

---

---

# STATUTES OF CALIFORNIA

FIRST EXTRA SESSION OF THE FIFTY-FOURTH LEGISLATURE

1941-1942

BEGAN ON FRIDAY, DECEMBER NINETEENTH, NINETEEN  
HUNDRED FORTY-ONE, AND ADJOURNED THURSDAY,  
JANUARY TWENTY-SECOND, NINETEEN  
HUNDRED FORTY-TWO

---

---

PROCLAMATION BY THE GOVERNOR  
CONVENING THE LEGISLATURE IN  
EXTRAORDINARY SESSION

---

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

I, Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session at Sacramento, California, on Friday, the nineteenth day of December, one thousand nine hundred and forty-one, at 11 o'clock a.m., of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation augmenting the appropriation for the operation, maintenance, and organization of the State Guard during the Ninety-third and Ninety-fourth Fiscal Years, and amending Sections 321, 340, 395, and 555, of the Military and Veterans Code, with respect to the pay, privileges, allowances, and rights for the State Guard.

2. To consider and act upon legislation augmenting the appropriation to the emergency fund specified in Item 216 of the Budget Act of 1941.

3. To consider and act upon legislation authorizing the use of public funds by counties, cities, and cities and counties, to meet emergencies caused by war or other public disaster.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of December, A. D., one thousand nine hundred and forty-one.

CULBERT L. OLSON, Governor of California.

ATTEST:

PAUL PEEK, Secretary of State.

## PROCLAMATION

WHEREAS, An extraordinary session of the Legislature of the State of California has been called under authority of Article V, Section 9, of the Constitution of the State of California to meet and assemble at Sacramento, California, on Friday, the nineteenth day of December, 1941, at 11 o'clock, a m., of said day; now, therefore,

I, Culbert L. Olson, Governor of the State of California, by virtue of the power vested in me by law, hereby, and prior to the time set for the convening of the Legislature on December 19, 1941, do issue this my proclamation supplementing my proclamation dated December 16, 1941, convening the Legislature to meet and assemble on December 19, 1941, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subjects specified in the original proclamation, to wit:

4. To consider and act upon legislation authorizing any city, county, city and county, district, or other public agency, to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies created by war, military, naval or air attack, or sabotage, or in providing for adequate national or local defense, irrespective of budget or other limitations. This fourth subject is a modification of the third subject in the original call, and is added in order that legislation may be enacted under either of them, as may be deemed wise.

5. To approve or reject city charters and city charter amendments submitted to, approved and ratified by the electors under Sections 6, 8 and 8½, or any of them, of Article XI of the Constitution; to approve or reject county charters and county charter amendments submitted to, approved and ratified by the electors under Section 7½ of Article XI of the Constitution; and to approve or reject amendments to the charter of the City and County of San Francisco submitted to, approved and ratified by the electors of the city and county.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of December, A.D., nineteen hundred and forty-one.

CULBERT L. OLSON, Governor of California.

ATTEST:

PAUL PEEK, Secretary of State.  
By EDWARD H. DICKSON, Deputy.

# STATUTES OF CALIFORNIA

PASSED AT THE FIRST EXTRA SESSION OF THE  
FIFTY-FOURTH LEGISLATURE

## CHAPTER 1

*An act authorizing any city, county, city and county, or district to expend public funds and to expend, use, or permit the use of public property or personnel to meet emergencies created by war, military, naval or air attack, or sabotage, or in providing for adequate National or local defense, irrespective of budget or other limitations; declaring the urgency hereof; to take effect immediately.*

[Approved by Governor December 23, 1941. Filed with Secretary of State December 24, 1941.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. (a) Notwithstanding any and all budget limitations and other restrictions otherwise imposed by law, Authority granted every city, county, city and county, or district is hereby authorized to incur all necessary expenses and to expend any public funds and to expend, use, or permit the use of public property or personnel to meet any National or local emergency created by war, military, naval or air attack, or sabotage, or in providing for adequate National or local defense;

(b) Each city, county, city and county, or district, Transfer of funds may make all transfers of moneys from and to general or special funds necessary to pay any expenses incurred under the provisions of subsection (a) of this section, excepting only such transfers as may be prohibited by the Constitution;

(c) The governing board of such city, county, city and county, or district by a four-fifths vote of all the members of such governing board at any regular or special meeting, Action by governing board may act on behalf of the city, county, city and county, or district in carrying into effect the powers conferred by the preceding subsections of this section.

SEC. 2. This act is hereby declared to be an Urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately.

The facts constituting such urgency are as follows:

The United States is now in a state of war with foreign nations and the building of adequate National and local

defense and the immediate protection of our citizens against air raids and sabotage warrant the granting of emergency powers in connection therewith and the expenditure of moneys to further defense on a National or local scale. The providing of such powers is necessary to the preservation of the public peace, health and safety of the people of the State of California and for this reason this measure shall take effect immediately.

---

## CHAPTER 2

Stats 1941. *An act making an appropriation in augmentation of the Emer-*  
 p 2041 *gency Fund specified in Item 216 of the Budget Act of 1941,*  
*to be expended as provided herein, and providing that this*  
*act shall take effect immediately.*

In effect [Approved by Governor December 23, 1941. Filed with Secretary of State  
 immediately December 24, 1941.]

*The people of the State of California do enact as follows:*

Appropriation  
 Emergency  
 Fund—  
 State Guard

SECTION 1. The sum of one million dollars (\$1,000,000) is hereby appropriated, out of any money in the State Treasury not otherwise appropriated, to the Emergency Fund specified in Item 216 of Section 2 of the Budget Act of 1941, and in augmentation thereof, to be expended as provided therein and in this act, during the Ninety-third and Ninety-fourth Fiscal Years. Of the sum appropriated by this act, not less than five hundred thousand dollars (\$500,000), if and when expended, shall be expended only for the support, maintenance, operation, and equipment of the State Guard, the legislative intent being that provision should be made for the State Guard from this appropriation.

No money appropriated to the Emergency Fund by this act shall be transferred to or made available for expenditure, directly or indirectly, under the provisions of Chapter 662 of the Statutes of 1929 relating to the State Emergency Council.

Urgency SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The United States is at war and it is necessary to have this money immediately available for all expenditures arising out of the National defense effort and other usual Emergency Fund expenses.

## CHAPTER 3

*An act to add Section 555.1 to the Military and Veterans Code, relating to rights and privileges of members of the State Guard, declaring the urgency of this act and that it shall go into immediate effect.*

Stats 1935,  
p. 1338,  
amended

[Approved by Governor January 2, 1942. Filed with Secretary of State January 2, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. Section 555.1 is hereby added to the Military and Veterans Code, to read as follows:

New section  
See also  
Stats 1943,  
Ch. 295  
Resignation

555.1. Within 30 days after the effective date hereof, any member of the State Guard may upon five days' notice in writing to his commanding officer withdraw and resign therefrom on the ground of unreasonable hardship for any of the following causes:

- (a) The existence of one or more dependents
- (b) Inability to serve outside the county of enlistment, because of unreasonable business or financial loss
- (c) Inability to render full time service because of unreasonable business or financial loss
- (d) Physical inability to perform full time duties
- (e) Such other reason, as may be approved by the battalion and regimental commanders
- (f) Employment as a National defense worker.

Authority is also hereby created, for the 30-day period of effect of this legislation, for any company commander of any unit of the State Guard to recommend the retirement or withdrawal from the State Guard of any men within his command whose services are known to be of greater value in civil occupation, or who should retire to other defense organization work, and The Adjutant General of the State Guard shall forthwith, in accordance with the intent of this legislation, effect the release of men so recommended.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting the necessity:

Urgency

A state of war exists between the United States of America and the governments of Japan, Germany and Italy. Units of the State Guard have been called into active service and other units may be called from time to time. Many of the members of the State Guard by reason of the existence of dependents, business and financial conditions and physical disabilities would be subjected to unreasonable hardships and losses if compelled to serve for full time and in distant communities. Many other persons who are not subject to such

hardships and losses are anxious to fill vacancies in the State Guard. In order to increase the efficiency of the State Guard without impeding the industrial activity of the State, it is necessary to stabilize the membership of the State Guard. It is therefore necessary that this act take effect immediately.

#### CHAPTER 4

Stats 1937, p 1338 amended. *An act to add Sections 223.5, 553.1, 553.2, 553.3, 553.4 and 553.5 to the Military and Veterans Code, relating to the State Guard, declaring the urgency of this act, to take effect immediately.*

In effect immediately [Approved by Governor January 2, 1942. Filed with Secretary of State January 2, 1942.]

*The people of the State of California do enact as follows:*

New section SECTION 1. Section 223.5 is hereby added to the Military and Veterans Code, to read as follows:

Bond 223.5. The provisions of Section 223 are applicable to the State Guard.

New section See also Stats 1943, Ch 295 Citizenship SEC. 2. Section 553.1 is hereby added to said code, to read as follows:

553.1. No person shall serve in or be a member of the State Guard unless he is a citizen of the United States.

New section See also Stats 1943, Ch 295 Membership in subversive organization SEC. 3. Section 553.2 is hereby added to said code, to read as follows:

553.2. No person shall serve in or be a member of the State Guard who is or at any time has been a member of any association, organization, or other body which directly or indirectly advocates, advises, teaches, or practices the duty, necessity or propriety of controlling, seizing or overthrowing the Government of the United States, or of this State, or of any political subdivision thereof by force or violence.

New section See also Stats 1943, Ch 295 Membership in subversive organization SEC. 4. Section 553.3 is hereby added to said code, to read as follows:

553.3. No person shall serve in or be a member of the State Guard who is or at any time has been a member of any organization which is required to register under the Subversive Organization Registration Act (Chapter 183, Statutes of 1941) or which would have been required so to register had said act been in effect at the time such person was a member of such organization. Every person becoming a member of the State Guard shall, in addition to any other oath required by law, take oath that he is not and never has been a member of such an organization. Every person who is a member of the State Guard on the date this section takes effect shall take a similar oath within 10 days thereafter.

SEC. 5. Section 553.4 is hereby added to said code, to read as follows:

New section  
See also  
Stats 1943,  
Ch 295  
Fingerprints

553.4. No person shall serve in or be a member of the State Guard unless his fingerprints are taken and filed as follows: Applicants shall be fingerprinted at the time of application and persons who are members on the date this section takes effect shall be fingerprinted within 10 days thereafter. One copy of each set of fingerprints so taken shall be filed with the Federal Bureau of Investigation and one copy with State Bureau of Criminal Identification and Investigation.

SEC. 6. Section 553.5 is hereby added to said code, to read as follows:

New section  
See also  
Stats, 1943,  
Ch 295  
Personal  
history  
record

553.5. A record of the personal history of each member of the State Guard must be made and kept on file in the office of The Adjutant General. Such record shall be made at the time of application for membership or, as to persons who are members of the State Guard on the date this section takes effect within 30 days thereafter. Such record shall show the date and place of birth, the successive places of residence and occupations, and such other relevant information as The Adjutant General may prescribe.

SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 11 of Article IV of the Constitution of the State of California, and as such shall take effect immediately. The facts constituting such necessity are as follows:

Urgency

Due to the sudden outbreak of hostilities between the United States and the Governments of Japan, Germany and Italy it has become necessary to increase the size of the State Guard and to furnish additional military protection to vulnerable strategic points scattered throughout this State. It is essential that legislation be enacted to insure that the provisions of law relating to the State Guard be amplified to meet conditions arising out of its prospective use in the emergency.

CHAPTER 5

*An act to add Sections 395.6 and 395.7 to the Military and Veterans Code, relating to reemployment and other privileges of members of the State Guard, declaring the urgency of this act and that it shall take immediate effect.*

Stats 1935,  
p 1338,  
amended

[Approved by Governor January 2, 1942. Filed with Secretary of State January 2, 1942.]

In effect  
Immediately

*The people of the State of California do enact as follows:*

SECTION 1 Section 395.6 is hereby added to the Military and Veterans Code, to read as follows:

New section  
Civil service  
rights of  
public  
officers and  
employees in  
State Guard

395.6. Any employee or officer of this State or of any county, city, political subdivision, school, irrigation, public



district or other local authority or agency thereof who absents himself from his position or office and enters upon active service with the State Guard has the same rights with respect to his former employment, including rights to reemployment upon termination of service, leave of absence, retention of position on civil service lists, and like retirement benefits, and like status and salary, as he would have if he had been on active service in the armed forces of the United States.

New section

SEC. 2. Section 395.7 is hereby added to the Military and Veterans Code, to read as follows:

Reemployment rights of privately employed persons in State Guard

395.7. Any person who, in order to undertake active service with the California State Guard, has left or leaves a position, other than a temporary position, in the employ of a private employer, and who receives a certificate of satisfactory service, is still qualified to perform the duties of such position, and makes application for reemployment within 40 days after he is relieved from such active service shall be restored by his former employer to the former position or to a position of like seniority, status and pay unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

Any person who is restored to a position in accordance with the provisions of this section shall be considered as having been on leave of absence during his period of service with the State Guard, shall be so restored without loss of seniority, shall be entitled to participate in retirement or other benefits offered by the employer pursuant to established rules and practices relating to employees on leave of absence in effect with the employer at the time such person entered upon active service with the State Guard and shall not be discharged from the position without cause within one year after being restored thereto.

Noncompliance by employer

In case any employer fails or refuses to comply with the provisions of this section the superior court of the county in which such employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and, as an incident thereto, to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case and shall advance it on the calendar. Upon application to the district attorney of the county in which such employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such district attorney, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof to specifically require such employer to comply with such

provisions. No fees or court costs shall be taxed against the person so applying for such benefits.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect. A statement of the facts constituting the necessity is as follows:

During the present war between the United States and the governments of Germany, Italy and Japan, members of the State Guard may possibly be called into active service for long periods of time. It is therefore imperative to give them the same rights to reemployment which they would enjoy if they had been serving with the armed forces of the United States, and to make provision for other rights connected with their employment. It is therefore necessary that this act take immediate effect.

## CHAPTER 6

*An act making an appropriation to the California Polytechnic School from the General Fund and providing for future repayment thereof from the Fair and Exposition Fund, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. Out of any money in the State Treasury not otherwise appropriated there is hereby appropriated to the California Polytechnic School the sum of one hundred ninety-six thousand five hundred dollars (\$196,500) for additional support as may be necessary at any time during the Ninety-third and Ninety-fourth Fiscal Years.

The amount hereby appropriated shall be returned to the General Fund as follows: In each calendar year commencing with the calendar year 1943, of the moneys to be allocated to the California Polytechnic School from the Fair and Exposition Fund pursuant to Section 19626 of the Business and Professions Code a sum not to exceed two hundred ninety thousand dollars (\$290,000) shall be made available to said school and the balance of said money to be so allocated shall, in lieu of being made available for said school, be paid into the General Fund until the amount appropriated therefrom by this act has been repaid to the General Fund.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate

effect. A statement of the facts constituting such necessity is as follows:

The California Polytechnic School is an important unit in the defense efforts of this State because of the nature of the training and research made available. The institution is financed from money derived from horse racing license fees and the cessation of horse racing meetings will, for a time, diminish the source of financial support of the institution. In order that the school may continue to function for the remainder of the current calendar year in the interests of the State and National defense it is necessary that financial aid, such as contemplated by this act, be made immediately available.

## CHAPTER 7

*An act making an appropriation to the Division of Forestry of the Department of Natural Resources, declaring the urgency thereof, to take effect immediately.*

In effect  
immediately

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.]

*The people of the State of California do enact as follows:*

Appropriation  
Division of  
Forestry

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, the sum of four million twenty-two thousand seven hundred dollars (\$4,022,700) is hereby appropriated for expenditure for the support of the Division of Forestry of the Department of Natural Resources during the Ninety-third and Ninety-fourth Fiscal Years as prescribed by this act.

SEC. 2. Of the sum appropriated by this act (i) one hundred fifty-seven thousand one hundred sixty dollars (\$157,160), if and when expended, shall be expended only for dispatch service, (ii) two million one hundred four thousand seven hundred ninety-nine dollars (\$2,104,799), if and when expended, shall be expended only for mobile pool of men and equipment, (iii) not more than one million five hundred sixty-seven thousand six hundred eighty-four dollars (\$1,567,684) for regular fire control and Winter stand-by protection, (iv) not more than sixty-five thousand dollars (\$65,000) for general administration, and (v) not more than one hundred twenty-eight thousand fifty-seven dollars (\$128,057) for allotment to those agencies protecting watershed and timber lands, the allotments only to be allowed to be made under contract with this State, and may not exceed as to any agency the amount paid to the agency by the State for protecting watershed and timber lands during the Ninety-second Fiscal Year, but no such allotment may be made to the United States Forest Service if in the opinion of the State Forester sufficient funds are available to the United States Forest Service for the protection of private lands.

SEC. 3. The sum provided by this act is in addition to any other money appropriated by law.

