered the program of education for all the secondary schools and those elementary schools of the district to which were credited 50 percent or more of the average daily attendance during the year preceding the effective date for all purposes in all the districts formed into the unified district, the foundation program actually computed for such district under this article (commencing at Section 17651) and the ~~alternate foundation~~ *supplemental support* program for such district under ~~Sections 17901 or 17903, or 17901.1 or 17903 1, whichever are in effect, as the case may be,~~ *Article 7.1 of this chapter* shall be increased by 5 percent for the first fiscal year, 4 percent for the second fiscal year, 3 percent for the third fiscal year, 2 percent for the fourth fiscal year, and 1 percent for the fifth fiscal year of its existence "

Amendment No. 34

On page 17, strike out lines 10 to 14, inclusive, and insert "hired full time, he shall compute for the district five thousand seven hundred twenty-five dollars ($5,725)."

Amendment No. 35

On page 17, strike out lines 20 to 24, inclusive, and insert "were maintained, he shall compute for the district eleven thousand four hundred fifty dollars ($11,450) "

Amendment No. 36

On page 17, strike out lines 30 to 34, inclusive, and insert "maintained, he shall compute for the district seventeen thousand one hundred seventy-five dollars ($17,175) "

Amendment No 37

On page 17, strike out lines 40 to 44, inclusive, and insert "maintained, he shall compute for the district twenty-two thousand nine hundred dollars ($22,900)."

Amendment No. 38

On page 18, strike out lines 46 to 50, inclusive, and insert "was hired full time, he shall compute for the district five thousand seven hundred twenty-five dollars ($5,725) "

Amendment No. 39

On page 19, strike out lines 7 to 10, inclusive, and insert "eleven thousand four hundred fifty dollars ($11,450) "

Amendment No. 40

On page 19, strike out lines 17 to 20, inclusive, and insert "seventeen thousand one hundred seventy-five dollars ($17,175) "

Amendment No. 41

On page 19, strike out lines 27 to 30, inclusive, and insert "twenty-two thousand nine hundred dollars ($22,900) "

Amendment No. 42

On page 19, strike out lines 39 to 42, inclusive, and insert "tendance in the school by two hundred twenty-nine dollars ($229) "

Amendment No 43

On page 19, strike out lines 47 to 50, inclusive, and insert "attendance by two hundred thirty-nine dollars ($239)."

Amendment No. 44

On page 20, strike out lines 9 to 13, inclusive, and insert "tion program is computed under Section 17655 5, by two hundred twenty-nine dollars ($229) "

Amendment No. 45

On page 20, strike out lines 21 to 24, inclusive, and insert "program is computed under Section 17655 5 by two hundred thirty-nine dollars ($239) "

Amendment No. 46

On page 20, strike out lines 34 to 37, inclusive, and insert "two hundred twenty-nine dollars ($229) "

Amendment No 46 5

On page 20, strike out lines 46 to 49, inclusive, and insert "two hundred thirty-nine dollars ($239) "

Amendment No. 47

On page 21, strike out lines 11 to 15, inclusive, and insert "pute thirty-three thousand one hundred dollars ($33,100) "

Amendment No. 48

On page 21, strike out lines 19 to 23, inclusive, and insert "he shall compute thirty-eight thousand three hundred seventeen dollars ($38,317) "

Amendment No. 49

On page 21, strike out lines 27 to 31, inclusive, and insert "he shall compute forty-three thousand five hundred thirty-four dollars ($43,534) "

Amendment No 50

On page 21, strike out lines 35 to 39, inclusive, and insert "he shall compute forty-eight thousand seven hundred fifty dollars ($48,750) "

Amendment No. 51

On page 21, strike out lines 43 to 47, inclusive, and insert "he shall compute fifty-three thousand nine hundred sixty-seven dollars ($53,967) "

Amendment No 52

On page 22, strike out lines 1 to 5, inclusive, and insert "full time, he shall compute fifty-nine thousand one hundred eighty-four dollars ($59,184)."

Amendment No. 53

On page 22, strike out lines 9 to 13, inclusive, and insert "full time, he shall compute sixty-four thousand four hundred dollars ($64,400) "

Amendment No. 54

On page 22, strike out lines 17 to 21, inclusive, and insert "time, he shall compute sixty-nine thousand six hundred seventeen dollars ($69,617) "

Amendment No. 55

On page 22, strike out lines 25 to 29, inclusive, and insert "full time, he shall compute seventy-four thousand eight hundred thirty-four dollars ($74,834) "

Amendment No. 56

On page 22, strike out lines 33 to 37, inclusive, and insert "full time, he shall compute eighty thousand fifty dollars ($80,050) "

Amendment No. 57

On page 22, strike out lines 41 to 45, inclusive, and insert "time, he shall compute eighty-five thousand two hundred sixty-seven dollars ($85,267) "

Amendment No. 58

On page 22, strike out lines 49 and 50, and on page 23, strike out lines 1 to 4 inclusive, and insert "time, he shall compute ninety thousand four hundred eighty-four dollars ($90,484) "

Amendment No. 59

On page 23, strike out lines 8 to 12, inclusive, and insert "full time, he shall compute ninety-five thousand seven hundred dollars ($95,700) "

Amendment No. 60

On page 23, strike out lines 15 to 19, inclusive, and insert "employees were employed, he shall compute five thousand two hundred seventeen dollars ($5,217) "

Amendment No. 61

On page 23, strike out lines 28 to 31, inclusive, and insert "fiscal year in the school by three hundred nineteen dollars ($319) "

Amendment No. 62

On page 23, strike out lines 35 to 38, inclusive, and insert "fiscal year in the school by three hundred twenty-nine dollars ($329)

Amendment No 63

On page 24, strike out lines 4 to 8, inclusive, and insert "shall multiply the average daily attendance by three hundred twenty-nine dollars ($329) "

Amendment No. 64

On page 24, strike out lines 12 to 15, inclusive, and insert "average daily attendance by three hundred twenty-nine dollars ($329) "

Amendment No. 65

On page 25, strike out lines 6 to 28, inclusive

Amendment No 66

On page 25, strike out line 41, and insert
"(c) Twenty-five cents ($0 25) in a junior college district"

Amendment No. 67

On page 25, strike out lines 42 to 49, inclusive, and on page 26, strike out lines 1 to 19, inclusive

Amendment No. 68

On page 26, strike out lines 21 to 23 inclusive, and insert
"17703 (a) Upon request of the district"

Amendment No. 69

On page 26, line 24, strike out "aid"

Amendment No. 70

On page 26, line 25, strike out "or county aid"

Amendment No. 71

On page 26, line 50, strike out "and county", and on page 27, line 1, strike out "taxes"

Amendment No. 72

On page 27, strike out lines 6 to 8, inclusive, and insert "board of a school district may re-"

Amendment No. 73

On page 27, line 10, strike out "or county aid"

Amendment No 74

On page 27, line 12, strike out "or county and"

Amendment No 75

On page 27, line 14, strike out "or the county"

Amendment No. 76

On page 27, strike out lines 19 to 22, inclusive, and insert
"17705 (a) Upon request of a district, the Superintendent of Public Instruction shall"

Amendment No. 77

On page 27, line 23, strike out "or county and"

Amendment No. 78

On page 27, line 24, strike out "or county"

Amendment No. 79

On page 27, line 28, strike out "or county taxes"

Amendment No 80

On page 27, line 34, strike out "or county"

Amendment No. 81

On page 27, line 38, strike out "or county"

Amendment No. 82

On page 27, strike out lines 43 to 51, inclusive, and on page 28, strike out lines 1 to 8, inclusive

Amendment No 83

On page 29, line 2, strike out "or 17706, whichever are operative"

Amendment No. 84

On page 29, line 7, strike out "or 17706,"

Amendment No 85

On page 29, line 11, strike out "or 17706,"

Amendment No 86

On page 29, lines 17 and 18, strike out "or 17706, whichever is operative,"

Amendment No. 87

On page 29, line 22, strike out "or 17706,"

Amendment No 88

On page 29, lines 26 and 27, strike out "or 17706,"

Amendment No 89

On page 29, line 36, strike out "17702 1", and insert "17702"

Amendment No. 90

On page 29, line 39, strike out "17702 1", and insert "17702"

Amendment No 91

On page 29, line 42, strike out "17702 1", and insert "17702"

Amendment No 92

On page 32, between lines 28 and 29, insert
"SEC 58 5. Article 7 2 (commencing with Section 17940) is added to Chapter 3 of Division 14 of said code, to read

7 2 Adjustment of Foundation Program Support Allowances

17940 Notwithstanding the provisions of Articles 4, 5, 6, and 7 (commencing with Sections 17751, 17801, 17851 and 17901, respectively) of this chapter or any other provision of law to the contrary, if the computation made under Article 7 (commencing with Section 17901) of this chapter for any grade level maintained by a district, excluding grades 13 and 14 maintained by a junior college, results in no allowance of equalization aid for such district for such grade level, the amount allowable therefor to such district under said Articles 4, 5, 6, and 7 of this chapter,

per unit of the particular categories of average daily attendance used for such computations, shall be one hundred twenty-five dollars ($125) per unit of such average daily attendance during the preceding fiscal year"

Amendment No. 93

On page 32, strike out line 36, and insert "dollars ($310) less the product of fifty cents ($0 50) multiplied by each one hundred dollars ($100) of"

Amendment No. 94

On page 32, line 41, strike out "and", and insert "multiplied by each one hundred dollars ($100) of"

Amendment No. 95

On page 32, line 47, strike out "and", and insert "multiplied by each one hundred dollars ($100) of"

Amendment No. 96

On page 33, line 6, after "not", insert "be less than one hundred twenty-five dollars ($125) or".