SEC. 4. The Legislature hereby declares its policy to be <sup>Policy</sup> that the money herein provided for equipment should be used, to the extent that the same may be feasible, for the purchase of such equipment and the payment of such services as may be provided by the various State institutions and prisons

SEC. 4.1. If any section, subsection, sentence, clause or <sup>Constitutionality</sup> phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each sentence, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of such sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 5. This act is hereby declared to be an urgency <sup>Urgency</sup> measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The State Council of Defense has established a State Fire Disaster Plan. In this plan, the Division of Forestry is a central unit and the money hereby appropriated is intended to permit the division to perform its regular functions and to play its part in the execution of the State Fire Disaster Plan during the calendar year 1942. If this money is not made available immediately, the division will not be able to function, the plan will be inoperative and the public peace, health and safety will be endangered.

## CHAPTER 8

*An act making an appropriation for the support of the Parole Department, State Board of Prison Directors, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor January 28, 1942. Filed with Secretary of State <sup>In effect immediately</sup> January 28, 1942 ]

*The people of the State of California do enact as follows:*

SECTION 1. In addition to any other money available by <sup>Appropriation State Board of Prison Directors</sup> law, there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of twelve thousand five hundred forty dollars (\$12,540) to be expended as may be necessary at any time during the Ninety-third and Ninety-fourth Fiscal Years for the support of the Parole Department of the State Board of Prison Directors, referred to in Item 174.5 of the Budget Act of 1941. <sup>Stats 1941, p 2030</sup>

Urgency

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and shall therefore take effect immediately. The following constitutes a statement of the facts constituting such necessity:

The existence of a state of war has increased to a great extent the work of this State agency. In order to expedite such work during the current calendar year it is necessary immediately to provide additional funds to meet the increased and unforeseen expenditures necessitated by the present emergency.

---

## CHAPTER 9

Stats 1941,  
p 2041

*An act making an appropriation in augmentation of the special Emergency Fund specified in Item 217 of the Budget Act of 1941, declaring the urgency of this act, to take effect immediately.*

In effect  
immediately

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.]

*The people of the State of California do enact as follows:*

Appropriation:  
Special  
Emergency  
Fund

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, the sum of one million dollars (\$1,000,000) or so much thereof as may be necessary is hereby appropriated to, and in augmentation of, the special Emergency Fund specified in Item 217 of Section 2 of the Budget Act of 1941 to be expended as provided therein during the Ninety-third and Ninety-fourth Fiscal Years.

Urgency

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The special Emergency Fund referred to in this act was established for the purpose of augmenting the support appropriation of the State prisons, State hospitals and other State institutions when and if commodity prices increase. Rising prices of food and other commodities necessitate that the special Emergency Fund provided for this purpose be increased and in order to facilitate proper planning of necessary outlays during the biennium it is necessary that this act take effect immediately.

## CHAPTER 10

*An act making an appropriation for the support of the Division of Criminal Identification and Investigation of the Department of Penology, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. In addition to any other money available by law, there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of thirty-two thousand one hundred ten dollars (\$32,110) to be expended as may be necessary at any time during the Ninety-third and Ninety-fourth Fiscal Years for the support of the Division of Criminal Identification and Investigation of the Department of Penology. Appropriation Division of Criminal Identification and Investigation

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and shall therefore take effect immediately. The following constitutes a statement of the facts constituting such necessity: Urgency

The existence of a state of war has increased to a great extent the work of this division. In order to expedite such work during the current calendar year it is necessary immediately to provide additional funds to meet the increased and unforeseen expenditures necessitated by the present emergency.

## CHAPTER 11

*An act making an appropriation in augmentation of the Emergency Fund specified in Item 216 of the Budget Act of 1941, to be expended as provided herein, declaring the urgency of this act, to take effect immediately.* Stats 1941, p 2041

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. The sum of six hundred forty-two thousand three hundred nineteen dollars (\$642,319) is hereby appropriated, out of any money in the State Treasury not otherwise appropriated, to the Emergency Fund specified in Item 216 of Section 2 of the Budget Act of 1941, and in augmentation thereof, to be expended as provided therein and in this act, during the Ninety-third and Ninety-fourth Fiscal Years. Appropriation Emergency Fund

No money appropriated to the Emergency Fund by this act shall be transferred to or made available for expenditure, directly or indirectly, under the provisions of Chapter 662 of the Statutes of 1929 relating to the State Emergency Council.

Urgency

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The United States is at war and it is necessary to have this money immediately available for all expenditures arising out of the National defense effort and for other usual Emergency Fund expenses.

---

## CHAPTER 12

*An act making an appropriation for the support of the Bureau of Vital Statistics of the State Department of Public Health, declaring the urgency of this act, to take effect immediately.*

In effect  
immediately

[Approved by Governor January 28, 1942 Filed with Secretary of State  
January 28, 1942]

*The people of the State of California do enact as follows:*

Appropriation  
Bureau  
of Vital  
Statistics

SECTION 1. In addition to any other money available by law, there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of eight thousand eight hundred five dollars (\$8,805) to be expended as may be necessary at any time during the Ninety-third and Ninety-fourth Fiscal Years for the support of the Bureau of Vital Statistics of the State Department of Public Health.

Urgency

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and shall therefore take effect immediately. The following constitutes a statement of the facts constituting such necessity:

The existence of a state of war has increased to a great extent the work of this State agency. In order to expedite such work during the current calendar year it is necessary immediately to provide additional funds to meet the increased and unforeseen expenditures necessitated by the present emergency.

## CHAPTER 13

*An act making an appropriation for the support of the Division of Beaches and Parks, Department of Natural Resources, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942 ] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. The sum of eighty-seven thousand nine hundred fifty dollars (\$87,950) is hereby appropriated to the Division of Beaches and Parks of the Department of Natural Resources out of any money in the State Park Maintenance and Acquisition Fund not otherwise appropriated, to be expended as may be necessary at any time during the Ninety-third and Ninety-fourth Fiscal Years for the support of said division. Appropriation Division of Beaches and Parks

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and shall therefore take effect immediately. The following constitutes a statement of the facts constituting such necessity: Urgency

The existence of a state of war has increased to a great extent the work of the Division of Beaches and Parks. In order to expedite such work during the current calendar year it is necessary immediately to provide additional funds to meet the increased and unforeseen expenditures necessitated by the present emergency.

## CHAPTER 14

*An act making an appropriation for the expenses of the Assembly, this act to take effect immediately.*

[Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942 ] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, and in addition to any other appropriation made by law, the sum of two thousand five hundred dollars (\$2,500) to pay the expenses of the Assembly, including the mileage of Assemblymen and statutory officers of the Assembly. Appropriation Expenses of Assembly

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it shall, pursuant to the provisions of Section 1 of Article IV of the Constitution, take effect immediately. Current expenses



## CHAPTER 15

*An act making an additional appropriation for legislative printing, binding, e'c., to take effect immediately.*

In effect immediately [Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.]

*The people of the State of California do enact as follows:*

Appropriation Legislative printing  
SECTION 1. In addition to any money otherwise appropriated, the sum of forty thousand dollars (\$40,000), or so much thereof as may be necessary, is hereby appropriated, out of any money in the State Treasury not otherwise appropriated, for legislative printing, binding, etc.

Current expenses  
SEC. 2. This act, inasmuch as it makes an appropriation for the usual current expenses of the State shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

## CHAPTER 16

*An act augmenting the appropriation to the Emergency Fund to provide money for the support of the Legislative Counsel Bureau, and providing that this act shall take effect immediately.*

In effect immediately [Approved by Governor January 28, 1942. Filed with Secretary of State January 28, 1942.]

*The people of the State of California do enact as follows:*

Appropriation Emergency Fund—Legislative Counsel Bureau  
SECTION 1. Out of any money in the State Treasury not otherwise appropriated there is hereby appropriated to the Emergency Fund established by Item 216 in Section 2 of the Budget Act of 1941 the sum of six thousand dollars (\$6,000), which sum shall be made available by the Director of Finance for the support of the Legislative Counsel Bureau for expenditure at any time during the Ninety-third and Ninety-fourth Fiscal Years.

Current expenses  
SEC. 2. Inasmuch as this act makes an appropriation for the usual current expenses of the State, it shall, pursuant to the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

## CHAPTER 17

*An act to add Section 6.90c to Article 6a, Chapter 2, Part 1, Division 6, of the School Code, relating to the establishment and maintenance of pilot training programs outside of the State by governing boards of junior colleges, declaring the urgency hereof, to take effect immediately.*

[Approved by Governor January 31, 1942. Filed with Secretary of State January 31, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. Section 6.90c is hereby added to Article 6a, Chapter 2, Part 1, Division 6, of the School Code, to read as follows: New section  
See also  
Stats 1943,  
Ch 71

6.90c. The governing board of any district which maintains a junior college may establish and maintain junior college classes outside of the State, comprising a part of an air craft pilot training program conducted by the district under an agreement with the Federal Government or any agency thereof, during the time that it is unlawful by reason of any law or order of the Federal Government or any agency thereof for such classes to be maintained within the district. Pilot training  
classes  
outside State

Such governing board may make such expenditures and do such things in connection with the establishment and maintenance of classes under this section as it could do were such classes established and maintained within the district.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity: Urgency

The United States of America is in a state of war. The continued maintenance of all parts of the public school system being essential to the welfare of the United States and the State of California, it is necessary that provision be made immediately for the continuance of the functions of the public school system during conditions which are caused by the existence of a state of war involving this country. It is therefore necessary that this act go into immediate effect.

## CHAPTER 18

*An act making an appropriation for the support of the State Controller, to take effect immediately.*

[Approved by Governor January 31, 1942. Filed with Secretary of State January 31, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. Out of any money in the State Treasury not otherwise appropriated the sum of seventy-eight thousand dollars (\$78,000) is hereby appropriated for the support of the Appropriation State  
Controller

State Controller until January 31, 1943, to be used for auditing and the collection of refunds, under the California Unemployment Relief Act of 1935.

Current  
expenses

SEC. 2. This act inasmuch as it makes an appropriation for the usual current expenses of the State shall under the provisions of Section 1 of Article IV of the Constitution take effect immediately.

## CHAPTER 19

Stats 1935,  
p. 1338,  
amended

*An act to amend Sections 555 and 556.1 of the Military and Veterans Code and to add Sections 555.2, 555.5, 555.6, 556.3 and 556.4 thereto, relating to the State Guard, providing for the pay, privileges, allowances and rights of the State Guard, for the organization and administration of the State Guard to permit the efficient operation thereof consistent with such privileges, allowances and rights, permitting school districts to make school buses available for use by the State Guard, making an appropriation for the operation, maintenance and organization of the State Guard and providing for the expenditure thereof, declaring the urgency of this act, and providing that it shall take effect immediately.*

In effect  
immediately

[Approved by Governor January 31, 1942. Filed with Secretary of State January 31, 1942.]

*The people of the State of California do enact as follows:*

Stats 1941,  
p. 392  
See also  
Stats 1943,  
Ch. 295  
Military  
laws and  
regulations

SECTION 1. Section 555 of the Military and Veterans Code is hereby amended to read as follows:

555. (a) The members of the State Guard or of a licensed military company when called into active service by order of the Governor shall be subject to all military penalties and punishments for violation of the orders of the Governor, or of any officer placed in command of such organization by order of the Governor, as are the members of the National Guard. They shall be subject to the Articles of War and the rules and regulations governing the National Guard. Members of a licensed military company shall receive the same pay and allowances while in active service as the members of the National Guard.

Pay and  
allowances

(b) Commissioned officers of the State Guard while in active service shall be paid a salary equivalent to the base pay only of officers of the same rank or grade in the United States Army.

No commissioned officer shall receive or be entitled to any additional salary, compensation or allowance, except commutation of rations, other than the salaries provided by this subdivision (b), except that any officer traveling on State Guard business may be reimbursed for his actual and necessary expenses on the same basis as is provided for State officers.

Enlisted men of the State Guard when in active service shall be paid two dollars (\$2) per day. The pay per day for enlisted men above the rank of private when in active service shall be as follows:

Privates First Class-----	\$2.20
Corporals -----	2.40
Sergeants -----	2.60
Staff Sergeants -----	2.80
First Sergeants and Technical Sergeants-----	3.00
Master Sergeants -----	3.25

Commutation of rations, if allowed to any officer or enlisted man, shall not exceed one dollar and twenty cents (\$1.20) per day.

Officers and enlisted men in the nautical and marine force when in active service shall receive the same pay and allowances as are provided in this section for officers and enlisted men of comparable rank or grade in the infantry.

SEC. 2. Section 555.2 is hereby added to the Military and Veterans Code, to read as follows:

New section  
See also  
Stats 19 13,  
Ch 295  
Active and  
reserve  
memberships

555.2. Officers and enlisted men in the State Guard shall not be required to perform full-time active service except within the limitations provided in this code. Each officer and enlisted man who is now in the State Guard shall have the right to determine whether he desires to be enrolled in the active membership or in the reserve forces of the State Guard. Officers and enlisted men who hereafter become members of the State Guard shall be enrolled either in the active membership or in the reserve forces as may be indicated by them, within the maximum numerical limitations provided in this section. In order that the privileges and rights of the members of the State Guard in this respect may be exercised as completely as possible consistent with the need of the State for an adequate mobile force available for general duty and a sufficient reserve force in the State Guard to meet any emergency that may arise, to the end that the State Guard may effectively perform its functions in protecting the people of this State, the State Guard shall be reorganized and administered as provided in this section and in accordance with the provisions of this code not inconsistent with this section.

(a) The State Guard is part of the active militia of the State. All of the members of the State Guard are hereby declared to be engaged in military service within the meaning of that term as used in Article XXIV of the Constitution of this State and are exempt from civil service.

The State Guard shall consist only of the following:

1. The Adjutant General, and the commissioned and enlisted personnel comprising his staff.

Organization  
generally

2. Infantry, consisting of not more than 13 regiments, including a quartermasters regiment to be organized on the same basis as hereinafter provided for infantry regiments.

3. The nautical and marine force with an enlisted strength not in excess of 700 men, consisting of not more than five naval units and two companies of marines.

Infantry  
Regiments

(b) 1. The Adjutant General shall organize not more than 13 regiments of infantry in the State Guard of a maximum strength of not more than 2,160 enlisted men in each regiment. Of this number, not more than 720 men shall constitute the active membership, and the remainder shall constitute the reserve forces. Each regiment shall consist of three battalions of not exceeding four companies in each battalion.

For each regiment there shall be one colonel or lieutenant colonel, not exceeding three majors, one officer having the rank of not higher than captain who shall act as regimental adjutant, one officer having the rank of lieutenant who shall act as regimental supply officer, three medical officers having the rank of not higher than captain, and one chaplain with the rank of first lieutenant.

Each regiment shall have one regimental staff sergeant and one regimental supply sergeant, and each battalion shall have one sergeant major.

Each company shall consist of not more than 60 enlisted men constituting its active membership, and, in addition, not to exceed 120 men organized into four platoons constituting the reserve force. The reserve force of a company may consist of platoons organized in different counties, but all of the membership of a reserve force platoon shall consist of men enlisted in the same county.

Companies

Each company shall be commanded by a captain or first lieutenant and shall have one lieutenant in addition thereto. The noncommissioned officers for the active membership in each company shall be one first sergeant, three duty sergeants and six corporals. In addition thereto there shall be appointed for each company one lieutenant for each platoon of the reserve force, together with the necessary noncommissioned officers therefor. Commissioned officers in command of reserve force platoons shall constitute a part of the reserve force.

Additional  
platoons

If it appears to be in the best interests of the State to enlarge the reserve force of any regiment or company beyond the maximum strength provided in this subdivision, The Adjutant General may provide for the organization of additional platoons of the reserve force, to be attached to such company or companies as he may designate.

Area  
commanders

The Adjutant General may designate any regimental commander as an area commander and shall prescribe his duties, but such officer shall not receive any additional compensation.

Nautical and  
marine force

2. The Adjutant General may organize the nautical and marine force of the State Guard into not more than five separate naval units designated "ship's companies" and not more than two separate companies of marines.

Ship's  
company

Each ship's company shall consist of not more than 100 enlisted men. The officers of a ship's company shall be one

lieutenant senior grade, two lieutenants junior grade, and three ensigns. Warrant officers and rated men selected from the enlisted men of a ship's company shall be of the same number and grades as are prescribed by the laws and regulations of the United States for similar organizations of the United States Navy.

Each company of marines shall consist of not more than 100 enlisted men. Each company shall be commanded by a captain or first lieutenant and shall have not to exceed three lieutenants in addition thereto. The noncommissioned officers for each company of marines shall be of the same number and grades as are authorized or prescribed by the laws and regulations of the United States for companies of marines of comparable strength.

A chaplain with the rank of lieutenant junior grade shall be appointed for the nautical and marine force.

Within the numerical limit on the maximum strength of the nautical and marine forces, the units thereof shall consist of such number of the active membership or of the reserve force, or both, as may be determined by The Adjutant General, but the total active membership of the infantry regiments shall be reduced by the number of men in the nautical and marine force who comprise a part of the active membership of the State Guard. All of the provisions of law relating to the State Guard and the members thereof are applicable to the nautical and marine force except as otherwise expressly provided.