Amendment No. 97

On page 33, between lines 11 and 12, insert

"If any computation made under any of the preceding paragraphs of this section produces an allowable amount not in excess of one hundred twenty-five dollars ($125) per unit of average daily attendance, such allowable amount computed shall be adjusted if, and to the extent necessary, so that the actual allowance shall not exceed one hundred twenty-five dollars ($125) per unit of average daily attendance of the adults in high schools and junior colleges during the preceding fiscal year"

Amendment No. 98

On page 39, between lines 13 and 14, insert

"SEC 65 3. Section 18251 of said code is amended to read.

18251 The Superintendent of Public Instruction shall allow to each school district an amount equal to the actual cost, but not in excess of ~~forty-two dollars ($42)~~ *forty-five dollars ($45)* per pupil instructed in automobile driver training, during the preceding fiscal year in accordance *with Sections 8109 and 18252 and* with regulations set forth by the State Board of Education to districts for instructing pupils in automobile driver training

SEC. 65 5 Section 18253 of said code is amended to read.

18253 The Superintendent of Public Instruction shall make an additional allowance to each school district as reimbursement for the actual expense of replacing vehicles used exclusively in automobile driver training programs and of replacing simulators used in such programs, but the amount shall not exceed three-fourths of that part of the actual cost of instructing pupils in automobile driver training during the preceding fiscal year which was (1) in excess of ~~forty-two dollars ($42)~~ *forty-five dollars ($45)* per pupil instructed, and (2) expended by the district in replacing such vehicles and simulators

A "simulator" is any automobile driver training device approved by the Department of Education to be used in classrooms for purposes of driver training instruction under simulated driving conditions"

Amendment No. 99

On page 39, line 36, after "and", insert "divided by the average daily attendance of the district"

Amendment No 100

Strike out all of page 42; strike out all of page 43; strike out all of page 44, and on page 45, strike out lines 1 and 2

Amendment No. 101

On page 45, strike out lines 25 to 28, inclusive, and insert "ately after the effective date of this act"

Amendment No. 102

On page 46, after line 14, insert

"SEC 83. All money deposited in the special reserve account in the General Fund created by Section 19 5 of the Budget Act of 1963 during the 1963-1964 fiscal year, and all money which may be deposited in said account during the 1964-1965 fiscal year shall be reserved for educational purposes"

JOSEPH A. RATTIGAN	JAMES R. MILLS
ALBERT S RODDA	HALE ASHCRAFT
ROBERT D. WILLIAMS	LEO J. RYAN
Senate Committee on Conference	Assembly Committee on Conference

Report read, and ordered held at the desk

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Consideration of House Resolution No. 115

By Assemblyman McMillan.

House Resolution No. 115—Relative to relocation of State Highway Route 60

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No. 1

Strike out the first and second "*Resolved*" clauses of the measure, as printed in the Assembly Journal for July 30-31, 1963, at page 284, and insert

"*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of deferring any further steps or action on relocating State Highway Route 60 in the vicinity of the Los Angeles International Airport until the entire freeway system is determined in that area"

House Resolution No. 115, as Amended

By Assemblyman McMillan

House Resolution No 115

Relative to relocation of State Highway Route 60

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of deferring any further steps or action on relocating State Highway Route 60 in the vicinity of the Los Angeles International Airport until the entire freeway system is determined in that area

Resolution, as amended, re-referred to the Committee on Rules, and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study

Consideration of House Resolution No 128

By Assemblyman Stanton

House Resolution No 128—Relative to Faculty Research Programs at State Colleges

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted·

Amendment No 1

Strike out all of the "WHEREAS" clauses in the measure, as printed in the Assembly Journal for July 31, 1963, at page 308.

House Resolution No 128, as Amended

By Assemblyman Stanton

House Resolution No 128

Relative to Faculty Research Programs at State Colleges

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign the subject of faculty research programs at State Colleges to the appropriate committee for interim study, and to direct such committee to report its findings and recommendations to the Legislature no later than the fifth legislative day of the 1965 Regular Session

Resolution, as amended, re-referred to the Committee on Rules; and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study

Consideration of House Resolution No. 127

By Assemblyman Stanton

House Resolution No. 127—Relative to recruiting faculty members for the University of California and the state colleges

Resolution read

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted

Amendment No 1

Strike out the "*Resolved*" clause of the measure, as printed in the Assembly Daily Journal, July 31, 1963, on page 308, and insert

"*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of problems of recruiting the best possible faculties for the University of California and the state colleges, including economic factors involved, the determination of salaries and all other matters related and necessary to an economical and effective recruitment program, and such committee is directed to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature"

House Resolution No. 127, as Amended

By Assemblyman Stanton

House Resolution No 127

Relative to recruiting faculty members for the University of California and the state colleges

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of problems of recruiting the best possible faculties for the University of California and the state colleges, including economic factors involved, the determination of salaries and all other matters related and necessary to an economical and effective recruitment program, and such committee is directed to report its findings and recommendations to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Resolution, as amended, re-referred to the Committee on Rules, and the subject matter referred to the Committee on Rules for assignment to the proper interim committee for study

PARLIAMENTARY INQUIRY

Mr Veneman arose to the following parliamentary inquiry Where may the text to the resolutions which appear in the Daily File be found?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that the full text of the resolutions appear in the Assembly Daily Journal for July 30-31 as follows House Resolution No 115, at page 284, House Resolution No 128, at page 308, and House Resolution No 127, at page 308

Parliamentary Inquiry

Mr Veneman arose to the following parliamentary inquiry Have these resolutions been adopted?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that only the committee amendments have been adopted, and the resolutions have been re-referred to the Committee on Rules for reference of the subject matter to the proper interim committee for study

RESOLUTIONS

The following resolutions were offered

By Assemblyman Knox

House Resolution No. 135

Relative to public financing procedures

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the use of public financing procedures, such as special assessment procedures or reclamation procedures to provide on-site development of land, including but not limited to the question whether such practices create municipal debt in lieu of capital investment by developers, together with the question of the effect of such procedures on the credit of the State and local governments, and to direct such interim committee to report thereon to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Request for Unanimous Consent

Mr Knox was granted unanimous consent to take up House Resolution No 135 without reference to committee or file

Resolution read, and adopted

By Assemblyman Knox

House Resolution No 136

Relative to special districts

Resolved by the Assembly of the State of California That the Committee on Rules is directed to assign to an appropriate interim committee for study the subject of providing appropriate procedures for consolidating, dissolving, or otherwise eliminating existing special districts which are inefficient, uneconomic, or marginal in their operations, and to direct such interim committee to report thereon to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature

Request for Unanimous Consent

Mr Knox was granted unanimous consent to take up House Resolution No 136 without reference to committee or file

Resolution read, and adopted

By Assemblyman Knox

House Resolution No 137

Relative to the local agency formation commission and the local agency annexation commission

Resolved by the Assembly of the State of California, That the Committee on Rules is directed to assign to an appropriate interim committee for study the subject of

the operation of the local agency formation commission and the local agency annexation commission created in each county by the Legislature at the 1963 Regular Session, and to direct such interim committee to report to the Assembly not later than the fifth legislative day of the 1965 Regular Session of the Legislature and to include in the report any necessary recommendations for changes in the scope or authority of these commissions

Request for Unanimous Consent

Mr Knox was granted unanimous consent to take up House Resolution No 137 without reference to committee or file

Resolution read, and adopted

MOTION TO WITHDRAW AND RE-REFER

Mr Monagan moved that Assembly Bill No 32 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Engrossment and Enrollment.

Mr Pattee seconded the motion

Substitute Motion to Withdraw and Re-refer

Mr Unruh moved, as a substitute motion, that Assembly Bill No 32 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Rules for assignment of the subject matter to the proper interim committee for study.

Mr. Petris seconded the motion

The roll was called.

Call of the Assembly

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

Mr. Waldie seconded the motion

Motion carried Time, 10 32 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 113

Mr Monagan was granted unanimous consent that Assembly Rule No 113 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

PARLIAMENTARY INQUIRY

Mr. Mills arose to the following parliamentary inquiry. Is there not another portion of Rule No. 113 which must be dispensed with, before the report of the Committee on Conference concerning Senate Bill No. 13 may be taken up?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that Rule No. 113 provides, in part as follows "No call of the Assembly shall be ordered on any matter while the Assembly is already under a call," and stated that this is the portion of the Rule which has been suspended; however, the Rule also provides that during such call, the Assembly may consider and transact any matter of business by unanimous consent or a majority vote

REQUEST FOR UNANIMOUS CONSENT

Mr. Marks was granted unanimous consent that the Assembly consider and transact business under the call of the Assembly

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO WITHDRAW ASSEMBLY BILL NO. 14 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Monagan moved that Assembly Bill No. 14 be withdrawn from the Committee on Ways and Means.

Parliamentary Inquiry

Mr Unruh arose to the following parliamentary inquiry: Since there is no longer a Committee on Ways and Means, what is the proper motion?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that the bill has not been returned by the committee, so the motion is in order

Motion to Continue

Mr. Unruh moved that the motion be continued until Monday

Mr. Petris seconded the motion

Point of Order

Mr. Flournoy arose to the following point of order. That the motion is not in order, since Mr Unruh did not have the floor to make a motion

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken, since he had recognized Mr. Unruh

Parliamentary Inquiry

Mr. Monagan arose to the following parliamentary inquiry: What is the vote required to set for a time certain?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that this motion did not set a time certain

Motion to Set Motion for Special Order

Mr Monagan moved that his motion to withdraw Assembly Bill No 14 from the Committee on Ways and Means be made a special order of business for Monday, August 5, 1963, at 10 a m

Mr Bagley seconded the motion

Motion to Amend Motion

Mr. Unruh moved that the motion be amended to set the motion as a special order of business for Monday, August 12, 1963, at 10 a m.

Mr. Petris seconded the motion

Roll Call Demanded

Messrs Conrad, Flournoy, and Badham demanded a roll call.

Parliamentary Inquiry

Mr Monagan arose to the following parliamentary inquiry· Is the question on the amendment offered by Mr Unruh to the motion to set for special order?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied in the affirmative

Parliamentary Inquiry

Mr Waldie arose to the following parliamentary inquiry What is the vote required to carry the amendment to the motion?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that a motion to amend requires a majority vote of those present and voting

Point of Order

Mr Conrad arose to the following point of order That since Mr Unruh used the words "set as a special order of business" in his motion, the motion requires 54 votes to carry

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken, and stated that the House would first vote on the amendment by Mr Unruh, and then on the motion by Mr Monagan

The question being on the motion by Mr Unruh to amend the motion by Mr Monagan

Motion carried by the following vote

AYES—Allen, Alquist, Bagley, Bane, Bee, Booth, Casey, Crown, Danielson, Dannemeyer, Davis, Dymally, Elliott, Fertell, Foran, Frew, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lunardi, McMillan, Mills, Moreno, Petris, Porter, Powers, Rumford Ryan, Song, Soto Thomas, Waite, Waldie, Warren, Williamson, Young, and Mr Speaker—41

NOES—Ashcraft, Badham, Barnes Belotti Britschgi, Burgener, Chapel, Cologne, Conrad, Denkmejian, Flournoy Hinckley, Lanterman, Marks, Monagan, Mulford Pattee, Stevens, Thelin, Veneman, and Veysey—21

Parliamentary Inquiry

Mr Waldie arose to the following parliamentary inquiry Is not the question now on the motion by Mr Monagan, as amended?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied in the affirmative

The question being on the motion that the motion to withdraw Assembly Bill No 14 from the Committee on Ways and Means be made a special order of business for Monday, August 12, 1963, at 10 a m

Request for Unanimous Consent to Withdraw Motion

Mr Monagan asked for unanimous consent to withdraw his motion

Mr Waldie withheld unanimous consent

Motion to Withdraw Motion

Mr Monagan moved that he be permitted to withdraw his motion to set for special order

Mr Bagley seconded the motion

Motion lost by the following vote

AYES—Ashcraft, Badham, Bagley Barnes, Belotti, Britschgi, Burgener, Burton, Chapel, Cologne, Conrad, Deukmejian, Flournoy, Hinckley, Holmes, Lanterman, Marks, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, and Veysey—24

NOES—Alquist, Bane, Bee, Booth, Casey, Crown, Danielson, Dymally, Elliott, Ferrell, Fonan, Frew, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, McMillan, Meyers, Mills, Moreno, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Young, and Mr Speaker—38

Parliamentary Inquiry

Mr Bagley arose to the following parliamentary inquiry· Does not a motion to postpone require 54 votes?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that the motion does require 54 votes

Parliamentary Inquiry

Mr Bagley arose to the following parliamentary inquiry Is there a difference between the motion to postpone and the motion to set for special order?

Reply by Speaker pro Tempore

Speaker pro Tempore Bee replied that there was no difference in the vote required, since each motion requires 54 votes to carry

Parliamentary Inquiry

Mr Cologne arose to the following parliamentary inquiry Does the motion by Mr Monagan require 54 votes?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that, since the motion is for a special order, it requires 54 votes to carry

Demand for Previous Question

Messrs Waldie, Kennick, Petris, Song, and Alquist demanded the previous question Demand sustained

The question being on the motion that the motion to withdraw Assembly Bill No 14 from the Committee on Ways and Means be made a special order of business for Monday, August 12, 1963, at 10 a m

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr Waldie moved a call of the Assembly

Mr Monagan seconded the motion

Motion carried Time, 10 53 a m

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

PARLIAMENTARY INQUIRY

Mr. Bagley arose to the following parliamentary inquiry: Assuming that the motion by Mr Monagan carries, and the Legislature is in session on August 12th with no committees appointed, and consideration of the Governor's program is before the House would it then require 41 votes to pass that bill?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the bill would require 41 votes for passage.

PARLIAMENTARY INQUIRY

Mr. Veneman arose to the following parliamentary inquiry: What is the next question on file?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the next question before the House would be the consideration of Assembly Bill No 36, which is Item 6 on the Daily File

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 113

Mr Cologne was granted unanimous consent that Assembly Rule No. 113 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 36—An act to amend Section 17263.1 of, and to add Section 17263 2 to, the Education Code, relating to the financial support of the public school system, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Zenovich, and Mr. Speaker—75.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Dymally, Elliott, Ferrell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi,

Marks, McMillan, Meyers, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Winton, Young, Zenovich, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

MOTION RELATIVE TO COMMITTEE PERSONNEL

Mr Bane moved that all committee consultants, secretaries, and staff personnel as of July 25, 1963, be retained until September 1, 1963, or until specifically replaced by the interim committee chairman

Mr Waldie seconded the motion.

Motion carried

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 12

The report of the Committee on Conference concerning Senate Bill No 12 (Assembly Journal, pages 331-339), read previously this day, was considered.

Request for Unanimous Consent

Mr Mills was granted unanimous consent that Messrs Mike Manley and Al Martin be permitted on the floor of the Assembly during consideration of the conference report

Hon. John C. Williamson Presiding

At 11 14 a m, Hon John C. Williamson, Member of the Assembly from the 29th District, presiding.

Speaker pro Tempore Presiding

At 11.31 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT

Mr. Unruh asked for unanimous consent to take up Senate Concurrent Resolution No 4, at this time

Request Withdrawn

Mr. Unruh withdrew his request

COMMITTEE FROM SENATE

Senators Donnelly, Cameron, and Williams appeared at the bar of the Assembly, and reported that the Senate had concluded its labors, and was ready to adjourn sine die

FURTHER CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 12

The report of the Committee on Conference concerning Senate Bill No 12 (Assembly Journal, pages 331-339), read previously this day, was further considered.

Demand for Previous Question

Messrs Bane, Pattee, Holmes, McMillan, and Kennick demanded the previous question Demand sustained

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No 12

Report adopted by the following vote

AYES—Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Davis, Deukmejian, Donovan, Elliott, Ferrell, Foran, Frew, Gaffney, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox Lanterman, Marks, McMillan, Meyers Mills, Mulford, Pattee, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Warren, Whetmore, Williamson, Winton, Zenovich, and Mr Speaker—67

NOES—Dymally, Flournoy, Garrigus, Lunardi, Monagan, Moreno, and Waldie—7

ANNOUNCEMENT

Mr Mulford announced a meeting of the Republican Caucus, on adjournment, in Room 3188

CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SET SPECIAL ORDER FOR MOTION TO WITHDRAW ASSEMBLY BILL NO 14 FROM COMMITTEE

At 11 56 a m , on motion of Mr Mulford, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the motion by Mr Monagan that the motion to withdraw Assembly Bill No 14 from the Committee on Ways and Means be made a special order of business for Monday, August 12, 1963, at 10 a m lost by the following vote

AYES—Allen, Alquist, Bane, Bee, Beilenson, Booth, Burton, Carrell Casey, Crown, Danielson, Davis, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lunardi, McMillan, Meyers, Mills, Moreno, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Winton, Young, Zenovich, and Mr Speaker—47

NOES—Ashcraft, Badham, Bagley, Barnes, Belotti, Britschgi, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Flournoy, Hinckley, Holmes, Lanterman, Marks, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, Veysey, and Whetmore—26

PARLIAMENTARY INQUIRY

Mr Waldie arose to the following parliamentary inquiry: Who moved to lift the call on the motion by Mr Monagan relative to Assembly Bill No 14?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that Mr Mulford had offered the motion

CALL OF THE ASSEMBLY DISPENSED WITH ON SUBSTITUTE MOTION RELATIVE TO WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 32

At 11 58 a m , on motion of Mr Monagan, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the substitute motion that Assembly Bill No 32 be withdrawn from the Committee on Revenue and Taxation and re-referred to the Committee on Rules for

assignment of the subject matter to the proper interim committee for study carried by the following vote