(c) No officer or enlisted man in either the active membership or the reserve force shall be paid except for the period of his active, full-time service, but all members of the State Guard, whether in the active membership or the reserve forces, shall be paid for their full-time active service.

(d) 1. If the Governor by proclamation declares any county or city or portion thereof to be in a state of insurrection, as provided in Section 143 of the Military and Veterans Code, or if the State is actually invaded by a foreign enemy force, he may call into active service all or any part of the active membership of the State Guard not then on duty and, in addition thereto, such portion or all of the reserve force as he may deem necessary, to serve until the termination of the state of insurrection or the invasion.

2. During such time as the United States is engaged in war, the Governor, in addition to his power to call forth the militia either under Section 1 of Article VIII of the Constitution or as provided in paragraph 1 of this subdivision (d), shall have power to call into full-time active service such part of the active membership of the State Guard, not exceeding 7,000 enlisted men together with the officers provided therefor, for service in any part of the State for the performance of such duties as may be necessary. The provisions of this paragraph constitute a limitation upon the power to call the State Guard into active service under Section 554.

Regimental  
adminis-  
tration

3. In addition to the men in active service as provided in paragraph 2 of this subdivision (d), in each regiment not to exceed three officers and not more than 12 enlisted men may be called into active service on a full-time basis for the administration of the regiment.

Non-com-  
pensatory  
limited  
service

4. The members of any unit of the State Guard, including both the active membership and the reserve forces, may at any time voluntarily serve on limited active duty, without compensation of any kind, pursuant to the authorization thereof by the Governor or The Adjutant General and subject to such general or special orders as the Governor or The Adjutant General may issue, whenever such service is requested by a sheriff or chief of police for assistance in connection with National defense problems.

Officer  
qualifications

(e) Any person appointed and commissioned an officer of the State Guard shall successfully pass such tests as to his physical, moral and professional fitness as The Adjutant General may prescribe. Officers of the rank of captain or higher, other than medical officers, shall have had active commissioned service, either in the Army of the United States or the United States Marine Corps in command of troops in one of the combatant arms or in the United States Navy, or shall have had at least one year of commissioned service in the State Guard. Commissioned officers shall have the same qualifications as are required of commissioned officers in the United States Army in any case where professional qualifications, other than military, are prescribed by Federal law, rules or regulations for such officers. The examination to determine the qualifications for commissions of officers shall be conducted by a board of three commissioned officers appointed by The Adjutant General.

Removal and  
release from  
active service

The Adjutant General shall remove and release from active service any officer now in the State Guard who does not have the qualifications provided in this subdivision (e). The Adjutant General, with the approval of the Governor, shall remove or release such number of officers and enlisted men of the several ranks or grades as may be necessary to reduce the total number thereof to the maximum number authorized by this section, and in doing so shall be guided by the records of efficiency, training and experience of the officers and men to the end that a high standard of efficiency and experience shall be maintained in the State Guard. Each member now in the State Guard shall elect in writing whether he desires to serve in the active State Guard or the reserve force thereof and shall thereupon and within 30 days after the effective date of this section be transferred in accordance with such election, within the maximum numerical limits of each as provided herein.

Election

Efficiency  
board

At any time the moral character, capacity and general fitness for the service of any State Guard officer may be determined by an efficiency board of three commissioned officers

senior in rank to the officer whose fitness for service shall be under investigation, such board to be appointed by The Adjutant General, and if the findings of such board be unfavorable to such officer and be approved by The Adjutant General and the Governor he shall be discharged.

(f) No member of the State Guard shall by reason of service therein be entitled to any pension, bounty, bonus, or gratuity, and no member shall be entitled to workmen's compensation insurance benefits by reason of service in the State Guard except for traumatic injuries incurred as a direct result of active service therein in time of war or National emergency.

Benefits limited

SEC. 3. Section 555.5 is hereby added to the Military and Veterans Code, to read as follows:

New section  
See also  
Stats 1943,  
Ch 295

555.5. Upon request of a regimental commander the governing board of any school district may permit the State Guard to use any school bus owned by the district, without charge, for the transportation of members of the State Guard engaged in State Guard activities. Such use of any school bus by the State Guard shall not impose any liability by reason thereof upon the district or the members of the governing board thereof.

Use of school busses

SEC. 4. Section 556.1 of said code is hereby amended to read as follows:

Stats 1941,  
p 2291

556.1. The Governor is authorized to organize and maintain a State Guard within the limitations thereon provided in this chapter.

See also  
Stats 1943,  
Ch 295  
Governor's  
authority  
generally

SEC. 5. Section 556.3 is hereby added to said code, to read as follows:

New section  
See also

556.3. The shoulder ornament required by Section 556.2 as part of the uniform of members of the State Guard shall be blue in color with the words "State Guard" lettered thereon. Such ornaments shall forthwith be supplied to and worn by all members of the State Guard.

Stats 1943,  
Ch 295  
Shoulder  
ornament

SEC. 6. Section 556.4 is hereby added to said code, to read as follows:

New section  
See also  
Stats 1943,  
Ch 295

556.4. No officer or member of the State Guard shall be paid for active service at any time subsequent to 120 days after the effective date of any Federal law providing for the organization of State or home guards under the direction or control of the United States Government.

Federal,  
State or  
home guard  
law

SEC. 7. Section 555.6 is hereby added to said code, to read as follows:

New section  
See also  
Stats 1943,  
Ch 295

555.6. (a) Members of the State Guard shall have the right to unemployment insurance benefits and it is the purpose of this section to provide such benefits without loss because of active service with the State Guard.

Unemploy-  
ment  
insurance

(b) Benefit rights of members of the State Guard shall be determined in accordance with the provisions of the Unemployment Insurance Act, except as otherwise provided in this section.

Benefit  
rights



Determi-  
nation

(c) Where there are 45 days (hereinafter referred to as the minimum period) or more days of active service within any calendar quarter of the base period as determined under Section 52.2 of the Unemployment Insurance Act, then his benefits shall be determined under whichever of the following methods results in the higher maximum total amount of benefits payable:

Base  
period

1. The base period is to be determined in accordance with Section 52.2 of the Unemployment Insurance Act.

2. (i) The base period is to consist of the first four out of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year, except that every calendar quarter in which the individual was in active service with the State Guard for the minimum period or more days shall be excluded from the base period and, in lieu of each excluded calendar quarter, a calendar quarter prior to the normal base period shall be considered until there are four calendar quarters, none of which contain the minimum period or more days of active service in the State Guard, from which to determine his benefits.

Employers  
chargeable

(ii) Where benefits are computed and paid upon the basis provided in subparagraph (i), that proportion of benefits based upon quarters within the normal base period as defined in Section 52.2 of the Unemployment Insurance Act, shall be charged against the account of employers employing the individual during the normal base period quarters and that proportion of benefits based upon quarters outside the normal base period shall not be charged against any employer.

Payment  
by U S

(d) If, under an act of Congress, payments with respect to the unemployment of individuals who have completed a period of active service in the State Guard are payable by the United States, an individual shall be disqualified for benefits with respect to any week for which he receives such payments and no benefits shall be paid under the Unemployment Insurance Act until he has exhausted all his rights to such payments from the United States.

Appropri-  
ation  
See also  
Stats 1943,  
Ch 295

SEC. 8. In addition to any other moneys available by law, there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of seven million, nine hundred thirty-four thousand, three hundred sixty-five dollars (\$7,934,365) to be expended during the Ninety-third and Ninety-fourth Fiscal Years for the equipment, support and maintenance of the State Guard, including not to exceed eight thousand five hundred dollars (\$8,500) for the administrative expenses of the State Controller in connection therewith.

Staff  
salaries

None of the money appropriated by this act shall be available for payment of the salaries of the personnel comprising the staff of The Adjutant General, but such salaries shall be paid from funds heretofore made available for that purpose.

No part of the appropriation made by this act shall be available or shall be expended for payment to any commissioned officer of a salary or allowance in excess of salary and allowance for such officer as set forth in Section 555 of the Military and Veterans Code as amended by Section 2 of this act. Salaries of officers

Pursuant to rules adopted by The Adjutant General and approved by unanimous vote of the State Board of Control, the Controller shall audit and allow all proper claims incurred by officers and troops of the State Guard in the service of the State against the appropriation made therefor by this act and shall draw his warrant for any amount so approved and allowed and the Treasurer shall pay the same. Audits by Controller

Claims so audited and allowed are exempt from the provisions of law relating to the audit and allowance of claims by the Department of Finance.

The Adjutant General may without at the time furnishing vouchers and itemized statements draw from this appropriation the sum of three hundred thousand dollars (\$300,000) for a revolving fund where cash payments are necessary. After said sum has been withdrawn, no further money may be withdrawn and deposited in the revolving fund until moneys previously withdrawn, deposited in the revolving fund and expended have been accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Controller. Revolving fund

The expenditure of the appropriation made by this act to The Adjutant General for the State Guard shall be exempt from Sections 664, 669, 675a and 677.5 of the Political Code and from an act entitled "An act to create a State Purchasing Department, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers, and duties and to fix the compensation of the officers and employees thereof, and to appropriate money for the support of said department; and to repeal all acts or parts of acts in conflict with the provisions of this act," approved May 15, 1915. Exemption  
Stats 1915,  
p 508

SEC. 9. This act shall be known and may be cited as the California Guard Act of 1942. Short title  
See also  
Stats 1943,  
Ch 295

SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows: Urgency  
See also  
Stats 1943,  
Ch 295

The declaration of war by the United States and the fact that the State of California is an area designated as a combat zone necessitate an immediate redefining of the rights and privileges of the State Guard and adequate provision in connection therewith for providing an effective State Guard to meet the demands of State and National defense. It is also necessary that adequate funds be made available to the State

Guard in order that it may perform its functions properly in this critical period.

Operator  
and effect  
See also  
Stats 1913,  
Ch 295

SEC. 11. If any section, subsection, subdivision, sentence, clause or phrase of this act is for any reason held to be not in immediate effect, it is the express legislative intent that such decision shall not affect the immediate operation or validity of the remaining portions of this act.

It is the intent of the Legislature that this entire act shall take effect immediately and that if any portion thereof can not, under the Constitution of this State, so take effect, that all of the remaining provisions hereof shall take effect immediately and that such portion or portions, if any, that can not take effect immediately, shall take effect at the time provided by law. Any portion of this act that may for any reason be held to be not in immediate effect is hereby expressly declared to be severable from the remaining portions of this act.

Further, in the event it is determined that the inclusion of a provision in this act that can not take effect immediately would prevent this act from being construed to be an urgency measure, then any such provision in this act shall be held to be inoperative, and the remaining portions of this act shall take effect immediately.

Constitutionality  
See also  
Stats 1913,  
Ch 295

SEC. 12. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

## CHAPTER 20

*An act making an appropriation to the Division of Mines of the Department of Natural Resources, to take effect immediately.*

In effect  
immediately

[Approved by Governor February 10, 1942. Filed with Secretary of State February 10, 1942.]

*The people of the State of California do enact as follows:*

Appropriation  
Division of  
Mines

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, the sum of fifty-two thousand five hundred dollars (\$52,500) is hereby appropriated for expenditure by the Division of Mines, Department of Natural Resources, during the Ninety-third and Ninety-fourth Fiscal Years, as provided in this act.

Of the sum appropriated by this act, not more than thirty-seven thousand five hundred dollars (\$37,500), if and when expended, may be expended for the additional support of the Division of Mines of the Department of Natural Resources, and not more than fifteen thousand dollars (\$15,000), if and when expended, may be expended in augmentation of the Division of Mines Revolving Printing Fund.

Urgency

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public

peace, health and safety, and shall therefore in accordance with the provisions of Section 1 of Article IV of the Constitution take effect immediately. The facts constituting such necessity are as follows:

Due to the existence of war between the United States and the Axis Powers, new and unprecedented demands have been made upon the Division of Mines of the Department of Natural Resources for purposes for which there is a lack of funds available. This act by supplying these funds will enable the division to adequately perform its functions. If this money is not made available the division will not be able to function and as a result the public peace, health and safety will be in danger.

## CHAPTER 21

*An act to amend Section 3.93 of the School Code, relating to the public school system, declaring the urgency thereof, and providing that this act shall take effect immediately.*

[Approved by Governor February 10, 1942. Filed with Secretary of State February 10, 1942.] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. Section 3.93 of the School Code is hereby amended to read as follows:

3.93. The governing board of any high school district or unified school district may provide for the maintenance on Saturday of special day and evening classes in vocational training authorized or provided for by any program of National defense of the Federal Government, or any agency thereof, acting through the State Department of Education.

No apportionments from State funds based upon average daily attendance in such special day or evening classes shall be made where the total cost of the classes is borne by the Federal Government, or any agency thereof.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of facts constituting such necessity:

The United States of America is in a state of war. The continued maintenance of all parts of the public school system being essential to the welfare of the United States and of California, it is necessary that provision be made immediately for the continuance of the functions of the public school system during conditions which exist as a result of the existence of a state of war involving this country. It is therefore necessary that this act become effective immediately.

Stats 1941,  
p 361  
See also  
Stats 1943,  
Ch. 71  
Vocational  
training  
classes

Federal  
subsidy

Urgency

## CHAPTER 22

*An act to amend Sections 3.223, 4.721, 4.740, 4.751 and 4.752 of the School Code, all relating to the public school system, declaring the urgency thereof, and providing that this act shall take effect immediately.*

In effect [Approved by Governor February 10, 1942. Filed with Secretary of State  
immedia ely February 10, 1942 ]

*The people of the State of California do enact as follows:*

Stats 1941,  
p 1654  
See also  
Stats 1943,  
Ch 71  
Classes  
outside  
boundaries

SECTION 1. School Code Section 3.223 is hereby amended to read as follows:

3.223. The governing board of any school district, may, except as otherwise herein provided, establish and maintain outside of the boundaries of such district, for persons in the service of the United States or of the State of California assigned to, or serving at any camp, post, or other place under the jurisdiction of the United States or of the State of California, or for persons evacuated from such district by order of any military officer of the United States or the State of California to meet an emergency created by war, or of any civil officer of the United States, the State of California, or any county, city and county, or city thereof duly authorized to order such evacuation to meet an emergency created by war, any schools or classes which such board may lawfully establish and maintain within the boundaries of such district.

Consent

The governing board of such district shall not maintain any school or class for other than persons evacuated therefrom, under the provisions of this section in any other school district without the consent of the governing board of such other district.

SEC. 2. School Code Section 4.721 is hereby amended to read as follows:

Sch. C,  
1929, p 185  
See also  
Stats 1943,  
Ch. 71  
Apportion-  
ment where  
teaching  
prevented  
by war, etc.

4.721. A district which is prevented by fire, flood, or prevailing epidemic, or by any order of any military officer of the United States or the State of California to meet an emergency created by war, or of any civil officer of the United States, the State of California, or any county, city and county, or city thereof duly authorized to issue such order to meet an emergency created by war, or other extraordinary conditions from maintaining a school for the length of time designated in this article, or a district that has not been able to secure or hold a teacher, or a district in which the illness of the teacher has prevented the holding of the required number of days of school, which fact must be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the board of school trustees and the county superintendent of schools, is nevertheless entitled to its apportionment of State and county school moneys.

SEC. 3. School Code Section 4.740 is hereby amended to read as follows:

4.740. Where a school in a district maintaining more than one school is closed for a part of a term by order of a city or county board of health or of the State Board of Health, on account of contagious disease, or where such school has been closed on account of fire, flood, or other public disaster, or by order of any military officer of the United States or the State of California to meet an emergency created by war, or of any civil officer of the United States, the State of California, or any county, city and county, or city thereof duly authorized to order such school closed to meet an emergency created by war, the average daily attendance of said school shall be estimated separately and added to the average daily attendance of the other schools of the district.

Sch. C.  
1929, p. 187  
See also  
Stats. 1943,  
Ch. 71  
A D A of  
school closed  
by war, etc

SEC. 4. School Code Section 4.751 is hereby amended to read as follows:

4.751. The average daily attendance of any school district in which the average daily attendance shall have been materially decreased during any school year, because of conflagration, impassable roads or other public calamity or because of epidemic of unusual duration and prevalence, or because of an order of any military officer of the United States or the State of California due to an emergency created by war, or of any civil officer of the United States, the State of California, or any county, city and county, or city thereof duly authorized by law to issue such order due to an emergency created by war, shall be estimated by the Superintendent of Public Instruction in such manner as to credit to the school district for apportionment purposes approximately the total average daily attendance which would have been earned therein had the conflagration or other public calamity or epidemic or emergency not occurred.

Stats. 1935,  
p. 932  
See also  
Stats. 1943,  
Ch. 71  
Estimate  
of district  
A D A where  
decrease  
because of  
war, etc.