AYES—Allen, Alquist, Bane, Bee, Beilenson, Booth, Burton, Carrell, Casey, Crown, Danielson, Dannemeyer, Davis, Dymally, Elliott, Ferrell, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Johnson, Kennick, Knox, Lunardi, McMillan, Meyers, Mills, Moreno, Petris, Porter, Powers, Rumford, Ryan, Song, Soto, Stanton, Thomas, Waite, Waldie, Warren, Williamson, Young, and Mr Speaker—46

NOES—Ashcraft, Badham, Bagley, Barnes, Belotti, Burgener, Chapel, Collier, Cologne, Conrad, Cusanovich, Deukmejian, Donovan, Flournoy, Hinckley, Holmes, Lanterman, Marks, Monagan, Mulford, Pattee, Stevens, Thelin, Veneman, Veysey, and Whetmore—26

Parliamentary Inquiry

Mr Monagan arose to the following parliamentary inquiry. Is Assembly Bill No. 32 now on the unfinished business file?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the bill was now in the Committee on Rules for assignment of the subject matter for interim study

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Burton was granted unanimous consent that the following opinions be ordered printed in the Journal

OPINION OF ATTORNEY GENERAL

STATE OF CALIFORNIA
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF JUSTICE, SACRAMENTO, July 11, 1963

Hon Phillip Burton
Assemblyman, 20th District
State Capitol, Sacramento

DEAR ASSEMBLYMAN BURTON You have asked whether Senate Bill No 497 of the 1963 Regular Session eliminates Welfare and Institutions Code Section 456

You have provided us with a copy of Opinion No 115 of the Office of the Legislative Counsel relating to this identical question We have examined the legislative history of both Senate Bill No 497 and Assembly Bill No 58 and we have reviewed carefully the views expressed by the Legislative Counsel concerning this matter We agree with the summary of the legislative history of the two bills and the analysis of the problem contained in the opinion of the Legislative Counsel

We also agree with the conclusion of the Legislative Counsel, namely, that in view of the considerations set forth in the Legislative Counsel's opinion, a court would hold that the reference to Welfare and Institutions Code Section 456 contained in Senate Bill No 497 would be treated as a typographical or inadvertent error and read as a reference to Section 458 of the Welfare and Institutions Code and that Senate Bill No 497 would not be held to have amended or repealed the existing provisions of Welfare and Institutions Code Section 456

Very truly yours,

STANLEY MOSK, Attorney General
RICHARD L MAYERS, Deputy

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, July 9, 1963

Hon Philip Burton
Assembly Chamber

Public Assistance—No. 115

DEAR MR BURTON: You ask the following question:

Question

Would Senate Bill No. 497 of the 1963 Regular Session eliminate Section 456 of the Welfare and Institutions Code, which fixes the personal property allowances for public assistance recipients?

Opinion

While the matter is not free from doubt, we do not think Senate Bill No 497 would eliminate Section 456 of the Welfare and Institutions Code

Analysis

Senate Bill No 497 of the 1963 Regular Session, on its face, purports to amend and renumber Section 456 of the Welfare and Institutions Code Section 456, contained in the existing code, fixes the maximum personal property allowances for public assistance recipients The section of the same number in the bill relates to an entirely different subject, and requires the granting of a special need allowance for certain cash purchases made by recipients.

We have examined the bill in all of its amended forms, and it appears clear that the bill actually was intended to amend Section 458 of the code, instead of Section 456 As originally introduced, it amended and renumbered Section 143 01 of the code to be Section 431 5 Later in the session, the Legislature enacted Assembly Bill No 58, containing an urgency clause, and renumbering Section 143 01 to be Section 458 After the enactment of Assembly Bill No 58, Senate Bill No 497 was amended to change the reference to Section 431 5 to Section 456, and, in making the change, the section was also revised to reflect other changes effected by Assembly Bill No 58 Either due to a typographical error or a misreading of the section number appearing in Assembly Bill No 58, the section was designated as Section 456 instead of Section 458

The difficulty in this situation arises from the fact that the bill, to all intents and appearances, seems to amend Section 456 of the code, and could be so construed by a court, if the court refuses to go behind the enrolled bill to discover what actually transpired The possibility that a court might take this approach must be recognized, and if it does, the result would be to eliminate existing Section 456, fixing personal property qualifications

We are inclined to believe, however, that if the matter were called to the attention of the court, that it would follow the primary principle of statutory construction, and would endeavor to give effect to the Legislature's intention in enacting the bill We recognize that the principle of statutory construction is dependent on the existence of am-

biguity on the face of the statute involved, but we think that such ambiguity exists

In the first instance, if the section contained in the bill is construed to be Section 456, and thus to eliminate existing Section 456, references to Section 456 in other sections of the Welfare and Institutions Code would be meaningless (see, e g, Sections 453, 454).

Secondly, the section contained in the bill is basically the same in content as Section 458 contained in Assembly Bill No 58. Therefore, there would be two sections substantially the same in content, despite the fact that neither bill purported to add the particular section to the code, and both proposed to amend an existing section, which, in itself, is substantially the same in content as the two new sections

Thirdly, Senate Bill No 497 proposes to amend and renumber Section 456 Yet, the section is renumbered to be Section 456 which, in itself, suggests an error on the part of the Legislature

In view of these considerations, we are of the opinion that Section 456, contained in Senate Bill No 497, should be read as Section 458, and that a court would so hold

Very truly yours,

A. C MORRISON, Legislative Counsel
By Edward K Purcell, Deputy

Two copies to Hon Robert Williams
pursuant to Joint Rule No. 34

MESSAGES FROM THE SENATE

SENATE CHAMBER, August 1, 1963

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. 12—An act to amend Section 1817 of the Revenue and Taxation Code, to amend Sections 6426, 6903, 6904, 6913 1, 8951, 8955 1, 17261, 17262, 17263, 17263 1, 17301, 17301 3, 17303, 17303 5, 17352, 17353, 17402, 17405, 17411, 17456, 17601, 17607, 17611, 17655, 17655 5, 17656, 17660, 17664, 17665, 17666 2, 17667, 17702, 17703, 17704, 17705, 17751, 17801, 17851, 17901, 17902, 17904, 17906 2, 17907, 17908, 17909, 17951, 17970, 17990, 18055, 18056, 18057, 18302, 18303, 18355, 18358, 18401, 18451, 18452, 18455, 18460 and 20901 of, to amend the heading of Article 3 (commencing with Section 17701), of Chapter 3 of Division 14 of, to repeal Sections 17401, 17404, 17406, 17407, 17410, 17416, 17612, 17613, 17666, 17903, 17903 2, 18356, 18357, and 18458 of, to repeal Article 9 (commencing with Section 18001) of Chapter 3 of Division 14 of, to repeal Section 17305 8 as added to the Education Code by Assembly Bill No 653 of the 1963 Regular Session, to add Sections 17401, 17404, 17407, 17601 1, 17611 5, and 17665 5 to, and to add Sections 17654 5, 17702 1, 17702 2, and 17706 to, and to add Article 2 5 (commencing with Section 17680) and Article 7 1 (commencing with Section 17920) to Chapter 3 of Division 14 of, to add Chapter 3 5 (commencing with Section 20910) to Division 16 of, and to repeal Section 6427 of, the Education Code, relating to the public school system, and making an appropriation.

J A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

SENATE CHAMBER, August 1, 1963

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

Assembly Bill No 36

J. A BEEK, Secretary of the Senate
By DARRYL WHITE, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, August 1, 1963

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 DARRYL WHITE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read

Senate Concurrent Resolution No. 4—Relative to final adjournment of the 1963 First Extraordinary Session of the Legislature

Held at desk by order of the Speaker pro Tempore

NAMES PLACED UPON ROLL CALL ON SUBSTITUTE MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 32

Messrs Ferrell, Waite, and Gaffney were granted unanimous consent that they be recorded as voting "Aye" on the substitute motion that Assembly Bill No 32 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Rules for interim study assignment of the subject matter

VOTE CHANGED UPON ROLL CALL ON SUBSTITUTE MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 32

Mr Burton was granted unanimous consent that he be recorded as voting "Aye," instead of "No," on the substitute motion that Assembly Bill No 32 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Rules for interim study assignment of the subject matter

REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that press and TV photographers be permitted to take pictures of the closing moments of this special session of the Legislature

APPRECIATION EXPRESSED

Speaker pro Tempore Bee expressed his appreciation to the entire Assembly staff, the Assembly Sergeant at Arms and his staff, and to James Doyle, Console Operator

APPROVAL OF JOURNALS

On motion of Mr Waldie, the Assembly Daily Journals for Monday, July 22, 1963, Tuesday, July 23, 1963, Wednesday, July 24, 1963, Thursday, July 25, 1963, Monday, July 29, 1963; Tuesday, July 30, 1963; Wednesday, July 31, 1963, and Thursday, August 1, 1963, were approved, as corrected by the Minute Clerk

MESSAGES FROM THE SENATE

SENATE CHAMBER, August 1, 1963

MR SPEAKER I am directed to inform your honorable body that the Senate on this day returned without further action

Assembly Concurrent Resolution No 9 (died in committee)
Assembly Concurrent Resolution No 14 (died in committee)
Assembly Joint Resolution No 2 (died on file)

J A BEEK, Secretary of the Senate
By GRANT MILLER, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT

Mr Unruh was granted unanimous consent to take up Senate Concurrent Resolution No 4 without reference to committee, print, or file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to final adjournment of the 1963 First Extraordinary Session of the Legislature

Resolution read and adopted by the following vote

AYES—Allen, Alquist, Asheraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Britschgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Dannemeyer, Davis, Deukmejian, Donovan, Elliott, Fertell Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Mills, Monagan, Mulford, Pattee, Petris Porter, Powers, Rumford, Ryan, Song Sato Stanton, Stevens, Thelin, Thomas, Veneman, Veysey, Waite, Waldie, Warren Whetmore, Williamson, Winton, Young, Zenovich, and Mr Speaker—72
NOES—None

Resolution ordered transmitted to the Senate

COMMITTEE MEETING ANNOUNCEMENT

Mr Bane announced a meeting of the Committee on Rules at 10 a m tomorrow morning, August 2, 1963

BILLS REMAINING IN ASSEMBLY COMMITTEES

The following bills were remaining in committees which were abolished by House Resolution No 125

In the Committee on Ways and Means:

Assembly Bills Nos. 2, 4, 7, 8, 12, 13, 14, 16, 21, 22,* 23, 26, 27, 28, 29, 30, 31, 33, 34, and **35.**

House Resolution No. 87.

In the Committee on Revenue and Taxation:

Assembly Bills Nos. 3, 6, 15,* 20, and **24.***

Assembly Constitutional Amendments Nos. 2* and **4.***

In the Committee on Constitutional Amendments:

Assembly Constitutional Amendment No. 1.

BILL REMAINING ON INACTIVE FILE WITHOUT FURTHER ACTION

The following bill remained on the inactive file without further action

Assembly Bill No. 5, concurrence in Senate amendments pending

BILL REMAINING AT ASSEMBLY DESK

The following bill remained at the Assembly desk, having been ruled not germane to the provisions of the Proclamation convening the Legislature into extraordinary session

Assembly Bill No. 10.

* Subject matter referred to the Committee on Rules for assignment for interim study

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, August 1 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 38—An act to amend and supplement the Budget Bill for the 1963-64 fiscal year (enacted as the Budget Act of 1963) by adding thereto Section 37A, relating to appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California,

And reports the same correctly enrolled, and presented to the Governor at 3 30 p m, August 1, 1963

POWERS, Chairman

Committee on Rules

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER Your Committee on Rules reports.

House Resolution No 10
House Resolution No 16
House Resolution No 17
House Resolution No 19
House Resolution No 24
House Resolution No. 25
House Resolution No 26
House Resolution No 29
House Resolution No 31
House Resolution No 41
House Resolution No 44
House Resolution No 45
House Resolution No 53
House Resolution No 54
House Resolution No. 64
House Resolution No 70
House Resolution No 71
House Resolution No 78
House Resolution No 81
House Resolution No 82
House Resolution No 83
House Resolution No 88
House Resolution No 94
House Resolution No 95
House Resolution No. 96
House Resolution No 99
House Resolution No 100
House Resolution No 101
House Resolution No. 107
House Resolution No 109
House Resolution No 134

Without further action

BANE, Chairman

ASSEMBLY CHAMBER August 1 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 116
House Resolution No 119
House Resolution No 120
House Resolution No 121
House Resolution No 122
House Resolution No 123

Without further action

BANE, Chairman

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER Your Committee on Rules reports

Assembly Bill No 32
Assembly Bill No 37

Without further action

BANE, Chairman

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER Your Committee on Rules reports

Assembly Concurrent Resolution No 12

Without further action

BANE, Chairman

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER Your Committee on Rules reports

Assembly Joint Resolution No 3

Without further action

BANE, Chairman

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 105
House Resolution No 111

Without further action

BANE, Chairman

ASSEMBLY CHAMBER, August 1, 1963

MR SPEAKER Your Committee on Rules reports

House Resolution No 28
House Resolution No. 57
House Resolution No 115
House Resolution No 127
House Resolution No 128

Without further action

BANE, Chairman

GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly took pleasure in welcoming, and extending the courtesies of the Assembly to the following guests for this legislative day

On request of Mr Burton of San Francisco to Senator Tom Monaghan of Clackamas County, Milwaukee, Oregon

On request of Mr. Henson of Ventura to Mr and Mrs Charles Jones and children, Melissa, Marianne and Gloria Jones of Somis

On request of Mr Flournoy of Claremont to Frank Wagnon of West Covina

ADJOURNMENT SINE DIE

At 12 noon on Thursday, August 1, 1963, in accordance with the provisions of Senate Concurrent Resolution No. 4, the Honorable Carlos Bee, Speaker pro Tempore of the Assembly, announced that the time for final adjournment of the 1963 First Extraordinary Session of the Legislature had arrived, and, therefore, declared the Assembly adjourned sine die

JESSE M UNRUH, Speaker

ELEANOR K DONOGHUE, Minute Clerk,

APPENDIX NO. 1 TO

ASSEMBLY JOURNAL

of the

1963 FIRST EXTRAORDINARY SESSION

ASSEMBLY BILL ENROLLED AND PRESENTED TO THE GOVERNOR AFTER ADJOURNMENT SINE DIE OF THE 1963 FIRST EXTRAORDINARY SESSION

REPORTS OF STANDING COMMITTEES

Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER August 2, 1963

MR SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 36—An act to amend Section 17263 1 of, and to add Section 17263 2 to, the Education Code, and to amend Section 1819 of the Revenue and Taxation Code relating to the financial support of the public school system, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor at 10 30 a m August 2, 1963

POWERS, Chairman

ASSEMBLY BILLS APPROVED BY THE GOVERNOR, CHAPTERED, AND FILED WITH THE SECRETARY OF STATE FOR THE 1963 FIRST EXTRAORDINARY SESSION

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 October 31, 1963

A B Number	Chapter	Author	Subject of Title	Approved by Governor
1	1	Bane	Appropriation expenses of Senate and Assembly and Members necessarily incurred while attending 1963 First Extraordinary Session to take effect immediately	July 15
9	10	Quimby	Relating to instructional television	Aug 9
11	5	Young	Relating to pay television	July 24
17	11	Gaffney et al	Relating to specialized teaching materials	Aug 9
18	12	Gaffney et al	Relating to allocations for blind pupils	Aug 9
19	6	Bane	Appropriation for expenses of Senate and Assembly and Members necessarily incurred while attending 1963 First Extraordinary Session to take effect immediately	July 24
25	7	Davis et al	Preservation of revenues of Department of Fish and Game by continuing regulations of Fish and Game Commission, to take effect immediately	July 26
36	13	Winton	Relating to financial support of public school system to take effect immediately	Aug 9
48	17	Bane	Relating to appropriations for support of government of State and for several public purposes in accordance with Section 34 of Article IV of the Constitution	Aug 10

Total 9

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	1	Porter	Relative to a legislative study of the effect of the decision in Arizona v. California on state water planning	July 17
2	13	Bee et al	Relative to state public works projects	July 26
3	4	Dinkmeyer and Kennick	Relative to retirement benefits for lifeguard employees	July 23
4	9	McMillan	Relative to state highway routes	July 25
5	3	Lanterman and Stevens	Relative to budget studies by the Joint Legislative Budget Committee	July 17
6	2	Quimby	Relative to a lease of state property to the City of Chino	July 18
7	7	Burns et al	Relative to the Citizens Advisory Commission on Revision of the California Constitution	July 24
8	10	Cologne et al	Relative to state scholarships	July 25
10	11	Kennick and Dinkmeyer	Relative to the Diamond Jubilee of the City of Long Beach	July 25
11	12	Zberg et al	Relative to a study of the Governor's residence	July 25
13	14	Porter	Relative to a joint interim study of the cost of weekend and holiday guides in the Capitol Building	July 26

Total 11

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	8	Bagley	Relating to the Point Reyes National Seashore	July 25

Total 1

INTERIM COMMITTEE APPOINTMENTS BY SPEAKER UNRUH

In accordance with the provisions of House Resolution No 125 of the 1963 First Extraordinary Session, and the resolutions and statutes creating the individual committees, Speaker Unruh announced the following appointments to interim committees

Appointments of August 1, 1963

On August 1, 1963, pursuant to the provisions of House Resolutions Nos 13 and 500 of the 1963 Regular (General) Session, Speaker Unruh activated the **General Research Committee** of the Assembly with the following membership

Messrs Allen, Alquist, Ashcraft, Badham, Bagley, Bane, Barnes, Bee, Beilenson, Belotti, Booth, Brusehgi, Burgener, Burton, Carrell, Casey, Chapel, Collier, Cologne, Conrad, Crown, Cusanovich, Danielson, Dannemeyer, Mrs Davis, Messrs Deukmejian, Dills, Donovan, Dymally, Elliott, Fertell, Flournoy, Foran, Frew, Gaffney, Garrigus, Gonsalves, Greene, Henson, Hinckley, Holmes, Johnson, Kennick, Knox, Lanterman, Lunardi, Marks, McMillan, Meyers, Milias, Mills, Monagan, Moreno, Mulford, Pattee, Petris, Porter, Powers, Quimby, Rumford, Ryan, Song, Soto, Stanton, Stevens, Thelm, Thomas, Veneman, Veysey, Waite, Waldie, Warren, Whetmore, Williamson, Willson, Winton, Young, Z'berg, Zenovich, and Unruh Pursuant to the provisions of House Resolution No 500, Mr Unruh is Chairman of the Committee on General Research