SEC. 5. School Code Section 4.752 is hereby amended to read as follows:

4.752. In case of conflagration or other public calamity, or because of the inability to maintain any school or schools, or class or classes, because of an order of any military officer of the United States or the State of California due to an emergency created by war, or of any civil officer of the United States, the State of California, or any county, city and county, or city thereof duly authorized to issue such order due to an emergency created by war, the Superintendent of Public Instruction shall decide whether the attendance of such district has been affected sufficiently to justify the application of the provisions of this article and shall notify the superintendent of schools of the county in which such school district is situated of his decision.

Sch. C.,  
1929, p. 186  
See also  
Stats. 1943,  
Ch. 71  
Decision re  
application  
of article

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of

Urgency

Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of facts constituting such necessity:

The United States of America is in a state of war. The continued maintenance of all parts of the public school system being essential to the welfare of the United States and of California, it is necessary that provision be made immediately for the continuance of the functions of the public school system during conditions which exist as a result of the existence of a state of war involving this country. It is therefore necessary that this act become effective immediately.

Constitutionality

SEC. 7. If any provision of this act or the application thereof to any person or circumstances is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

## CHAPTER 23

*An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, and declaring that this act shall take effect immediately.*

In effect immediately

[Approved by Governor February 12, 1942, with the reduction hereunder noted. Filed with Secretary of State February 12, 1942.]

I object to the appropriation of \$35,000.00, and hereby reduce the sum to \$5,055.62. My reasons for reducing the amount of said appropriation are as follows:

Section 9 of Article V of the Constitution provides, in connection with special sessions of the Legislature that the Legislature

"When so convened (it) shall have no power to legislate on any subjects other than those specified in the proclamation, but may provide for the expenses of the session, and other matters incidental thereto."

This bill appropriates \$35,000.00 for the contingent expenses of the Assembly, including expenses of committees. At the First and Second Extraordinary Sessions of 1941-1942, the Assembly by resolutions allocated from the Assembly Contingent Expense Fund a total sum of \$5,055.62 to cover the various expenses incurred at such sessions of the Legislature, including \$2,500.00 allocated for the Assembly's share of the expenses of the Joint Legislative Budget Committee (known as the Committee of Twenty-two). These allocations were made by the following resolutions: H. R. 7, 10, 19, 22, 26, 64, 66, 67; A. C. R. 19 of the First Special Session; and H. R. 9 of the Second Session. The balance of the \$35,000.00 appropriated by this bill, to wit, the sum of \$29,944.38, was appropriated to cover the expenses of committees created at the regular session of the Legislature to investigate matters which have no direct relation to the subjects which the Legislature was to consider at the special sessions.

Therefore, the appropriation for such committees does not come within the constitutional authorization of the Legislature to "provide for the expenses of the session and other matters incidental thereto."

The \$5,055.62 appropriation which I have approved will cover all of the expenses of the sessions, and other matters incidental thereto.

CULBERT L. OLSON,  
Governor of California

Dated: February 12, 1942.

*The people of the State of California do enact as follows:*

Appropriation  
Contingent  
expenses of  
Assembly

SECTION 1. The sum of thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the contingent expenses of the Assembly, including expenses of committees.

SEC. 2. Inasmuch as this act makes an appropriation for the usual current expenses of the State it shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

## CHAPTER 24

*An act augmenting the Emergency Fund to provide money for the support of the University of California, declaring the urgency thereof, to take effect immediately.*

[Approved by Governor February 20, 1942. Filed with Secretary of State February 24, 1942.]

In effect  
Immediately

*The people of the State of California do enact as follows.*

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated to the Emergency Fund, established by Item 216 of the Budget Act of 1941, the sum of five hundred thousand dollars (\$500,000), which sum shall be made available by the Director of Finance for the use of and the expenditure by The Regents of the University of California for the support of the University of California.

Appropriation  
Emergency  
Fund Uni-  
versity of  
California

SEC. 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution of the State of California, and, therefore, shall go into effect immediately. The following is a statement of the facts constituting such necessity:

Urgency

The emergency created by reason of the fact that the United States is at war with Japan, Germany and Italy makes it necessary that persons desiring and qualified to enroll in the University of California be enabled so to enroll in advance of the time at which such persons would in the ordinary course of events be enabled so to do, and that persons now in attendance at said University be enabled to complete their respective courses of instruction therein in advance of the time at which such persons under existing circumstances would be able so to do, all to the end that the number of trained persons qualified to lend assistance in the matter of National defense may be augmented as rapidly as may be possible. In order that this purpose may be accomplished, it is necessary that the University of California, without delay, offer courses of instruction to be given at an additional regular session of the University to be conducted each year over a period of approximately sixteen (16) weeks. In order that such courses of instruction may be offered, it is necessary that this act take effect immediately.



## CHAPTER 25

*An act making an appropriation for the support of the State Controller, to take effect immediately.*

In effect [Approved by Governor February 24, 1942. Filed with Secretary of State  
immediately February 26, 1942 ]

*The people of the State of California do enact as follows:*

Appropri-  
ation State  
Controller-

SECTION 1. Out of any money in the State Treasury not otherwise appropriated there is hereby appropriated twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, in augmentation of any other money made available by law, to be expended as may be necessary at any time during the Ninety-third and Ninety-fourth Fiscal Years for the support of the State Controller.

Urgency

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California and shall therefore take effect immediately. The following constitutes a statement of the facts constituting such necessity:

In order to expedite the handling of pay rolls for State agencies, it is necessary to install new equipment and facilities and to devise new procedure. Unless the existing facilities and methods are substantially changed it will not be possible to clear pay rolls within the time provided by law, particularly in view of the increasingly large number of deductions (such as for employee retirement, and employee group insurance) which the Controller is required to make. So that State pay rolls may be cleared expeditiously and within the time allowed by law, it is necessary that this act take effect immediately.

---

---

CONCURRENT AND JOINT  
RESOLUTIONS

FIRST EXTRA SESSION

1941 - 1942

---

---

# CONCURRENT AND JOINT RESOLUTIONS

ADOPTED AT THE FIRST EXTRA SESSION OF THE  
FIFTY-FOURTH LEGISLATURE

## CHAPTER 1

*Senate Concurrent Resolution No. 1—Relative to Joint Rules of the Legislature.*

[Filed with Secretary of State December 22, 1941.]

*Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Rules of the Senate and the Assembly adopted at the Fifty-fourth Session of the California Legislature be and the same are hereby adopted as joint rules of this Extraordinary Session.*

## CHAPTER 2

*Senate Concurrent Resolution No. 4—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the fourth day of November, 1941.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, The City and County of San Francisco, State of California, contains a population of over 500,000 inhabitants, and has been ever since the eighth day of January, in the year 1932, and is now organized and acting under a freeholder's charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the twenty-sixth day of March, 1931, and approved by the Legislature of the State of California and filed in the office of the Secretary of the State on the fifth day of May, 1931 (Statutes of 1931, page 2973); and

WHEREAS, The legislative authority of said city and county, namely the board of supervisors thereof, duly proposed to the qualified electors of the City and County of San Francisco

an amendment to the charter of said City and County of San Francisco by the submission of the following proposal, to wit:

#### CHARTER AMENDMENT NO. 2

**ELECTIVE OFFICERS AND TERMS.** Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said City and County by amending Section 5 thereof, changing the date of the election of the Assessor and providing for the dates of all other elective officers of the City and County of San Francisco, as well as the dates of the election of Municipal Court judges.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County of San Francisco, at an election to be held therein on November 4, 1941, a proposal to amend the Charter of said City and County by amending Section 5 thereof, changing the date of the election of the Assessor and providing for the dates of all other elective officers of the City and County of San Francisco, as well as the dates of the election of Municipal Court judges.

#### CHARTER AMENDMENT

##### ELECTIVE OFFICERS AND TERMS

Elective  
officers  
and terms

Section 5. The mayor, the members of the board of supervisors, an assessor, a district attorney, a city attorney, a sheriff, a treasurer, a public defender, and municipal court judges shall be elected by the voters of the city and county. At the general municipal election in 1943, and at the general municipal election in every fourth year thereafter, there shall be elected a mayor, six supervisors, a district attorney and a sheriff, and at the general municipal election in 1945, and at the general municipal election in every fourth year thereafter, there shall be elected five supervisors, a city attorney, and a treasurer, and at the general election in 1942, and at the general election in every fourth year thereafter there shall be elected an assessor and a public defender. All of the aforesaid officials shall be elected for a term of four years from the commencement of their respective terms as herein specified. The term of the assessor who shall hold office on the 8th day of January, 1943, shall expire at twelve o'clock noon on said date, and the person elected assessor at the general election in 1942 shall succeed to said office at twelve o'clock noon on said 8th day of January, 1943.

Municipal  
judges

At the general municipal election in 1943, there shall be elected four municipal court judges to succeed those judges whose respective terms of office expire on the 8th day of January, 1944, and at the general municipal election in each sixth year after 1943 the successors to said four municipal court judges shall be elected, and at the general municipal

election in 1945 there shall be elected four municipal court judges to succeed those judges whose respective terms of office expire on January 8, 1946, and at the general municipal election in each sixth year after 1945, the successors to said last mentioned judges shall be elected, and at the general municipal election in 1947, there shall be elected four municipal court judges to succeed those judges whose respective terms of office expire on the 8th day of January, 1948, and at the general municipal election in each sixth year after 1947, the successors to said last mentioned judges shall be elected. The term of each municipal court judge shall be six years from and after twelve o'clock noon on the 8th day of January following his election. All terms of office of elective officials shall begin at twelve o'clock noon on the 8th day of January following the date of their election.

Any appointive officer or employee of the city and county who shall become a candidate for election by the people to any public office shall automatically forfeit such city and county office or position.

Forfeiture of office

No person elected as mayor or supervisor shall be eligible, for a period of one year after his last day of said service as mayor or supervisor, for appointment to any full-time position carrying compensation in the city and county service.

Eligibility for full-time position

Should this amendment not be approved by the Legislature of the State of California so that the office of assessor may be voted for at the general election to be held in November, 1942, as in this section provided, then in that event the term of the incumbent in the office of assessor at twelve o'clock noon on the 8th day of January, 1943, shall not expire at twelve o'clock noon on said date but shall continue until the 8th day of January, 1944, and the office of assessor shall be filled at the general municipal election in 1943 for a three year term from said date, and said office of assessor shall again be filled at the general election in 1946 for a four year term from said date, and at the general election in each fourth year thereafter.

Assessor

Ordered submitted—Board of Supervisors, San Francisco, September 8, 1941.

Ayes: Supervisors Colman, McGowan, McSheehy, Mead, Meyer, Ratto, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter Amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

DAVID A. BARRY,  
Clerk.

Sept. 20—1t

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO } ss.

This is to certify that we, WARREN SHANNON, President of the Board of Supervisors of the City and County of San Francisco, and DAVID A. BARRY, Clerk of the Board

Certificate

of Supervisors of said City and County, have compared the foregoing proposed and ratified amendment to the Charter of the said City and County of San Francisco with the original proposal, submitting the same to the electors of said City and County at a general election held on Tuesday, the Fourth day of November, One Thousand Nine Hundred Forty-one, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendment to said Charter are true.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the same to be authenticated by the seal of the City and County of San Francisco, this 18th day of December, One Thousand Nine Hundred Forty-one.

WARREN SHANNON

President of the Board of Supervisors  
of the City and County of San Francisco.

[SEAL]

DAVID A. BARRY

Clerk of the Board of Supervisors  
of the City and County of San Francisco.

and

WHEREAS, Said legislative authority, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and within fifteen (15) days of said proposals, caused said proposed amendment to said charter to be published, once in the official newspaper of the said City and County of San Francisco and each edition thereof issued or published on the date of said publication, to wit, in "The San Francisco Call-Bulletin," a newspaper of general circulation in the City and County of San Francisco and the official newspaper of said City and County; and

WHEREAS, Said legislative body caused copies of said charter amendment to be printed in convenient pamphlet form and in type of not less than 10 point, and caused copies thereof to be mailed to each of the qualified electors of said City and County of San Francisco, and until the day fixed for the election upon said charter amendment, advertised in said "The San Francisco Call-Bulletin," a newspaper of general circulation in the City and County of San Francisco, a notice that copies of said charter amendment could be had upon application therefor at the office of the board of supervisors; and

WHEREAS, The said legislative authority of said city and county ordered placed upon the ballot at a general municipal election to be held in the City and County of San Francisco on the fourth day of November, 1941, the said proposal to amend the charter of the City and County of San Francisco; and

WHEREAS, Said general municipal election was held in said City and County of San Francisco on the fourth day of November, 1941, which day was more than 40 days and less than 60 days from the completion of the publication of said proposed charter amendment for one day in said "The San

Francisco Call-Bulletin" and each edition thereof as hereinbefore set forth; and

WHEREAS, The board of supervisors of said city and county did thereafter, in regular meeting assembled, by resolution duly adopted by said board and entered in the minutes thereof, direct that a canvass of said election held on the fourth day of November, 1941, be immediately begun and made by the registrar of voters of said city and county, it appearing to said board of supervisors that at the time of the commencement of said canvass all of the returns of said election held on the fourth day of November, 1941, from each election precinct in the City and County of San Francisco in which polls were opened had theretofore been received by the said registrar of voters; and

WHEREAS, Pursuant to said resolution, the said registrar of voters did duly canvass all of the returns from each of the election precincts in the City and County of San Francisco in which polls were opened for voting on the said fourth day of November, 1941, and did thereafter, and upon the completion of said canvass, report and make to the board of supervisors of said City and County of San Francisco his official statement of the votes cast at said general municipal election held on Tuesday, the fourth day of November, 1941, showing the vote cast for and against the proposition voted upon at such election, and declaring the result thereof; and

WHEREAS, From the said canvass and official statement made by said registrar of voters of the vote cast at said general municipal election so held on the fourth day of November, 1941, it appeared that the proposed amendment to the said charter of the City and County of San Francisco was ratified by a majority of electors of said city and county voting thereon, said amendment being Charter Amendment No. 2 submitted to the electors to be voted upon on November 4, 1941; and said board of supervisors did, by resolution duly adopted on the twenty-fourth day of November, 1941, so declare; and

WHEREAS, The said charter amendment so ratified by the electors of the City and County of San Francisco is now submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration or amendment in accordance with the provisions of Section 8, Article XI of the Constitution of the State of California; now, therefore, be it

*Resolved by the Senate of the State of California, the* Approval  
*Assembly thereof concurring,* A majority of all the members elected to each house voting therefor and concurring therein, that said amendment to the charter of the City and County of San Francisco, as proposed to, and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same is hereby approved as a whole without amendment or alteration, for and as amendment to, and as part of the charter of the City and County of San Francisco.

## CHAPTER 3

*Senate Concurrent Resolution No. 5—Expressing regret at the illness of the Honorable J. I. Wagy.*

[Filed with Secretary of State December 22, 1941.]

J I Wagy

WHEREAS, At this Extraordinary Session of the Fifty-fourth Legislature the Senator from Kern County is unable to be in attendance through illness; and

WHEREAS, His colleagues desire to express their deep regret for the temporary absence of their esteemed friend and the consequent loss of his valued advice and assistance; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That warmest sympathy and highest hopes for the speedy and complete recovery of the Honorable J. I. Wagy, of Kern County, are hereby expressed; and be it further

*Resolved,* That the Secretary of the Senate be hereby directed to forward a suitably prepared copy of this resolution to the Honorable J. I. Wagy.

## CHAPTER 4

*Senate Concurrent Resolution No. 6—Relative to calling upon the Governor and other State officials to preserve the strictest economy during the present war emergency and instructing the Legislative Auditor to observe the extent to which this is done.*

[Filed with Secretary of State December 22, 1941.]

Economy  
in State  
offices

WHEREAS, The United States of America can not apply its maximum strength toward the winning of the great war in which it is now engaged unless all of its resources, whether public or private, are made available for its tremendous war needs; and

WHEREAS, Every expenditure by this State, however desirable during time of peace, which does not advance the war effort of this country diverts resources otherwise available for that effort and deprives the inhabitants of this country of funds which would otherwise be available to pay the mounting Federal taxes and to purchase defense bonds and stamps; and

WHEREAS, The funds now available for expenditure by the various departments and other agencies of this State were appropriated by the Legislature prior to the present war emergency, and, hence, this Legislature did not approve their expenditure under present conditions; and



WHEREAS, The present State taxes were imposed at a time when the United States was not at war, and, therefore, there is no indication by the Legislature that the State is warranted in imposing these taxes at the present time; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Governor of this State, the Director of Finance, and all State departments and agencies, whether self-supporting or supported from the General Fund, undertake to reduce all expenditures to the minimum amounts required to maintain services necessary in themselves or necessary to further the war effort; and be it further

*Resolved,* That all heads of State departments and other agencies are urged to appraise immediately every possibility of securing economy in their respective departments or agencies, including, whenever possible, leaving vacant the positions of State employees leaving the departments or agencies; and be it further

*Resolved,* That the Legislative Auditor is instructed to observe the extent to which the policies expressed in this resolution are carried out and to make periodic reports thereon to the Joint Legislative Budget Committee; and be it further

*Resolved,* That the Secretary of the Senate is directed to furnish copies of this resolution to the Governor, Director of Finance, and the Legislative Auditor.