Appointments of August 5, 1963

On August 5, 1963, pursuant to the provisions of House Resolution No 500 of the 1963 Regular (General) Session, Speaker Unruh made the following committee appointments

Messrs Meyers, Chairman, Badham, Burgener, Elliott, Garrigus, Monagan, Stevens, Young, and Z'berg to the Assembly Interim Committee on **Civil Service and State Personnel.**

Messrs Gaffney, Chairman, Moreno, Vice Chairman, Collier, Crown, McMillan, Marks, Mills, and Waldie to the Assembly Interim Committee on **Constitutional Amendments.**

Messrs Winton, Chairman, Beilenson, Vice Chairman, Burton, Crown, Deukmejian, Donovan, Henson, Knox, Thelm, and Zenovich to the Assembly Interim Committee on **Criminal Procedure.**

Messrs Garrigus, Chairman, Ryan, Vice Chairman, Alquist, Barnes, Bee, Casey, Collier, Dymally, Elliott, Flournoy, Gaffney, Gonsalves, Greene, Hinckley, Milias, Monagan, Porter, Veysey, Whetmore, and Winton to the Assembly Interim Committee on **Education.**

Messrs Allen, Chairman, Danielson Vice Chairman, Bagley, Bane, Burton, Conrad, Crown, Milias, Petris, Ryan, and Waite to the Assembly Interim Committee on **Elections and Reapportionment.**

Messrs. Mills, Chairman, Zenovich, Vice Chairman, Ashcraft, Bane, Beilenson, Burton, Casey, Flournoy, Foran, Hinckley, Knox, Moreno, Rumford, Stevens, Thelin, Veneman, Veysey, Waite, Waldie, and Willson to the Assembly Interim Committee on **Finance and Insurance.**

Mrs. Davis, Chairman, Messrs. Allen, Badham, Hinckley, Johnson, Mihas, Mills, Powers, and Thomas to the Assembly Interim Committee on **Fish and Game.**

Messrs. McMillan, Chairman, Song, Vice Chairman, Cusanovich, Danielson, Deukmejian, Ferrell, Greene, Kennick, Knox, Mulford, Stevens, Warren, and Whetmore to the Assembly Interim Committee on **Governmental Efficiency and Economy.**

Messrs. Elliott, Chairman, Dymally, Vice Chairman, Badham, Burgener, Cusanovich, Foran, Gaffney, Powers, Song, and Veysey to the Assembly Interim Committee on **Industrial Relations.**

Messrs. Willson, Chairman, Johnson, Vice Chairman, Bagley, Danielson, Dannemeyer, Foran, Marks, Petris, Song, Stanton, Stevens, Waldie, Whetmore, Young, and Z'berg to the Assembly Interim Committee on **Judiciary.**

Messrs. Lunardi, Chairman, Dannemeyer, Vice Chairman, Carrell, Chapel, Deukmejian, Dymally, and Gonsalves to the Assembly Interim Committee on **Military and Veterans Affairs.**

Messrs. Knox, Chairman, Quimby, Vice Chairman, Allen, Alquist, Beilenson, Britschgi, Burgener, Flournoy, Lanterman, Ryan, Song, Soto, Veneman, Warren, and Zenovich to the Assembly Interim Committee on **Municipal and County Government.**

Messrs. Z'berg, Chairman, Henson, Vice Chairman, Alquist, Barnes, Booth, Cusanovich, Mrs. Davis, Messrs. Greene, Meyers, Mihas, Young, and Zenovich to the Assembly Interim Committee on **Natural Resources, Planning, and Public Works.**

Messrs. Rumford, Chairman, Soto, Vice Chairman, Barnes, Dills, Ferrell, Henson, Marks, Mulford, Ryan, Thelin, and Willson to the Assembly Interim Committee on **Public Health.**

Messrs. Williamson, Chairman, Ferrell, Vice Chairman, Booth, Britschgi, Chapel, Dills, Greene, Holmes, Lunardi, McMillan, Monagan, Moreno, Pattee, Stanton, and Waite to the Assembly Interim Committee on **Public Utilities and Corporations.**

Messrs. Petris, Chairman, Alquist, Barnes, Carrell, Chapel, Donovan, Ferrell, Lanterman, Mulford, Pattee, Quimby, Rumford, Stanton, Thomas, and Young to the Assembly Interim Committee on **Revenue and Taxation.**

Messrs. Burton, Chairman, Stanton, Vice Chairman, Badham, Burgener, Deukmejian, Dymally, Elliott, Moreno, Powers, and Veneman to the Assembly Interim Committee on **Social Welfare.**

Messrs. Carrell, Chairman, Belotti, Chapel, Cologne, Dannemeyer, Donovan, Foran, Gonsalves, Kennick, Lunardi, Meyers, Soto, Waite, Warren, and Young to the Assembly Interim Committee on **Transportation and Commerce.**

Messrs Porter, Chairman, Ashcraft, Belotti, Collier Cologne, Dannemeyer, Mrs Davis, Messrs Flournoy Frew, Garrigus, Henson, Johnson, Lanterman, Lunardi, Meyers, Monagan, Quimby, Williamson, and Z'berg to the Assembly Interim Committee on **Water.**

Messrs Crown, Chairman, Bane, Bee, Belotti, Britschgi, Collier, Conrad, Mrs Davis, Messrs Gaffney Holmes, Kennick, Lanterman, McMillan, Mills, Petris, Porter, Thelin Waldie Williamson, and Winton to the Assembly Interim Committee on **Ways and Means.**

Pursuant to the provisions of Government Code, Section 8001, and House Resolution No 85 of the 1963 Regular (General) Session, Speaker Unruh appointed Messrs Dills, Chairman, Conrad, Bee, and Thomas to the **Assembly Committee on Interstate Co-operation.** Section 8001 also provides that Mr Unruh, Speaker of the Assembly, and Mr Bane, Chairman of the Assembly Committee on Rules, shall be members of the committee Pursuant to the provisions of Government Code, Section 8004, the Assembly Committee on Interstate Co-operation, the Senate Committee on Interstate Co-operation, and five officers of the State, appointed by the Governor shall comprise the membership of the **California Commission on Interstate Co-operation.** The Governor is ex officio an honorary nonvoting member of the commission

Appointments of August 6, 1963

On August 6, 1963, pursuant to the provisions of Chapter 98, Statutes of 1963 (Education Code, Sections 6460 and 6460 1), Speaker Unruh appointed Messrs Ferrell and Moreno to the **Advisory Committee on Compensatory Education.**

Appointments of August 12, 1963

On August 12, 1963, pursuant to the provisions of Chapter 1417, Statutes of 1963 (Government Code, Sections 10601-10602), Speaker Unruh appointed Messrs Allen, Barnes, and Johnson to the **Joint Legislative Retirement Committee.**

Appointments of August 15, 1963

On August 15, 1963 pursuant to the provisions of Agricultural Code, Section 92 7, Speaker Unruh appointed Messrs Booth, Powers, Waite, Belotti, Lunardi, Holmes, and Williamson to the **Fairs Allocation and Classification Committee.**

Appointment of August 19, 1963

On August 19, 1963, pursuant to the provisions of Government Code, Section 15770, Speaker Unruh appointed Mr Quimby to the **Public Works Board.**

Appointments of September 13, 1963

On September 13 1963, Speaker Unruh made the following appointment to committees·

Pursuant to the provisions of Chapter 1797, Statutes of 1963, Speaker Unruh appointed Messrs Beilenson, Deukmejian, Donovan,

Knox, and Winton to the **Joint Legislative Committee for the Revision of the Penal Code.**

Pursuant to the provisions of Government Code, Section 15770, Speaker Unruh appointed Mr Ashcraft as a member of the **Public Works Board,** vice Mr Winton

Appointments of September 17, 1963

On September 17, 1963, pursuant to the provisions of Chapter 1742 Statutes of 1963, Speaker Unruh appointed Messrs Casey and Young to the **California Arts Commission.**

Appointments of October 8, 1963

On October 8 1963, Speaker Unruh made the following appointments to committees

Pursuant to the provisions of Resolution Chapter 120, Statutes of 1963, Speaker Unruh appointed Messrs Kennick, Unruh, Henson Gaffney, Crown, Stevens, and Whetmore to the **Joint Committee on Tidelands.**

Pursuant to the provisions of Military and Veterans Code, Section 1510, Speaker Unruh appointed Mr Meyers to serve in his stead as a member of the **California State Disaster Council.**

Appointments of October 9, 1963

On October 9, 1963, Speaker Unruh made the following appointments to committees

Pursuant to the provisions of Welfare and Institutions Code, Sections 7600 and 7601 (Chapter 935, Statutes of 1963), Speaker Unruh appointed Messrs Alquist and Warren to the **Study Commission on Mental Retardation.**

Pursuant to the provisions of Welfare and Institutions Code, Sections 101 and 101 5 (Chapter 1916, Statutes of 1963), Speaker Unruh appointed Messrs Stanton and Veneman to the **State Social Welfare Board.**

Pursuant to the provisions of Labor Code, Sections 6200, 6201, and 6203 (Chapter 2040, Statutes of 1963), Speaker Unruh appointed Messrs Mills and Zenovich to the **Workmen's Compensation Study Commission.**

Pursuant to the provisions of Chapter 1938, Statutes of 1963, Speaker Unruh appointed Messrs Cologne and Garrigus to the **California Heritage Preservation Commission.**

Appointments of October 14, 1963

On October 14, 1963, Speaker Unruh made the following committee appointments

Pursuant to the provisions of House Resolutions Nos 13 and 500 of the 1963 Regular (General) Session, and the Rules, Speaker Unruh appointed

Mr Kennick, Chairman, vice Mr Williamson, who will remain a member of the committee, and Messrs Allen, Ashcraft, Casey,

Quimby Soto, and Whetmore to the Assembly Interim Committee on **Public Utilities and Corporations.**

Messrs Williamson, Chairman, Ashcraft, Bagley, Berlenson, Belotti, Booth, Britschgi, Cologne, Frew, Gonsalves, Garrigus, Hinckley, Johnson, Pattee, Powers, Porter, Veneman, and Veysey to the Assembly Interim Committee on **Agriculture.**

Pursuant to the provisions of House Resolution Nos 13 and 500 of the 1963 Regular (General) Session, Speaker Unruh appointed Mr Rumford, Chairman, Mrs Davis, Messrs Williamson, Danielson, Veysey, Ryan, and Thelin to the **Subcommittee on Pesticides** of the **Assembly General Research Committee.**

Pursuant to the provisions of Agricultural Code, Section 72 1 (Chapter 1743, Statutes of 1963), Speaker Unruh appointed Messrs. Danielson and Powers to the **California Exposition and Fair Executive Committee.**

Pursuant to the provisions of Assembly Rule No 22, Speaker Unruh appointed Messrs Bane, Chairman, Casey, Cologne, Cusanovich, Frew, Holmes, and Waldie to the **Special Assembly Committee on Legislative Representation**

Pursuant to the provisions of Government Code Sections 8110 and 8112, Speaker Unruh appointed Messrs Garrigus, Holmes, and Lunardi to the **State Advisory Commission on Indian Affairs.**

Pursuant to the provisions of Chapter 1693 Statutes of 1953, Speaker Unruh appointed Mr Dills to the **Colorado River Boundary Commission.**

Pursuant to the provisions of Government Code, Section 10301, Speaker Unruh appointed Mr Young to the **California Law Revision Commission.**

Pursuant to the provisions of Education Code, Section 19510, Speaker Unruh appointed Messrs Bee and Collier to the **State School Building Finance Committee.**

Pursuant to the provisions of Government Code, Sections 10400 and 10401 Speaker Unruh appointed Mr Z'berg to the **Commission on Uniform State Laws.**

Pursuant to the provisions of Fish and Game Code, Sections 1320 and 1323, Speaker Unruh appointed Messrs Belotti, Dannemeyer, and Mrs Davis to the **Wildlife Conservation Board.**

Pursuant to the provisions of Government Code, Section 66503 (Chapter 911, Statutes of 1963), Speaker Unruh appointed Messrs Ryan and Rumford to the **Bay Area Transportation Study Commission.**

Pursuant to the provisions of Welfare and Institutions Code, Sections 2370 and 2371 (Chapter 1746, Statutes of 1963), Speaker Unruh appointed Messrs McMillan and Kennick to the **Citizens' Advisory Committee on Aging.**

Pursuant to the provisions of Government Code, Sections 10500-10504, Speaker Unruh appointed Messrs Greene, Petris, and Thomas to the **Joint Legislative Audit Committee.**

Pursuant to the provisions of Government Code Sections 9140-9143, Speaker Unruh appointed Messrs Alquist, Britschgi, Collier,

Crown, McMillan, Meyers, and Mills to the **Joint Legislative Budget Committee.**

Pursuant to the provisions of Government Code, Section 8501, Speaker Unruh appointed Messrs Knox and Marks to the **Commission on California State Government Organization and Economy.**

Pursuant to the provisions of Constitution, Article VI, Section 1a, and Assembly Rule No 23(m), Speaker Unruh appointed Mr Willson to the **Judicial Council.**

Pursuant to the provisions of Government Code, Section 15490, Speaker Unruh appointed Messrs Gonsalves and Lunardi to the **State Allocation Board.**

Pursuant to the provisions of Agricultural Code, Section 92 7, Speaker Unruh appointed Mr Greene, vice Mr Powers, to the **Fairs Allocation and Classification Committee.**

Pursuant to the provisions of Government Code, Section 8001, and House Resolution No 85 of the 1963 Regular (General) Session, Speaker Unruh appointed Mr Waldie to the **Assembly Committee on Interstate Co-operation.**

Appointment of October 25, 1963

On October 25, 1963, Speaker Unruh appointed Mr Booth Vice Chairman of the **Assembly Interim Committee on Agriculture.**

Appointment of October 28, 1963

On October 28, 1963, Speaker Unruh appointed Mr Gonsalves Vice Chairman of the **Assembly Interim Committee on Transportation and Commerce**

Appointment of November 20, 1963

On November 20, 1963, Speaker Unruh appointed Mr Moreno a member of the **Assembly Interim Committee on Revenue and Taxation.**

Appointment of November 27, 1963

On November 27, 1963, pursuant to the provisions of Labor Code, Sections 161-163, Speaker Unruh appointed Messrs Elliott, Foran, and Soto to the **California Commission on Manpower, Automation, and Technology.**

Appointment of December 2, 1963

On December 2, 1963, pursuant to the provisions of Labor Code, Sections 161-163, Speaker Unruh appointed Mr Dymally to the **California Commission on Manpower, Automation, and Technology.**

Appointments of December 20, 1963

On December 20, 1963, Speaker Unruh appointed Mr Greene to the **State Allocation Board,** vice Mr Lunardi, resigned from the Assembly on December 20, 1963

On December 20, 1963, Speaker Unruh appointed Mr Ryan to the **Joint Legislative Audit Committee,** vice Mr Greene, resigned from the committee on December 20, 1963

ASSEMBLY INTERIM COMMITTEES AS OF DECEMBER 20, 1963

Agriculture—Williamson (Chairman) Booth (Vice Chairman) Ashcraft, Bagley, Beilenson, Belotti, Britschgi, Cologne, Frew, Gonsalves, Garrigus, Hinckley, Johnson, Pattee, Powers, Porter, Veneman, and Veysey

Civil Service and State Personnel—Meyers (Chairman), Badham, Burgener, Elliott, Garrigus, Monagan, Stevens, Young, and Z'berg

Constitutional Amendments—Gaffney (Chairman), Moreno (Vice Chairman), Collier, Crown, McMillan, Marks, Mills and Waldie

Criminal Procedure - Winton (Chairman), Beilenson (Vice Chairman), Burton Crown, Deukmejian, Donovan, Henson, Knox, Thelin, and Zenovich

Education—Garrigus (Chairman), Ryan (Vice Chairman), Alquist, Barnes, Bee, Casey Collier, Dymally, Elliott, Flournoy, Gaffney, Gonsalves, Greene, Hinckley, Mihas, Monagan, Porter, Veysey, Whetmore, and Winton

Elections and Reapportionment- Allen (Chairman), Danielson (Vice Chairman), Bagley, Bane, Burton, Conrad, Crown, Mihas, Petris, Ryan, and Waite

Finance and Insurance—Mills (Chairman), Zenovich (Vice Chairman) Ashcraft, Bane, Beilenson Burton, Casey, Flournoy, Foran, Hinckley Knox, Moreno Rumford, Stevens Thelin Veneman, Veysey, Waite, Waldie, and Willson

Fish and Game—Davis (Chairman), Allen Badham Hinckley, Johnson, Mihas Mills, Powers and Thomas

General Research—Unruh (Chairman), and all Members of the Assembly

Subcommittee on Pesticides - Rumford (Chairman), Davis, Danielson, Ryan, Thelin, Veysey, and Williamson

Governmental Efficiency and Economy—McMillan (Chairman), Song (Vice Chairman), Cusanovich, Danielson, Deukmejian, Ferrell, Greene, Kennick, Knox, Mulford, Stevens, Warren, and Whetmore

Industrial Relations—Elliott (Chairman), Dymally (Vice Chairman), Badham, Burgener, Cusanovich, Foran, Gaffney, Powers, Song, and Veysey

Interstate Co-operation Dills (Chairman), Bane, Bee, Conrad, Thomas, Unruh and Waldie

Judiciary—Willson (Chairman) Johnson (Vice Chairman), Bagley Danielson, Dannemeyer, Foran, Marks, Petris, Song, Stanton Stevens, Waldie, Whetmore Young, and Z'berg

Legislative Representation—Bane (Chairman), Casey, Cologne, Cusanovich, Frew, Holmes, and Waldie

Military and Veterans Affairs—Lunardi (Chairman), Dannemeyer (Vice Chairman), Carrell, Chapel, Deukmejian, Dymally, and Gonsalves

Municipal and County Government—Knox (Chairman) Quimby (Vice Chairman) Allen, Alquist, Beilenson, Britschgi, Burgener, Flournoy, Lanterman, Ryan, Song, Soto, Veneman, Warren, and Zenovich

Natural Resources, Planning, and Public Works—Z'berg (Chairman), Henson (Vice Chairman), Alquist, Barnes, Booth Cusanovich, Davis, Greene, Meyers, Mihas, Young, and Zenovich

Public Health—Rumford (Chairman) Soto (Vice Chairman) Barnes, Dills Ferrell, Henson Marks, Mulford, Ryan, Thelin, and Willson

Public Utilities and Corporations—Kennick (Chairman), Ferrell (Vice Chairman), Allen, Ashcraft, Booth, Britschgi, Casey, Chapel, Dills, Greene, Holmes, Lunardi, McMillan Monagan Moreno, Pattee, Quimby, Soto, Stanton Waite, Whetmore and Williamson

Revenue and Taxation—Petris (Chairman), Alquist, Barnes, Carrell, Chapel Donovan Ferrell Lanterman, Moreno, Mulford, Pattee, Quimby, Rumford Stanton, Thomas, and Young.