---

## CHAPTER 5

*Senate Concurrent Resolution No. 3—Relative to requesting the Department of Motor Vehicles to furnish local draft boards with information necessary to prevent draft evasion.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, These are times of war in which the United States is allied with other democracies in a struggle to preserve the principles on which this Government was founded; and

WHEREAS, It is vital to the attainment of success in this struggle that every citizen of this Nation support to the fullest the policies established by the National Government for reaching that goal; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Director of Motor Vehicles be and he is hereby respectfully requested and urged to supply the local draft boards of this State with information in his possession concerning such requests for changes in the statement of material facts, such as the licensee's age or physical description, contained in an operator's or chauffeur's license, or in an application for the renewal thereof, as

Submission of information to draft boards by Director of Motor Vehicles

indicated in the director's opinion a desire or attempt on the part of the licensee or applicant to falsify records for the purpose of evading his responsibilities under the selective service law.

---

## CHAPTER 6

### *Assembly Concurrent Resolution No. 2—Relative to the death of Assemblyman James M. Cassidy.*

[Filed with Secretary of State December 22, 1941.]

James M.  
Cassidy

WHEREAS, Since the final adjournment of the regular session of this Legislature in June of this year, eternal rest has come to the Honorable James M. Cassidy, member of the Assembly; and

WHEREAS, James M. Cassidy for five regular sessions, encompassing a span of nine years, did well and truly represent an important section of the great metropolitan area of Oakland, having at all times, however, the paramount welfare of the people of the entire State in mind; and

WHEREAS, The unselfish devotion of his life to public service by our former colleague may well in these times of danger and war serve as a brilliant example to his fellow citizens; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the members of this Legislature express their deep sorrow at the passing of their respected colleague and friend; and be it further

*Resolved,* That the Chief Clerk of the Assembly be and he is hereby directed to have suitably prepared copies of this resolution presented to members of James M. Cassidy's family.

---

## CHAPTER 7

### *Assembly Concurrent Resolution No. 1—Relative to punishment for felons.*

[Filed with Secretary of State December 22, 1941.]

Release of  
felons

WHEREAS, The maintenance of civil order during periods of National peril is a paramount concern to the public; and

WHEREAS, Persons inclined to crime, and especially crime for pecuniary gain, must be dissuaded therefrom during such periods by every effective means; and

WHEREAS, Rehabilitation of such persons must be considered secondary to the maintenance of a feeling of security by law-abiding citizens in their property and their lives while their efforts are diverted from their private interests to the interests of the Nation; now, therefore, be it

*Resolved*, That the Board of Prison Terms and Paroles is hereby urged to afford maximum protection from antisocial persons by resolving any doubt as to the propriety of release or parole of felons before the expiration of the maximum term provided by law, in favor of the public.

## CHAPTER 8

*Assembly Concurrent Resolution No. 3—Approving amendment to the Charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the fourth day of November, 1941.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, The City and County of San Francisco, State of California, contains a population of over 500,000 inhabitants, and has been ever since the eighth day of January, in the year 1932, and is now organized and acting under a freeholder's charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the twenty-sixth day of March, 1931, and approved by the Legislature of the State of California and filed in the office of the Secretary of the State on the fifth day of May, 1931 (Statutes of 1931, page 2973); and

City and  
County of  
San Fran-  
cisco:  
Charter  
amendment  
See also  
Res Chap 2

WHEREAS, The legislative authority of said city and county, namely the board of supervisors thereof, duly proposed to the qualified electors of the City and County of San Francisco an amendment to the charter of said City and County of San Francisco by the submission of the following proposal, to wit:

### CHARTER AMENDMENT NO. 2

**ELECTIVE OFFICERS AND TERMS.** Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said City and County by amending Section 5 thereof, changing the date of the election of the Assessor and providing for the dates of all other elective officers of the City and County of San Francisco, as well as the dates of the election of Municipal Court judges.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County of San Francisco, at an election to be held therein on November 4, 1941, a proposal to amend the Charter of said City and County by amending Section 5 thereof, changing the date of the election of the Assessor and providing for the dates of all other elective officers of the City and County of San Francisco, as well as the dates of the election of Municipal Court judges.

CHARTER AMENDMENT  
ELECTIVE OFFICERS AND TERMS

Elective  
officers  
and terms

Section 5. The mayor, the members of the board of supervisors, an assessor, a district attorney, a city attorney, a sheriff, a treasurer, a public defender, and municipal court judges shall be elected by the voters of the city and county. At the general municipal election in 1943, and at the general municipal election in every fourth year thereafter, there shall be elected a mayor, six supervisors, a district attorney and a sheriff, and at the general municipal election in 1945, and at the general municipal election in every fourth year thereafter, there shall be elected five supervisors, a city attorney, and a treasurer, and at the general election in 1942, and at the general election in every fourth year thereafter there shall be elected an assessor and a public defender. All of the aforesaid officials shall be elected for a term of four years from the commencement of their respective terms as herein specified. The term of the assessor who shall hold office on the 8th day of January, 1943, shall expire at twelve o'clock noon on said date, and the person elected assessor at the general election in 1942 shall succeed to said office at twelve o'clock noon on said 8th day of January, 1943.

Municipal  
judges

At the general municipal election in 1943, there shall be elected four municipal court judges to succeed those judges whose respective terms of office expire on the 8th day of January, 1944, and at the general municipal election in each sixth year after 1943 the successors to said four municipal court judges shall be elected, and at the general municipal election in 1945 there shall be elected four municipal court judges to succeed those judges whose respective terms of office expire on January 8, 1946, and at the general municipal election in each sixth year after 1945, the successors to said last mentioned judges shall be elected, and at the general municipal election in 1947, there shall be elected four municipal court judges to succeed those judges whose respective terms of office expire on the 8th day of January, 1948, and at the general municipal election in each sixth year after 1947, the successors to said last mentioned judges shall be elected. The term of each municipal court judge shall be six years from and after twelve o'clock noon on the 8th day of January following his election. All terms of office of elective officials shall begin at twelve o'clock noon on the 8th day of January following the date of their election.

Forfeiture  
of office

Any appointive officer or employee of the city and county who shall become a candidate for election by the people to any public office shall automatically forfeit such city and county office or position.

Eligibility  
for full-time  
position

No person elected as mayor or supervisor shall be eligible, for a period of one year after his last day of said service as mayor or supervisor, for appointment to any full-time position carrying compensation in the city and county service.

Should this amendment not be approved by the Legislature of the State of California so that the office of assessor may be voted for at the general election to be held in November, 1942, as in this section provided, then in that event the term of the incumbent in the office of assessor at twelve o'clock noon on the 8th day of January, 1943, shall not expire at twelve o'clock noon on said date but shall continue until the 8th day of January, 1944, and the office of assessor shall be filled at the general municipal election in 1943 for a three year term from said date, and said office of assessor shall again be filled at the general election in 1946 for a four year term from said date, and at the general election in each fourth year thereafter.

Ordered submitted—Board of Supervisors, San Francisco, September 8, 1941.

Ayes: Supervisors Colman, McGowan, McSheehy, Mead, Meyer, Ratto, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter Amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

DAVID A. BARRY,  
Clerk.

Sept. 20—1t

STATE OF CALIFORNIA }  
CITY AND COUNTY OF SAN FRANCISCO } ss.

This is to certify that we, WARREN SHANNON, President of the Board of Supervisors of the City and County of San Francisco, and DAVID A. BARRY, Clerk of the Board of Supervisors of said City and County, have compared the foregoing proposed and ratified amendment to the Charter of the said City and County of San Francisco with the original proposal, submitting the same to the electors of said City and County at a general election held on Tuesday, the Fourth day of November, One Thousand Nine Hundred Forty-one, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendment to said Charter are true.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the same to be authenticated by the seal of the City and County of San Francisco, this 18th day of December, One Thousand Nine Hundred Forty-one.

WARREN SHANNON  
President of the Board of Supervisors of  
the City and County of San Francisco.

[SEAL]

DAVID A. BARRY  
Clerk of the Board of Supervisors of  
the City and County of San Francisco.

and

WHEREAS, Said legislative authority, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and within fifteen (15) days of said proposals, caused said proposed amendment to said charter to be published, once in the official newspaper of the said City and County of San Francisco and each edition thereof issued or published on the date of said publication, to wit, in "The San Francisco Call Bulletin," a newspaper of general circulation in the City and County of San Francisco and the official newspaper of said city and county; and

WHEREAS, Said legislative body caused copies of said charter amendment to be printed in convenient pamphlet form and in type of not less than 10-point, and caused copies thereof to be mailed to each of the qualified electors of said City and County of San Francisco, and until the day fixed for the election upon said charter amendment, advertised in said "The San Francisco Call Bulletin," a newspaper of general circulation in the City and County of San Francisco, a notice that copies of said charter amendment could be had upon application therefor at the office of the board of supervisors; and

WHEREAS, The said legislative authority of said city and county ordered placed upon the ballot at a general municipal election to be held in the City and County of San Francisco on the fourth day of November, 1941, the said proposal to amend the charter of the City and County of San Francisco; and

WHEREAS, Said general municipal election was held in said City and County of San Francisco on the fourth day of November, 1941, which day was more than 40 days and less than 60 days from the completion of the publication of said proposed charter amendment for one day in said "The San Francisco Call Bulletin" and each edition thereof as hereinbefore set forth; and

WHEREAS, The board of supervisors of said city and county did thereafter, in regular meeting assembled, by resolution duly adopted by said board and entered in the minutes thereof, direct that a canvass of said election held on the fourth day of November, 1941, be immediately begun and made by the registrar of voters of said city and county, it appearing to said board of supervisors that at the time of the commencement of said canvass all of the returns of said election held on the fourth day of November, 1941, from each election precinct in the City and County of San Francisco in which polls were opened had theretofore been received by the said registrar of voters; and

WHEREAS, Pursuant to said resolution, the said registrar of voters did duly canvass all of the returns from each of the election precincts in the City and County of San Francisco in which polls were opened for voting on the said fourth day of November, 1941, and did thereafter, and upon the completion

of said canvass, report and make to the board of supervisors of said City and County of San Francisco his official statement of the votes cast at said general municipal election held on Tuesday, the fourth day of November, 1941, showing the vote cast for and against the proposition voted upon at such election, and declaring the result thereof; and

WHEREAS, From the said canvass and official statement made by said registrar of voters of the vote cast at said general municipal election so held on the fourth day of November, 1941, it appeared that the proposed amendment to the said charter of the City and County of San Francisco was ratified by a majority of electors of said city and county voting thereon, said amendment being Charter Amendment No. 2 submitted to the electors to be voted upon on November 4, 1941; and said board of supervisors did, by resolution duly adopted on the twenty-fourth day of November, 1941, so declare; and

WHEREAS, The said charter amendment so ratified by the electors of the City and County of San Francisco is now submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration or amendment in accordance with the provisions of Section 8, Article XI of the Constitution of the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* Approval A majority of all the members elected to each house voting therefor and concurring therein, that said amendment to the charter of the City and County of San Francisco, as proposed to, and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same is hereby approved as a whole without amendment or alteration, for and as amendment to, and as part of the charter of the City and County of San Francisco.

## CHAPTER 9

*Assembly Concurrent Resolution No. 4—Relative to reemployment of members of the State Guard called into active service.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, The outbreak of war between the United States and the Axis powers has necessitated the taking of all possible steps to protect and safeguard vital public, private, military, and naval facilities against hostile attack and sabotage; and Reemployment of State Guardsmen

WHEREAS, Many members of the State Guard have been and will be summoned into active service for the performance of this essential duty, in many instances for an indefinite time and away from their homes; and

WHEREAS, Many of the men in the guard enlisted only in anticipation of limited intermittent service in the vicinity of their homes and families; and

WHEREAS, The requirement of full-time active service away from home and family is causing great hardship to the men affected and to their families, particularly men who were in private employment; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate concurring,* That all private employers of members of the State Guard who are called into active service are urged to reinstate all such guard members in their former positions upon their release from active duty.

---

## CHAPTER 10

*Assembly Concurrent Resolution No. 5—Commending Fred E. Stewart, member of the State Board of Equalization, for his effective representation of the State of California with respect to certain sales, use and motor vehicle fuel tax matters.*

[Filed with Secretary of State December 22, 1941]

Fred E.  
Stewart

WHEREAS, Through enactment of Chapters 681 and 836, Statutes of 1941, payment of sales, use and motor vehicle fuel taxes arising out of transactions with contractors engaged in construction of National defense facilities on a cost-plus-a-fixed-fee basis has been deferred, pending a final decision in a court of last resort that such taxes are applicable; and

WHEREAS, The United States Supreme Court, in decisions pertaining to taxes imposed by the State of Alabama, held on November 10, 1941, that such contractors were not the purchasing agents of the United States and, accordingly, that the transactions enjoyed no constitutional immunity from State taxation; and

WHEREAS, These decisions of the Supreme Court sustained the position advanced before this Legislature at its last session by the State Board of Equalization, as the administrative agency for the assessment and determination of California sales, use and motor vehicle fuel taxes; and

WHEREAS, It became of vital importance to the State of California to secure agreement from the Federal authorities that full force and effect should be given to these decisions in California, thereby terminating the deferment of tax liability arising out of deliveries of commodities to such contractors; and

WHEREAS, Marked initiative was shown by Honorable Fred E. Stewart, Member of the State Board of Equalization from the Second District, in proceeding to Washington, D. C., for the purpose of conferring with Federal officials and securing their agreement, as evidenced by memoranda issued by the



War and Navy Departments and the Maritime Commission, confirming the application of California sales, use and motor vehicle fuel taxes in these transactions; and

WHEREAS, Honorable Fred E. Stewart, under date of December 17, 1941, has made a comprehensive report of his activity on behalf of the State of California in obtaining recognition from Federal authorities of the right of the State to these taxes which are substantial in amount; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate concurring,* That Honorable Fred E. Stewart be hereby commended for his outstanding service to the State in pointing out to the members of this Legislature the need for laws such as Chapters 681 and 836, Statutes of 1941, as well as for his initiative, resourcefulness, and perseverance in assuring local application of the doctrines enunciated in the United States Supreme Court decisions of November 10, 1941, upholding the imposition of Alabama taxes, thereby putting to an end any further uncertainty as to the payment of California taxes arising out of similar transactions, to the benefit not only of the State Government, but to all persons therewith concerned.

## CHAPTER 11

### *Assembly Concurrent Resolution No. 6—Relative to the untimely death of Captain Colin P. Kelly, Jr.*

[Filed with Secretary of State December 22, 1941]

WHEREAS, On December 9, 1941, in the line of his duty as a commissioned officer of the United States Air Corps, Captain Colin P. Kelly, Jr., of Madison, Florida, bravely died in the defense of his beloved country at the very outset of the struggle which was thrust upon this country by the perfidy of a professed friend; and

WHEREAS, Captain Kelly in his sincere desire to make certain that victory would be attained by the United States of America scored three hits by bombs on vessels of the enemy and made the supreme sacrifice in so doing; and

WHEREAS, The action of Captain Kelly resulted in the sinking of the Japanese Battleship Haruna off of Luzon Island on December 9, 1941, the first Japanese battleship destroyed in this great war; and

WHEREAS, In making this sacrifice for his beloved country Captain Kelly left behind him a loving wife and child, his wife bearing all of the burden of this tragedy in the same manner that all good American wives bear similar tragedies, stating publicly that her 26-year-old husband, Captain Colin P. Kelly, Jr., placed his heart and soul in flying for the United States Air Corps; now, therefore, be it

*Resolved that the Assembly of the State of California, the Senate concurring, Extends to Mrs. Colin P. Kelly, Jr., its deepest expressions of sorrow in her hour of bereavement upon the death of her courageous husband; and be it further*

*Resolved, That the Chief Clerk of the Assembly transmit to Mrs. Colin P. Kelly, Jr., a suitably engrossed copy of this resolution.*

## CHAPTER 12

*Assembly Concurrent Resolution No. 7—Relative to adjournment out of respect to the memory of the late Morris Bedford Harris.*

[Filed with Secretary of State December 22, 1941.]

Morris  
Bedford  
Harris

WHEREAS, On August 23, 1941, Providence set a period to the long and distinguished career of a devoted public servant, the Honorable Morris Bedford Harris; and

WHEREAS, MORRIS BEDFORD HARRIS, born in Albion, Illinois, in 1866, entered into the practice of law in Fresno, California, in 1895, and thereafter served the people of the State of California in numerous public offices, including membership on the State Board of Education in 1915 and 1916, service in the State Senate from 1918 to 1926, membership on the State Highway Commission from 1927 to 1931, and membership on the Railroad Commission from 1931 to 1937; and

WHEREAS, During his tenure of office in the State Senate the people of California and the members of the Legislature were privileged to benefit by his legal learning and his wise counsels concerning legislation, particularly in respect to various aspects of water law whose importance to this State can not be overestimated, as well as in respect to the control of the sale and consumption of alcoholic beverages; and

WHEREAS, The people of the entire State mourn the passing of a fellow citizen so public-spirited, distinguished, and revered; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate concurring, That when the Legislature adjourns this day it do so out of respect to the memory of the late Morris Bedford Harris; and that the members of the Legislature do hereby extend to his family their deepest sympathy; and be it further*

*Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably engrossed copies of this resolution to the widow of Morris Bedford Harris, Mrs. Jessie Boggs Harris, of Fresno, to his daughter, Mrs. August F. Muentzer, of Berkeley, and to his son, Ronald Biddle Harris, of Fresno.*

## CHAPTER 13

*Assembly Joint Resolution No. 1—Relative to memorializing the Congress of the United States to enact pending legislation providing for civilian defense facilities.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, The United States is at present engaged in a relentless war with the Axis nations of Japan, Italy, and Germany; and

WHEREAS, This is a total war in which civilians and non-combatants are not spared from military and naval attacks, particularly bombing raids; and

WHEREAS, It is necessary that adequate facilities be provided for the protection of the lives of civilians and the maintenance of the morale of the Nation at large, such as air raid shelters, first-aid stations, and similar defense facilities; and

WHEREAS, There is now pending before the Congress of the United States proposed legislation (H. R. 5727) which calls for an appropriation of one hundred million dollars (\$100,000,000) to be expended in the providing for defense facilities such as those previously described; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Congress of the United States is hereby respectfully urged to enact into law the provisions of H. R. 5727; and be it further

*Resolved,* That the Chief Clerk of the Assembly forward copies of this resolution to the Speaker of the House of Representatives of the Congress of the United States and to each Senator and member of the House of Representatives from California in the Congress of the United States.

## CHAPTER 14

*Assembly Joint Resolution No. 2—Relative to sporting events held in the State of California.*

[Filed with Secretary of State December 22, 1941 ]

WHEREAS, In view of the state of war existing between the Governments of the Japanese Empire and the United States, the people of the United States in general and the people of the State of California in particular suddenly, and unexpectedly find their ordinary routine of daily living placed under more or less strict supervision and control; and

WHEREAS, The people of the State of California have shown by their actions that they are willing and anxious to cooperate with all the regulations of the military and civil authorities, and, if necessary, to sacrifice not only their property but even their lives, in defense of the United States; and

WHEREAS, It is essential that public spirit be kept at the highest possible level in order not to impair this expression by the people of the State of California of their devotion and willing cooperation; and

WHEREAS, In view of the sudden events which have thus far transpired, the civil authorities of the State, together with the military authorities, have ordered the cancellation of various sporting events usually indulged in during ordinary times, and it appears that due principally to that reason we are experiencing apprehension which is gradually undermining the public morale in California and in some cases has already caused hysteria among the civilian population; and

WHEREAS, In England, a country easily within reach of enemy shells and bombs, all sporting activities, including such sports as boxing, tennis, football, and horse racing were restored within a few weeks after the outbreak of the war in order to build the morale of its civilian population. During the trying times recently passed there were held such events as the Wembley Football Finals on May 10, 1941, with an estimated attendance of 60,000 persons, the football game between Scotland and England at Glasgow on May 4, 1941, at which an estimated crowd of 75,000 attended, and Derby Day at Newmarket on July 22, 1941, which found a crowd close to 100,000 in attendance. A recapitulation of the 1940 racing season, run at a time when England was in its direst state, reveals that approximately 2,246 horses ran in 519 races; and

WHEREAS, The cancellation of sporting events in the State of California has the direct result of throwing into unemployment many thousands of persons who otherwise would be employed in arranging for and conducting such sporting events, the reducing of many millions of dollars of tax revenues and license fees which otherwise would have been received by the State of California and which could be used for National and local defense purposes, and prevents the encouragement of agricultural, horticultural and live stock raising activities in the State of California due to the cutting off of the sources of funds from which premiums at agricultural fairs are paid; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That unless it is absolutely necessary to curtail such activities herein mentioned, all of our normal activities should be restored as much as possible, and the ban on conducting of sporting events should be raised, in order to maintain the present high level of public morale and prevent its undermining; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the Secretary of War and the Secretary of the Navy of the United States.

## CHAPTER 15

*Assembly Concurrent Resolution No. 9—Relative to distribution of legislative publications by the State Printer.*

[Filed with Secretary of State December 22, 1941.]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That in the distribution of legislative publications of this Extraordinary Session which convened on December 19, 1941, the State Printer shall be governed by the provisions of the Joint Rules of the Fifty-fourth Regular Session relating to its distribution of legislative publications, except that the charge for the distribution of a complete list of bills shall be fixed by the State Printer with the approval of the Director of Finance. Legislative publications

## CHAPTER 16

*Assembly Concurrent Resolution No. 10—Relating to the early closing of retail establishments during war.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, In this period of National emergency and threatened danger to lives and property of the people of this State, and in furtherance of the desires of the military authorities that both shoppers and workers depart from congested streets and arrive at their homes during daylight hours, many retail mercantile houses in various cities throughout the State have voluntarily agreed upon early closing hours, and have agreed not to remain open at night during a time of the year when such stores customarily maintain late hours to accommodate the Christmas trade, and have thus demonstrated their patriotic willingness to make substantial financial sacrifices in the interests of the safety and welfare of the people of their communities; and Closing retail establishments

WHEREAS, In these several communities a small minority of the owners and operators of competitive retail mercantile establishments have wilfully refused to conform to the closing hours observed by the majority of such establishments, apparently without realizing and understanding that such failure not only may endanger the lives and property of the people in their communities, and also that their failure to conform voluntarily to the need for early closing hours may result in drastic action by civil or military authorities to compel all establishments to close at an early hour; and

WHEREAS, It is the sense of the members of the Assembly and Senate that the early closing of retail mercantile stores during the winter months is vital to the safety and welfare of the people in this State, and that in all cases where such

closing hours are agreed upon by a majority of the retail mercantile stores in any community, such hours should be uniformly observed by all owners and operators of like or similar stores in the community; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature of the State of California condemns and deprecates the action of any and all retail merchants in this State who fail or refuse to observe the closing hours agreed upon by the majority of the owners and operators of competitive retail mercantile stores in their communities where such closing hours have been adopted in the interests of the public safety; and be it further

*Resolved,* That the Legislature hereby admonishes such merchants that their failure to conform to voluntary restrictions in this critical period may result in the imposition of drastic restrictions upon all retail establishments either by virtue of action on the part of this or other legislative bodies or by the exercise of the powers of the military authorities of the United States.

---

## CHAPTER 17

### *Assembly Concurrent Resolution No. 11—Relative to the holding of the State Fair in 1942.*

[Filed with Secretary of State December 22, 1941.]

State Fair

WHEREAS, The excitement and confusion incident to the first days following the entrance of the United States into the Second World War have given rise to a rumor that it may be necessary to cancel the 1942 California State Fair; and

WHEREAS, The holding of the State Fair is of great value in the furtherance and improvement of agriculture, by means of the dissemination of useful information concerning the production policies of the Nation and the demonstration of new techniques and tools; and the maintenance of agriculture in a flourishing state of ever-increasing productivity is no less essential to the successful prosecution of the war than to the prosperity of the Nation after victory is attained; and

WHEREAS, The holding of the State Fair at its accustomed time and place will contribute to the morale of the civilian population by continuing an established institution which provides the people of the State with the opportunity for needed relaxation and diversion, as well as information and education; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the board of directors of the State Agricultural Society and the State Department of Finance are hereby urged to proceed with plans for holding the State Fair in 1942, and not to abandon their plans for the fair, nor to cancel the 1942 State Fair except upon the urgent request or command of the military authorities.

## CHAPTER 18

*Assembly Concurrent Resolution No. 13—Relative to the revocation of certain paroles.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, Public confidence in the administration of justice has been undermined to a grave degree by the recent granting of paroles to King, Ramsay and Conner in the so-called "ship-murder case" in which goon-squad brutality and lawlessness perpetrated a most wanton crime; and

King.  
Ramsay.  
Conner  
Parole  
revocation

WHEREAS, The usual cry of "frame-up" that arises in favor of culprits of this ilk, and which, in this case, was stirred up by an organized and well-financed campaign, has been discredited and rejected by the Governor of California, as well as by the appellate courts that reviewed the record; and

WHEREAS, The Attorney General of this State has made the unequivocal declaration that in this case the paroles were granted because of political pressure, and it has been made evident that these convicts were granted special privileges within and outside the walls of San Quentin Prison because of such pressure; and

WHEREAS, The granting of parole or clemency to these men, who were convicted of one of the most hideous and cold-blooded murders in the criminal history of California, if unchecked, might appear to give encouragement to lawless elements and subversive groups to proceed with their infamous crimes, assured that they will be protected against the full consequences of their misdoings, thus inviting an outbreak of more vicious beatings and sluggings; and

WHEREAS, Many of the charges against the ill-considered granting of these paroles have been substantiated by sworn testimony submitted before a committee of the Assembly; and

WHEREAS, The grand jury of Alameda County, where the "ship-murder" case was tried, has assailed the granting of these paroles; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That in the interest of justice, and in support of the fair administration of our parole system, that the Governor of California be called upon to exercise his constitutional authority by revoking forthwith the paroles of King, Ramsay and Conner, and to compel these cruel murderers to serve out the considered sentences imposed on them in the manner provided by law.

## CHAPTER 19

*Assembly Joint Resolution No. 3—Relative to the full utilization of the Nation's skills and resources in the National Defense Program and the building of National unity, irrespective of race or color.*

[Filed with Secretary of State December 22, 1941.]

Racial discrimination

WHEREAS, Our Nation is presently engaged in a comprehensive Program of National Defense which requires education, training, and employment of its citizens in the military, industrial, and civil phases of our National life; and

WHEREAS, Racial discrimination has no place in this vital program or in our concept of American Democracy, as the building of National unity rests upon the existence of liberty and justice for all Americans; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the President and the Congress of the United States of America are hereby respectfully urged to prevent any and all racial discriminations in the National Defense Program, including admittance into the armed forces, employment in defense industries and with governmental agencies, and in the vocational training program; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to send a copy of this resolution to the President of the United States and to each Senator and Congressman from California in the Congress of the United States.

## CHAPTER 20

*Assembly Joint Resolution No. 4—Relating to priorities for the manufacture of farm machinery.*

[Filed with Secretary of State December 22, 1941.]

Agricultural equipment

WHEREAS, The United States Government has requested the farmers of this country to embark upon a program of greatly increased agricultural production in order to provide food for those nations resisting the Axis powers and to maintain the health and well being of the Army and the people of this country; and

WHEREAS, A serious shortage of agricultural labor has developed, due to the demands upon the manpower of the Nation by the Army and by the rapidly expanding defense industries; and

WHEREAS, Due to the conditions of farming in this State, the heavy types of soil, including peat, the rolling contour of the land, the specialty crops, and the planting of crops during rainy weather, heavy track laying crawler types of tractors and other special kinds of farm equipment are a necessity; and



WHEREAS, Manufacturers of farm equipment are not able to obtain sufficient raw materials to meet the needs of the farmers of this State for farm machinery and parts; and

WHEREAS, During 1941 all surplus production of farm equipment which had accumulated from former years plus the production of that year was completely sold out and a huge backlog of unfilled orders was accumulated, especially in labor-saving equipment; and

WHEREAS, Farm equipment parts are urgently needed to effect repairs so that machinery may be kept in use when it breaks down, in order to avoid situations similar to that which caused the loss of thousands of tons of beans in California during the 1941 season; and

WHEREAS, Farmers in California at the present time are canceling, and refusing to enter into, contracts for the raising of crops due to the inability to secure labor-saving equipment and parts therefor, to take the place of the former supply of agricultural labor; and

WHEREAS, The expected change from a priority to an allocation basis for the manufacture of farm machinery has been postponed to February 14, 1942, which will be too late to enable California farmers to secure the needed machinery for the coming season; and

WHEREAS, If the types of machinery required by California farmers to replace their customary labor supply are no longer available, such farmers may be compelled to enter upon the production of crops which under ordinary conditions are more economically produced by farmers in other parts of the Nation; and

WHEREAS, The slowing down of supplies urgently needed by specialty farm equipment manufacturers for the manufacture of special types of equipment is compelling their customers to rely upon equipment which is not suited to their needs; and

WHEREAS, Manufacturers of farm machinery are foregoing the opportunity of making profits in the production of war materials in order to keep available their manufacturing facilities for the production of farm machinery thereby safeguarding the raising of crops; and

WHEREAS, It is reported that farm equipment manufacturers are to be requested to cut their production during 1942 20 per cent of their 1940 production, which was 25 per cent less than 1941 production; and

WHEREAS, At the same time as the supply of farm machinery is to be decreased the farmers are requested to increase their production; and

WHEREAS, The farm machinery manufacturing industry only consumes 2 per cent of the steel produced in the United States; and

WHEREAS, It is urgently necessary to provide food for defense, to offset the farm labor shortage, to relieve the lack of machinery and parts experienced by farmers during the

year 1942 and to avoid falling short of the goal set by the Food For Defense Program, abandoning diversified farming and the soil conservation program, and lowering farmer morale to a dangerous point; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the President and the Congress of the United States be hereby respectfully memorialized to take such steps as will insure that supplies sufficient to meet the needs of the farmers of this State for agricultural equipment during the coming season, which has already begun, will be furnished the farm machinery manufacturing industry; and be it further

*Resolved,* That a copy of this resolution be sent to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Member of the House of Representatives from California in the Congress of the United States, to the Secretary of Agriculture and to the Office of Production Management, and that the Senators and Representatives of California are hereby respectfully requested to urge such action.

---

## CHAPTER 21

*Assembly Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to the fitness of California highways for military purposes.*

[Filed with Secretary of State December 22, 1941.]

Highway  
funds

WHEREAS, The United States of America has been attacked militarily by an Axis foreign nation and other Axis foreign nations have declared war on this country; and

WHEREAS, Such nations will do all things in their power to destroy our ability to protect ourselves in such an all-out war of destruction as they may be able to launch against us; and

WHEREAS, California is so situated geographically as to receive the first shocks of bombing from airships which may be launched against the Nation; and

WHEREAS, Numerous Federal defense facilities are located within this State; and

WHEREAS, All Federal defense projects depend more or less upon adequate highway transportation facilities for the movement of troops and munitions of war; and

WHEREAS, The highways of the State and of the counties are inadequate to handle the war traffic already imposed upon them; and

WHEREAS, Numerous strategic highways are comprised of only two lanes where four lanes are sorely needed to carry the extra traffic imposed by war conditions; and

WHEREAS, In numerous places, especially in mountainous regions, such highways would be subject to bombing destruction which would blockade the movement of troops and munitions; and

WHEREAS, The State is not financially able to improve such highways to support the extra traffic imposed by war conditions; and

WHEREAS, All such defense highways should be brought up to the highest efficiency at the earliest time possible; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the President and the Congress of the United States be, and they hereby are, respectfully memorialized and urged to do all things possible at an early date to make available to the Department of Public Works of the State of California sufficient funds to put the highways of California in an adequate condition for National defense; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives and to the Senators and Representatives from California in the Congress of the United States.

---

## CHAPTER 22

### *Assembly Joint Resolution No. 6—Relative to memorializing Congress to oppose federalization of State unemployment insurance and employment services.*

[Filed with Secretary of State December 22, 1941.]

WHEREAS, Proposals have been made and plans projected for the taking over by the Federal Social Security Board or other Federal agencies of the unemployment insurance and employment services now administered by the several States; and

Unemployment  
Insurance  
services

WHEREAS, The detailed administration of unemployment insurance and employment services is essentially a State function, dependent as it is upon local conditions of living and employment which often vary widely according to the locality, and is best carried on locally with only general advice and assistance from Washington instead of direction in detail; and

WHEREAS, The proposed federalization of the unemployment insurance and employment services calls for the pooling in one common fund of all the trust funds which have been established in the several States in the administration of their unemployment insurance and employment services, from which common Federal fund money may be withdrawn without regard to source for use in States which may not have contributed their proper share to the fund; and

WHEREAS, Federalization will mean to California, which has built up a substantial fund from the contributions of its workers and employers, the likely diversion of a good portion of the fund for use in other States which have lower rates of contributions, resulting in injustice and hardship to California employees; and

WHEREAS, It has been clearly established that federalization of unemployment insurance would completely eliminate experience rating provisions which are now a basic part of the California Unemployment Insurance Act and which preserve the insurance principle and maintain employer interest in unemployment insurance, thus preventing the program from becoming a mere dole; and

WHEREAS, This is not the first instance wherein agencies of the Federal Government have made attempts under the guise of National emergency to usurp functions and duties of the sovereign States; and

WHEREAS, The Employment Service as administered in California in spite of excessive domination by Federal agencies is able to render adequate service in connection with the fulfillment of its program; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That we, the members of the Legislature of the State of California, do hereby express our disapproval and condemnation of any plan to federalize State unemployment insurance and employment services, and do hereby urge that the Congress of the United States refuse to enact into law any federalization scheme; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby instructed to deliver copies of this resolution to the Representatives in Congress and the Senators from the State of California and to the Governor of this State together with the request that each and all of them do their utmost to oppose federalization of the unemployment insurance and employment services.