Rules—Bane (Chairman), Casey, Cologne, Cusanovich, Frew, Holmes and Waldie

Social Welfare—Burton (Chairman), Stanton (Vice Chairman), Badham Burgener, Deukmejian Dymally, Elliott, Moreno, Powers, and Veneman

Transportation and Commerce—Carrell (Chairman) Gonsalves (Vice Chairman), Belotti Chapel, Cologne, Dannemeyer, Donovan, Foran, Kennick, Lunardi Meyers Soto Waite, Warren, and Young

Water—Porter (Chairman), Ashcraft, Belotti, Collier, Cologne, Dannemeyer Davis Flournoy, Frew, Garrigus, Henson, Johnson, Lanterman, Lunardi, Meyers, Monagan, Quimby, Williamson, and Z'berg

Ways and Means—Crown (Chairman), Bane, Bee, Belotti Britschgi Collier, Conrad, Davis, Gaffney, Holmes, Kennick, Lanterman McMillan, Mills, Petris, Porter, Thelin Waldie, Williamson, and Winton

JOINT INTERIM COMMITTEES

Fairs Allocation and Classification—Agricultural Code, Sec. 9217—
Senate Members—Regan (Chairman), Begovich, Bradley, Collier, O'Sullivan, Stern, and Simons
Assembly Members—Belotti, Booth, Greene, Holmes, Lunardi, Waite, and Williamson

Legislative Audit—Government Code Secs. 10500-10504—
Senate Members—Donnelly (Vice Chairman), Dolwig, and Gibson
Assembly Members—Thomas (Chairman), Petris, and Ryan

Legislative Budget—Government Code, Secs. 9140-9143—
Senate Members—Miller (Chairman), Burns, Cobey, McAteer, Murdy, Rattigan, and Teale
Assembly Members—McMillan (Vice Chairman), Alquist, Britschgi, Collier, Crown, Meyers, and Mills

Legislative Organization—Government Code, Sec. 9107, Joint Rule No. 40—
Senate Members—Teale (Vice Chairman), Arnold, Burns, McCarthy, Murdy, O'Sullivan and Rattigan
Assembly Members—Bane (Chairman), Casey, Cologne, Cusanovich, Frew, Holmes, and Waldie

Subcommittee on Revision of the State Constitution—Res. Chapter 181, Stats. 1963—
Senate Members—Teale, Arnold, Burns, McCarthy, Murdy, O'Sullivan, Rattigan, Fatt, Cobey, and Dolwig
Assembly Members—Bane, Casey, Cologne, Cusanovich, Frew, Holmes, Waldie, ———, ———, and ———

Legislative Retirement—Government Code, Secs. 10601-10602—
Senate Members—Collier, Short, and Weingand
Assembly Members—Allen (Chairman), Barnes, and Johnson

Penal Code, Revision of the—Chapter 1797, Stats. 1963—
Senate Members—Regan (Chairman), Bradley, Christensen, Lagomarsino, and Rattigan
Assembly Members—Beilenson, Deukmejian, Donovan, Knox, and Winton

Tidelands—Res. Chapter 120, Stats. 1963—
Senate Members—Arnold, Burns, McCarthy, Murdy, O'Sullivan, Rees, and Teale
Assembly Members—Kennick, Unruh, Henson, Gaffney, Crown, Stevens, and Whetmore

BOARDS, COMMISSIONS, ETC.

Members of Legislature to Meet With and Participate in Work of Particular Agency to Extent That Such Participation is Not Incompatible With Their Positions as Members of the Legislature

Aging, Citizens' Advisory Committee on—Welfare and Institutions Code, Secs 2370-2371—
Senate Members—Geddes and Rattigan
Assembly Members—Kennick and McMillan

Allocation Board, State—Government Code, Sec 15490—
Senate Members—Murdy and Rodda
Assembly Members—Gonsalves and Greene

Arts Commission, California—Chapter 1742, Stats 1963—
Senate Members—McAteer and Rees
Assembly Members—Casey and Young

Bay Area Transportation Study Commission—Government Code, Sec 66503—
Senate Members—McAteer and McCarthy
Assembly Members—Ryan and Rumford.

Colorado River Boundary Commission—Chapter 1693, Stats. 1953—
Senate Member—Nisbet
Assembly Member—Dills

California-Mexican Border, Joint Planning and Development Along—House Resolution No 63, 1962 First Extraordinary Session—
Assembly Members—Ashcraft and Mills

Compensatory Education, Advisory Committee on—Education Code, Secs 6460-6460 1—
Senate Members—Grunsky and McAteer
Assembly Members—Ferrell and Moreno

Disaster Council, California State—Military and Veterans Code, Sec 1510—
Senate Member—Geddes
Assembly Member—Meyers, in stead of Unruh

Exposition and Fair Executive Committee, California—Agricultural Code, Sec. 72 1—
Senate Members—Geddes and Rodda
Assembly Members—Danielson and Powers

Government Organization and Economy, Commission on California State—Government Code. Sec 8501—
Senate Members—Miller and Sturgeon
Assembly Members—Knox and Marks

Heritage Preservation Commission, California—Chapter 1938, Stats. 1963—
Senate Members—Pittman and Weingand
Assembly Members—Cologne and Garrigus

Indian Affairs, State Advisory Commission on—Government Code, Secs 8110 and 8112—
Senate Members—Arnold (Chairman), Regan, and Teale
Assembly Members—Garrigus, Holmes, and Lunardi

Interstate Co-operation, California Commission on—Government Code, Sections 8000-8004, Senate Resolution No 69 and House Resolution No 85, 1963 Regular Session—
Senate Committee—McCarthy (Chairman), Burns (Vice Chairman), Arnold, Collier, Murdy, Teale, and Williams
Assembly Committee—Dills (Chairman), Conrad, Bane, Bee, Thomas, Unruh, and Waldie

Judicial Council—Cal Constitution, Article VI, Sec 1a, Assembly Rule No 23(m), Senate Rule No 13—
Senate Member—Regan
Assembly Member—Willson

Law Revision Commission, California—Government Code, Sec 10301—
Senate Member—Cobey
Assembly Member—Young

Manpower, Automation, and Technology, California Commission on—Labor Code, Secs 161-163—
Senate Members—Lagomarsino, McAteer, Short, and Weingand
Assembly Members—Dymally, Elliott, Foran, and Soto

Mental Retardation, Study Commission on—Welfare and Institutions Code, Secs 7600-7601—
Senate Members—McAteer and Short
Assembly Members—Alquist and Warren

Public Works Board—Government Code, Sec 15770—
Senate Members—Gibson and McCarthy
Assembly Members—Quimby and Ashcraft

School Building Finance Committee, State—Education Code, Sec 19510—
Senate Members—McCarthy and Murdy.
Assembly Members—Bee and Collier

Social Welfare Board, State—Welfare and Institutions Code, Secs 101-101 5—
Senate Members—Cobey and Sturgeon
Assembly Members—Stanton and Veneman

Uniform State Laws, Commission on—Government Code, Secs 10400-10401—
Senate Member—Fair
Assembly Member—Zberg

Wildlife Conservation Board—Fish and Game Code, Secs 1320 and 1323—
Senate Members—Begovich, Quick, and Sturgeon
Assembly Members—Belotti, Dunnemeyer, and Davis

Workmen's Compensation Study Commission—Labor Code, Secs 6200 6201, and 6203—
Senate Members—Dolwig and Teale
Assembly Members—Mills and Zenovich

RESIGNATION OF MEMBER OF THE ASSEMBLY

On December 20, 1963, Mr Paul J Lunardi of Roseville resigned as a Member of the Assembly having been elected to the State Senate at a special election held November 5, 1963

RESIGNATION OF CHIEF CLERK OF THE ASSEMBLY

In October of 1963, Mr Arthur A Ohnimus of Sacramento resigned from the office of Chief Clerk of the Assembly

APPOINTMENT OF CHIEF CLERK OF THE ASSEMBLY

On October 5, 1963, pursuant to the provisions of Rule No 22 5, Mr James D Driscoll was appointed Chief Clerk of the Assembly by the Assembly Committee on Rules

RETIREMENT OF MINUTE CLERK OF THE ASSEMBLY

Effective January 1, 1964, Mrs Eleanor K Donoghue of Sacramento retired from the office of Minute Clerk of the Assembly