---

## CHAPTER 23

*Assembly Concurrent Resolution No. 17—Relative to adjournment out of respect to the memory of the late Myrtle Venelia Murray.*

[Filed with Secretary of State December 22, 1941.]

Myrtle  
Venelia  
Murray

WHEREAS, On November 29, 1941, there passed to her heavenly reward one of the best-loved and most faithful servants of the State, Myrtle Venelia Murray, administrative assistant in the Department of Public Works, and the only member of her sex ever to have held the office of Director of Public Works; and

WHEREAS, The history of her service to the State is the history of the State Department of Public Works, Miss Murray

having entered State service in 1911 as a stenographer in the former State Highways Division, one of the four members of its personnel, and having remained with that organization during its development through the first State Highway Department into the present Department of Public Works, with its personnel of more than 6,000 persons, save only for two periods when her invaluable services were required by Governor Hiram W. Johnson and Governor William D. Stephens as a member of their office staffs; and

WHEREAS, The appointment of Miss Murray as Director of Public Works, in 1932, by Governor James Rolph, Jr., evidenced an indebtedness to Miss Murray felt by thousands of men and women in public life throughout the entire State, an indebtedness which increased daily throughout her lifetime of faithful and devoted service, and which can never be repaid; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the members of the Legislature do hereby express, on behalf of themselves, her fellow employees, and the entire body of the people of California, their deep grief and sense of loss upon the passing of Miss Murray, and do hereby extend to the members of her family their profound sympathy and sincere condolences; and be it further

*Resolved,* That when the Senate and the Assembly adjourn this day they do so out of respect to the memory of Myrtle Venelia Murray; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit suitably engrossed copies of this resolution to the two sisters of our beloved friend, Mrs. Charles R. Elood and Miss Mary Murray of Sacramento.

## CHAPTER 24

*Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States to refrain from action calculated to exempt from State and local taxes the sale, purchase, storage, use or consumption of tangible personal property acquired by contractors in the performance of certain contracts with the United States.*

[Filed with Secretary of State December 24, 1941.]

WHEREAS, Representative Cochran of Missouri introduced on November 18, 1941, at the first session of the 77th Congress of the United States a bill numbered H. R. 6049, designed "to exempt from State and local taxes the sale, purchase, storage, use, or consumption of tangible personal property for use in performing defense contracts"; and

State tax exemption of sale or use of property for defense purposes

WHEREAS, The Supreme Court of the United States has recently reaffirmed that there is no violation of the constitutional immunity of the Federal Government from State taxation in the imposition of nondiscriminatory State taxes with

respect to transactions of those who contract with the United States; and

WHEREAS, Many of the States of the United States, including the State of California, rely in substantial part upon sales or use taxes for their revenues; and

WHEREAS, Other States not employing such methods of public finance impose other forms of taxation which of necessity must be reflected in the prices of tangible personal property acquired by contractors for use in performing contracts with the United States; and

WHEREAS, Enactment of H. R. 6049 would result in an unwarranted preference in favor of those States not employing sales or use taxes for their support as against those States which employ these methods for raising revenue; and

WHEREAS, Enactment of H. R. 6049 would result in serious disturbance to the revenue structures of a large number of the States of the United States, including California, in which sales and use taxes are imposed; and

WHEREAS, It is imperative to the welfare of the United States, as well as of all of the States within the Union, that nothing be done at this time to impair the National unity or to show any unjust preferment of a State or States over another State or States; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the State of California through its Legislature hereby respectfully urges that the Congress of the United States refrain from enactment of H. R. 6049 or any similar measure designed to exempt from State and local taxes the sale, purchase, storage, use or consumption of tangible personal property acquired for use in the performance of defense contracts; and be it further

*Resolved,* That the Governor is requested to transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives and to the Senators and Representatives of the State of California in the Congress of the United States.

---

## CHAPTER 25

### *Senate Joint Resolution No. 6—Relative to flood control on the Sacramento River.*

[Filed with Secretary of State December 24, 1941.]

Sacramento  
River flood  
control

WHEREAS, The levee on the west side of the Sacramento River between Glenn and Ord's Ferry, part of the project for flood control on the Sacramento River, is still in an incomplete state; and

WHEREAS, The original survey and plans called for the complete construction of the levee between those two points,

approximately seven miles apart, and the work already taken in hand will be of no avail unless carried through to its termination, since when the river overflows its banks about Glenn it will cause widespread floods not only to the north but also as far to the south as Princeton; and

WHEREAS, The State of California through the Reclamation Board has recently loaned nine hundred fifty thousand dollars (\$950,000) to the Federal Government for levee construction work and has not sufficient funds on hand to make further loans for that purpose; and

WHEREAS, The cost of the completion of the levee, exclusive of costs of rights of way, will be approximately one hundred fifty thousand dollars (\$150,000); now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of this State hereby respectfully urges the President and Congress of the United States to enact suitable legislation appropriating sufficient funds for the purposes specified in this resolution; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of War, and to each Senator and Representative from California in the Congress of the United States.

## CHAPTER 26

### *Senate Concurrent Resolution No. 2—Relative to the use of the State Relief Administration properties by The Adjutant General.*

[Filed with Secretary of State December 24, 1941.]

WHEREAS, The Department of Finance has taken charge and is conserving the properties of the State Relief Administration; and

SRA  
inventory  
See also  
Res  
Chap 52

WHEREAS, These properties are not presently needed by the State Relief Administration and are not in use; and

WHEREAS, The Adjutant General is urgently in need of all properties for defense purposes; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Director of Finance, the Relief Administrator and the Relief Commission are hereby directed to turn over and make available the full, free and complete use of such properties of the State Relief Administration as may be useful or necessary to The Adjutant General, without any charge or cost therefor against The Adjutant General; and be it further

*Resolved,* That the Relief Administrator, the Relief Commission and the Director of Finance are hereby directed to submit an inventory within 30 days after the effective date of

this resolution to the Secretary of the Senate, listing all properties used by the State Relief Administration and in the possession of the Director of Finance, the Relief Administrator or the Relief Commission on July 1, 1941; and be it further

*Resolved*, That the Director of Finance, the Relief Commission and the Relief Administrator are hereby directed to show in such inventory the properties remaining in the possession of the Relief Administrator, the Relief Commission and the Director of Finance or the effective date of this resolution, the persons to whom any such properties have been transferred to or otherwise made available to since July 1, 1941, and the effective date of this resolution; and be it further

*Resolved*, That the Director of Finance, the Relief Administrator and the Relief Commission are hereby directed to submit monthly lists showing what properties and the persons to whom transfers and dispositions are made in the future.

---

## CHAPTER 27

*Senate Concurrent Resolution No. 8—Relative to participation by the Lieutenant Governor, the President pro tempore of the Senate, and the Speaker of the Assembly in the activities of the Council of Defense.*

[Filed with Secretary of State December 24, 1941.]

Participation of legislative officers in Council of Defense work

WHEREAS, Section 16 of Article V of the Constitution of California provides for the devolution of the powers and duties of the office of Governor upon the Lieutenant Governor, the President pro tempore of the Senate, and the Speaker of the Assembly, in the order named, in the event of certain contingencies rendering the Governor inaccessible or incapacitated to discharge the powers and duties of his office; and

WHEREAS, It is essential to the well-being and defense of the State that the officers upon whom the powers and duties of the office of Governor may devolve be at all times fully informed and conversant with the activities of the State Council of Defense; and

WHEREAS, The officers upon whom the powers and duties of the office of Governor may devolve possess a wealth of information concerning the resources of the State and the functioning of the State Government, and are men experienced in the problems of statesmanship, legislation, and administration, so that their participation in the activities of the State Council of Defense would be of inestimable value to the council, and to the people of the State; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the State Council of Defense is hereby requested to invite the Lieutenant Governor, the President pro tempore of the Senate, and the



Speaker of the Assembly to meet with and participate in the work of the State Council of Defense, its committees and personnel, to same extent as members of the council appointed by the Governor, in so far as such participation may be constitutionally compatible with their respective positions as Lieutenant Governor and members of the Legislature.

## CHAPTER 28

### *Assembly Concurrent Resolution No. 15—Relative to a recess of the Fifty-fourth (Extraordinary) Session of the Legislature.*

[Filed with Secretary of State December 24, 1941.]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Fifty-fourth (Extraordinary) Session of the Legislature recess at 11 o'clock p.m., on the twenty-second day of December, 1941, to reconvene at 11 o'clock a.m., on the twelfth day of January, 1942; and be it further

*Resolved,* That in the event it appears to the Speaker of the Assembly and to the President pro tempore of the Senate to be for the best interests of the State that the Legislature and the Senate and Assembly thereof reconvene on a day prior to said twelfth day of January, 1942, they are expressly authorized and directed to call the Legislature and the Senate and Assembly thereof together to convene on a day and at an hour to be specified by them jointly in a notice of reconvening of the Legislature and the Senate and Assembly thereof. Duplicate copies of such notice shall be prepared and signed by the Speaker of the Assembly and the President pro tempore of the Senate. One copy shall be delivered to the Secretary of the Senate and the other copy shall be delivered to the Chief Clerk of the Assembly. Such delivery shall be made at least three days prior to the day set in the notice for such reconvening. Copies of the notice forthwith shall be mailed by the Secretary of the Senate to each member of the Senate at the home address for such member as shown by the records of the Secretary and copies shall be mailed by the Chief Clerk of the Assembly to each member of the Assembly at the home address for such member as shown by the records of the Chief Clerk. Following the giving of such notice of reconvening and the mailing of copies thereof, as herein provided, the Legislature and the Senate and Assembly thereof shall thereupon reconvene on the day and at the hour specified in such notice. The affidavits of the Secretary of the Senate and of the Chief Clerk of the Assembly that copies of any such notice were severally received by them and mailed to the members as herein provided shall be conclusive evidence of the facts therein stated.

## CHAPTER 29

*Assembly Joint Resolution No. 8—Relative to memorializing the Social Security Administration to re-examine and readjust old age pension schedules.*

[Filed with Secretary of State December 24, 1941.]

Old age  
pension  
schedules

WHEREAS, Since establishment of present old age pension schedules by the Social Security Administration there has been a substantial increase in the cost of living; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California does hereby urge and request the Federal Social Security Administration to re-examine present old age pension schedules with the objective of making such adjustments in the schedules as may be deemed proper to meet the changes in the cost of living; and be it further

*Resolved,* That the Speaker of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives and the Members of the House of Representatives and Senators from California.

## CHAPTER 30

*Assembly Concurrent Resolution No. 19—Relative to augmentation of the membership and functions of the Joint Legislative Budget Committee, and making additional funds available for the work of the committee.*

[Filed with Secretary of State December 24, 1941.]

Joint  
Legislative  
Budget  
Committee

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That for the duration of this Extraordinary Session of the Legislature which convened on the nineteenth day of December, 1941, and for the consideration of subjects of legislation specified in the proclamation by which this session was convened, the membership of the Joint Legislative Budget Committee (created by Senate Concurrent Resolution No. 22 at the Fifty-fourth Regular Session of the Legislature) is hereby augmented, as follows:

The Speaker of the Assembly shall appoint to said committee those members of the present Assembly Standing Committee on Rules who are not already members of the Joint Legislative Budget Committee, and the Senate Standing Committee on Rules shall appoint an equal number of members of the Senate to the Joint Legislative Budget Committee, to the end that during the time and for the purposes stated the membership of said joint committee be augmented by an equal number of members from each house;

Said additional memberships shall cease and terminate upon final adjournment of the Legislature at this Extraordinary Session and thereafter the membership of the Joint Legislative Budget Committee shall be the same as if this resolution had not been adopted; and be it further

*Resolved*, That during this Extraordinary Session, including any recesses thereof, the Joint Legislative Budget Committee (in addition to its existing powers and duties and not in derogation or diminution of any thereof) is charged with the duty of conducting studies and investigations and collecting information and data and reporting to the Legislature concerning any and all subjects specified in said proclamation; and be it further

*Resolved*, That in addition to moneys otherwise made available to the committee, the sum of five thousand dollars (\$5,000) is hereby appropriated from the Contingent Funds of the Senate and Assembly, to be expended equally from the Contingent Funds of the Senate and Assembly in carrying out the work of the committee and defraying the expenses of the committee and its members.

CHAPTER 31

*Assembly Concurrent Resolution No. 20—Approving one certain amendment to the charter of the City of Petaluma, County of Sonoma, State of California, voted for and ratified by the electors of the City of Petaluma at the general municipal election held therein on June 10, 1941.*

[Filed with Secretary of State January 14, 1942 ]

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of an amendment, hereinafter set forth, to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, as set out in the certificate of the mayor and ex officio presiding officer of the city council of the City of Petaluma and of the city clerk of the City of Petaluma, as follows:

City of  
Petaluma  
Charter  
amendment

CERTIFICATE OF THE MAYOR AND CITY CLERK,  
PETALUMA, CALIFORNIA, ON REPEAL OF SECTION  
15d OF ARTICLE 7 OF THE CITY CHARTER.

STATE OF CALIFORNIA, }  
COUNTY OF SONOMA. } ss.

We, the undersigned, JASPER S WOODSON, Mayor and ex officio presiding officer of the Council of the City of Petaluma, County of Sonoma, State of California, and GLADYS V. ROBERTS, the City Clerk of said City, do hereby certify and declare as follows:

Certificate

That the City of Petaluma is a municipal corporation in the County of Sonoma, State of California; that said City

now is and at all times herein mentioned was a City containing a population of approximately 8,000 inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States, and is now organized and existing and acting under a freeholders charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said City at an election duly held for that purpose in said City on the thirtieth day of August, 1910, and approved by the Legislature of the State of California by concurrent resolution filed with the Secretary of State on the seventh day of March, 1911 (Statutes 1911, page 1799).

That in pursuance of Section 8 of Article XI of the Constitution of the State of California, the Council of the City of Petaluma, the legislative body of said City, on its own motion, and by and in pursuance of Ordinance No. 537 C. S. passed and adopted by said City Council on the 5th day of May, 1941, duly submitted to the qualified electors and voters of the City of Petaluma, alternative proposals for the repeal or amendment of Section 15d of Article 7 of the Charter of said City, to be voted on by said qualified electors at said General Municipal Election, which said proposals were and are as follows, to-wit:

Park tax  
Repeal

Proposition 1. Shall Section 15d of Article 7 of the City Charter which now provides as follows:

“Sec 15d. The Council shall annually include in the general tax levy a tax of not more than six cents upon each one hundred dollars in valuation of property appearing upon the assessment rolls, for the maintenance and improvement of its parks. Such tax when collected, together with any other money given, donated, devised, or bequeathed to the City for park purposes shall constitute the park fund and shall be kept by the city treasurer separate from all other public money and shall be used and paid out only for the benefit of the city’s parks. All expenditures of said fund must be authorized by the board of park commissioners and all claims payable therefrom must be approved by said board before being presented to or allowed by the Council.”  
be repealed.

Proposition 2. Shall Section 15d of Article 7 of the City Charter be amended to read and provide as follows:

Sec. 15d. The Council shall annually include in the general tax levy, a tax of not more than eight cents upon each one hundred dollars in valuation of property appearing upon the assessment rolls, for the maintenance and improvement of its parks. Such tax when collected, together with any other money given, donated, devised, or bequeathed to the City for park purposes shall constitute the park fund and shall be kept by the city treasurer separate from all other public money and shall be used and paid out only for the

benefit of the city's parks. All expenditures of said fund must be authorized by the board of park commissioners and all claims payable therefrom must be approved by said board before being presented to or allowed by the council.

That notice of said proposals for the repeal and/or amendment of said Section 15d of the said City Charter was published and advertised in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and the Charter of the City of Petaluma, in the Petaluma Argus-Courier, a newspaper of general circulation published daily except Sundays in the City of Petaluma, being the official newspaper of said City.

That said notice of said proposals was published once in said official newspaper of said City and in each edition thereof during the day of publication for more than forty (40) days and less than sixty (60) days prior to the 10th day of June, 1941, when said General Municipal Election was held.

That at said General Municipal Election held on said 10th day of June, 1941, a majority of the qualified voters voting on Proposition No. 1 for the repeal of said Section 15d of Article 7 of the City Charter voted in favor of said Proposition No. 1 and in favor of the repeal of said Section 15d of Article 7 of the Charter of the City of Petaluma.

That at said General Municipal Election a majority of the qualified voters voting on said Proposition No. 2 for the amendment of said Section 15d of Article 7 of the City Charter voted against said Proposition No. 2 and against the amendment of said Section 15d of Article 7 of the City Charter, as set forth in said Proposition No. 2.

That the result of said election was by said City Council duly and regularly canvassed and certified to at the time and in the manner provided and required by law, and it was duly found, determined and declared by the said City Council of said City of Petaluma that a majority of the qualified electors of said City voting at said election on said Proposition No. 1 had voted in favor of said Proposition No. 1 and in favor of the repeal of said Section 15d of Article 7 of the City Charter, and it was duly found, determined and declared by the said City Council that a majority of the qualified electors of said City voting at said election on said Proposition No. 2 voted against said Proposition No. 2 and against the amendment of said Section 15d of Article 7 of the City Charter as set forth in said Proposition No. 2.

That the undersigned have compared the foregoing proposals with the original proposals submitting the repeal or amendment of said Section 15d of Article 7 of the City Charter and find that the same are full, true, correct and exact copies thereof.

WHEREFORE, the undersigned, for and on behalf of the people of the City of Petaluma, pray that the Legislature of

the State of California, pass and adopt a concurrent resolution by both Houses thereof, adopting, approving and ratifying the said repeal of said Section 15d of Article 7 of the Charter of said City of Petaluma.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of said City of Petaluma to be affixed hereto this 16th day of June, 1941.

J. S. WOODSON,  
Mayor and ex officio presiding officer of the  
City Council of the City of Petaluma

[SEAL]

GLADYS V. ROBERTS,  
City Clerk of the City of Petaluma

and

WHEREAS, The said proposed amendment as ratified as hereinbefore set forth, has been and now is duly presented and transmitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Approval

*Resolved by the Assembly of the State of California, the Senate concurring,* A majority of all the members elected to each house voting therefor and concurring therein, that said amendment to said charter of the City of Petaluma, as proposed and submitted to and adopted and ratified by the electors of said city, and as hereinbefore fully set forth, be and the same is hereby approved as a whole without alteration or amendment for and as an amendment to and as a part of the charter of the said City of Petaluma.

---

## CHAPTER 32

*Senate Concurrent Resolution No. 11—Relative to the retirement of Sacramento City Superintendent of Schools Charles C. Hughes.*

[Filed with Secretary of State January 14, 1942.]

Charles  
C. Hughes

WHEREAS, Charles C. Hughes has recently retired from the superintendency of the public schools of the City of Sacramento after 29 years of continuous service in that office; and

WHEREAS, During the incumbency of Superintendent Hughes the schools of the city have flourished, the population of the schools and the number of their employees have more than tripled, the number of units has expanded, and the entire school system has attained to a high degree of excellence; and

WHEREAS, The achievements of Superintendent Hughes, which have won him National recognition, include the establishment and development of courses of study, the establishment of the junior college, the school shop, and junior high schools, the betterment of vocational guidance and training, the provision of special facilities for physically handicapped and psychologically handicapped children, and the inauguration of departmental teaching, the "companion class" plan, and the continuous record plan; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature of the State of California does hereby thank and commend Superintendent Charles C. Hughes for his far-sighted and outstanding services in the office of city superintendent of schools and does congratulate the City of Sacramento upon its good fortune in having enjoyed those services for so long a period; and be it further

*Resolved,* That we wish for Superintendent Hughes many more years of active, generous participation in the life of the community; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit suitably engrossed copies of this resolution to former Superintendent of Schools Charles C. Hughes, and to the boards of education of the County and the City of Sacramento.

---

## CHAPTER 33

*Senate Concurrent Resolution No. 10—Relative to adjournment out of respect to the memory of the late Congressman Lee E. Geyer.*

[Filed with Secretary of State January 14, 1942 ]

WHEREAS, The State and Nation mourn the passing, On <sup>Lee E. Geyer</sup> October 11, 1941, of the Honorable Lee E. Geyer, Representative from California in the Congress of the United States, educator, and former Member of the Assembly of the State of California; and

WHEREAS, The Honorable Lee E. Geyer, born at Jetmore, Kansas, on September 9, 1888, not only shared the birthday of the State of California, but also served her devotedly and with distinction as a Member of the Fifty-first Legislature, and as one of her Representatives in Congress, bringing to the legislative deliberations the extensive knowledge of social sciences and educational matters which he had acquired at Baker University at Baldwin, Kansas, in graduate study at the universities of Wisconsin and Southern California, and in the practice of his profession of teacher in the high schools of Kansas, Arizona and California; and

WHEREAS, The Honorable Lee Geyer is affectionately remembered by his colleagues in the Legislatures of the State and Nation for his liberalism and scholarship, and by all of his fellow-citizens and former students for his distinguished services to them as legislator and teacher; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature of the State of California does hereby express its sorrow and deep sense of loss upon the demise of the Honorable Lee E. Geyer and extend its sincere sympathy to his widow, Mrs. Nelle Cordts Geyer, and to his sons, Robert Lee Geyer and John J. Geyer; and be it further:

*Resolved,* That when the respective Houses of the Legislature adjourn this day they do so in respect to the memory of the late Congressman Lee E. Geyer; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit suitably engrossed copies of this resolution to the members of the bereaved family, and to the board of education of the County of Los Angeles.

---

## CHAPTER 34

### *Assembly Joint Resolution No. 11—Relative to nondeductible income of recipients of old age assistance.*

[Filed with Secretary of State January 16, 1942.]

Social  
Security Act  
amendment

WHEREAS, Prior to July 1, 1941, the Old Age Security Law of the State of California permitted recipients of old age assistance to earn or receive from certain other specified sources sums not exceeding fifteen dollars (\$15) per month without deduction thereof from the amount of old age assistance which they would otherwise receive; and

WHEREAS, Certain amendments to Section 2(a) of Title I of the Federal Social Security Act, approved August 10, 1939, and effective July 1, 1941, require that the State agency administering old age assistance shall, in determining need, take into consideration any other income and resources of an individual claiming old age assistance; and the enactment of these amendments forced the State of California, with the greatest reluctance, to amend the Old Age Security Law of the State of California in accordance therewith; and

WHEREAS, The amended law operates to require the deduction of all earnings and other income of recipients of old age assistance from the allowances which they would otherwise receive, and so to discourage them from engaging in useful labor and rendering to the community valuable services which they are capable and eager to perform; and

WHEREAS, The future freedom of the United States and of a large part of the entire world depends upon full utilization of all of the resources of the Nation, whether of man-power or material, in the furtherance of the war effort; and



WHEREAS, The costs of the necessities of life have risen markedly and continue to rise, so that allowances of old age assistance which previously provided the recipients with a modest subsistence are now increasingly inadequate for their needs, and the desirability of permitting recipients to supplement their allowances from any available source is increasingly evident; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California does hereby memorialize the President and Congress of the United States to consider and enact such amendments to the Federal Social Security Act as may be necessary to restore to the recipients of old age assistance their former privilege of earning not more than fifteen dollars (\$15) per month without deduction from the amount of old age assistance which they would otherwise receive; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby 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, and to each Senator and Representative in Congress from the State of California.

---

## CHAPTER 35

### *Assembly Joint Resolution No. 17—Relative to flood control on the Sacramento River.*

[Filed with Secretary of State January 16, 1942.]

WHEREAS, It appears that the current budget for support of the United States Government now pending before the 77th Congress, Second Session, makes inadequate provision for the projects for the control of floods and other purposes in the Sacramento River, California, adopted by the acts approved March 1, 1917; May 15, 1928; August 26, 1937; and modified by Public Law No. 228, 77th Congress, Chapter 377, First Session (H. R. 4911); and

WHEREAS, The said Chapter 377 of Public Law No. 228 provides as follows:

“The projects for the control of floods and other purposes in the Sacramento River, California, adopted by the acts approved March 1, 1917, May 15, 1928, and August 26, 1937, are hereby modified substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered 205, 77th Congress, First Session, at an estimated cost of ten million five hundred thousand dollars (\$10,500,000) and also modified to provide for channel clearing, rectification, snagging, and bank protection on the Sacramento River and tributaries in Tehama County, and from Red Bluff southerly, at an additional estimated cost of one hundred fifty thousand dollars (\$150,000)”; and

Sacramento  
River flood  
control

WHEREAS, Said chapter was an authorization only, and to date no appropriation has been passed nor funds made available under said authorization; and

WHEREAS, Pursuant to Public Law No. 857, Chapter 884, 76th Congress, Third Session, and to Chapter 887, Statutes of 1941, California Legislature, the Reclamation Board of the State of California advanced to the Secretary of War on August 20, 1941, seven hundred fifty thousand dollars (\$750,000), and on October 8, 1941, an additional two hundred thousand dollars (\$200,000), or a total of nine hundred fifty thousand dollars (\$950,000), to finance operation of the district United States Engineers' Office in Sacramento, California, for the construction of certain project levees on the easterly and westerly side of the Sutter-Butte Bypass in order that said work might be completed before the flood season of 1942, with the understanding that the necessary appropriations authorized by Public Law No. 228 (H. R. 4911) would be provided by the Congress of the United States; and

WHEREAS, Failure to provide adequate moneys for the support of the said project will be a distinct weakening of the National defense and successful military offensive on the Pacific Coast, in view of the fact that the Sacramento River Flood Control Project represents an investment of seventy million dollars (\$70,000,000) by the Federal Government and the State of California, affording protection to important and primary military facilities such as McClellan Field, Mather Field, Sacramento Municipal Airport, Stockton Airport, Marysville Airport, proposed Army cantonments, and to a network of highways of primary military importance, railroads, public utilities and factories; and

WHEREAS, Failure of project levees during high water season due to the inadequate bank protection, maintenance, and lack of funds for construction would sever this network of communication and cause possible inundation of primary military facilities; and

WHEREAS, An area of 1,100,000 acres of the Sacramento Valley agriculture lands protected by project levees provide a bountiful output of food for the United States of America and its Allies, necessary to successful prosecution of the war; and

WHEREAS, During the war of 1914-1918 work of said project was sponsored by the Federal Food Administration as a stimulus to economic preparedness and offensive; and

WHEREAS, Failure to make provisions for the return of said nine hundred fifty thousand dollars (\$950,000) advanced by the Reclamation Board to the Secretary of War would prevent the said board from making future advances to the Federal Government for emergency flood control purposes, if necessary; and

WHEREAS, The construction and work deemed necessary for immediate prosecution during 1942 on the Sacramento River

Flood Control Project in order to safeguard the most vulnerable of the remaining uncompleted portions of the project works is estimated to cost the additional sum of one million six hundred ninety-five thousand dollars (\$1,695,000); now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California hereby expresses its desire to do everything possible in the interest of successful military offensive by the United States of America, to impress upon the Congress of the United States the supreme importance of providing the necessary funds as stated in this resolution; and be it further

*Resolved,* That the California Legislature hereby respectfully requests and strongly urges the Senate and House of Representatives of the Congress of the United States to do everything possible to secure the appropriation of the necessary funds in the amounts set forth in this resolution; and be it further

*Resolved,* That the said members of the Senate and the House of Representatives of the United States are hereby requested to enact the necessary budget legislation to provide as an item of support for said project, the sum of two million six hundred forty-five thousand dollars (\$2,645,000), which sum represents the total of the three amounts set forth in this resolution; and be it further

*Resolved,* That copies of this resolution be forwarded immediately to the President and Vice President of the United States, to the Secretary of War, and to the Senators and Representatives from California in the Congress of the United States.

---

## CHAPTER 36

### *Assembly Joint Resolution No. 21—Relative to manpower, production and the war.*

[Filed with Secretary of State January 16, 1942.]

WHEREAS, This Nation is engaged in a total war in defense of liberty and the American way of life; and

WHEREAS, The President has called upon the people for the maximum production of food and other essential products and materials, not alone for the use of this country but also for those countries now allied with it; and

WHEREAS, It now appears that there will be a shortage of manpower in field, forest, mine, factory and other industrial establishments; and

WHEREAS, It is imperative that the production of food and other defense materials be kept at the highest possible level; and

War  
production  
manpower

WHEREAS, The Legislature of this State believes that the Federal authorities should in these times exercise the greatest care to insure proper balance and coordination in the prosecution of the present defensive war; and

WHEREAS, All men between the ages of 21 and 35 are now registered for military service, and those from 20 to 44 are about to be so registered; and

WHEREAS, Thousands of men who are at present employed in the production of essential food and other materials necessary for the general well-being of this and other Nations and for the successful prosecution of the war are being inducted into the Army; and

WHEREAS, It is the sense of this Legislature that the war might be materially shortened if the Federal authorities would follow the course of considering that employment in the production of food and of other essential materials is as important and as necessary for the successful prosecution of the war as service in the Army or the Navy and would govern themselves accordingly; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the President and the Congress of the United States of America are hereby respectfully urged to give their serious consideration to the subject matter of this resolution; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Congressman from California in the Congress of the United States.

---

## CHAPTER 37

### *Assembly Concurrent Resolution No. 21—With respect to self-help cooperatives.*

[Filed with Secretary of State January 16, 1942.]

Self-help  
cooperatives

WHEREAS, It appears that there are sufficient amounts of money available in the Unemployment Relief Fund for the assistance of the self-help cooperatives; and

WHEREAS, The self-help cooperatives perform a useful function by permitting persons in need to assist themselves with the minimum of State relief grants; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Governor is hereby requested to make twenty-five thousand dollars (\$25,000) available immediately from the Unemployment Relief Fund for the assistance of the self-help cooperatives; and be it further

*Resolved,* That copies of this resolution shall be delivered to the Chief Clerk of the Assembly, to the Governor and to the Director of Finance.

## CHAPTER 38

*Senate Joint Resolution No. 11—Relative to the President's Birthday and the March of Dimes.*

[Filed with Secretary of State January 16, 1942.]

WHEREAS, The thirtieth day of this month marks the sixtieth anniversary date of the birth of Franklin Delano Roosevelt, President of the United States; and

Franklin  
Delano  
Roosevelt

WHEREAS, The President's birthday takes on added significance this year because it marks the natal date of a great leader who is directing the destinies of a great Nation in waging war against the mightiest onslaught ever delivered by brutality and oppression against the free peoples of the world; and

WHEREAS, The President's birthday marks also another anniversary in the ever increasingly victorious battle against perhaps even more vicious a foe, infantile paralysis, an enemy which our President with indomitable courage has already conquered, as he will lead us to conquest over the axis hordes; and

WHEREAS, With as much determination as the campaign against the axis is being conducted, it is necessary that the drive against infantile paralysis, entitled the March of Dimes, be carried on; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California, on behalf of the people of California, extend to Franklin Delano Roosevelt, President of the United States, the heartiest congratulations and felicitations of this State on his sixtieth birthday; and be it further

*Resolved,* That the people of this State be urged to commemorate the occasion by participating wholeheartedly in the March of Dimes, in order to remove forever the blight of infantile paralysis; and be it further

*Resolved,* That the Secretary of the Senate be directed to send copies of this resolution to the President of the United States and to the National Headquarters in charge of the March of Dimes.

## CHAPTER 39

*Senate Concurrent Resolution No. 12—Relative to closing and delaying the opening of public schools.*

[Filed with Secretary of State January 16, 1942.]

WHEREAS, During the present war-time emergency it is imperative that sufficient food be produced to feed the armed forces, the workers in defense industries, the general public and to provide lend-lease aid to the nations resisting aggression; and

War-time  
school terms

WHEREAS, It is anticipated that there will be a scarcity of agricultural labor in this State during the coming year, due

to the needs of the armed forces, defense factories and the migration of farm workers from California due to fear of bombing and other hostile action; and

WHEREAS, Under these conditions the school children of the State can render invaluable assistance to the cause of National defense by aiding in the planting or harvesting of crops and in other agricultural or horticultural operations; and

WHEREAS, Present Sections 3.30 to 3.34 of the School Code provide for the closing or delayed opening of such public schools or grades or classes thereof and in such districts or counties or groups thereof as in the opinion of State officials are necessary to permit the planting or harvesting of crops by the school children and Sections 1390 to 1394 of the Labor Code and Sections 1.170 to 1.184 of the School Code provide for the conditions under, and the hours during, which minors may be employed; and

WHEREAS, It would seem that the local officials, the school district boards and trustees, residents of their several communities are informed of the day by day needs thereof and of the best interests of their pupils and are fully qualified promptly and efficiently to act in the interest of the State; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Governor is hereby respectfully urged to issue such a proclamation calling the Legislature into Extraordinary Session as will permit legislation with respect to the right of local school boards and trustees to close or postpone the opening of the schools and grades and classes thereof under their charge as the needs of the farmers and the welfare of the pupils dictate and with respect to the conditions under, and the hours during, which minors may be employed; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Governor of this State.

---

## CHAPTER 40

*Senate Concurrent Resolution No. 13—Relative to the appointment of the Honorable John D. Foley to the bench of the superior court in Santa Clara County.*

[Filed with Secretary of State January 16, 1942]

John D.  
Foley

WHEREAS, Since the adjournment of the Fifty-fourth Regular Session of the Legislature the Honorable John D. Foley has been appointed to the bench of the superior court of the County of Santa Clara; and

WHEREAS, The appointment of Judge Foley is a source of gratification to the members of this Legislature, who have had the opportunity of working with him during his membership in the State Senate through the legislative sessions of 1939

and 1941, and are well acquainted with his legal learning, judicial temperament, and genial personality; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That we do hereby express our appreciation to Judge Foley for the distinguished services he has rendered to the people of the State in the capacity of legislator, and extend to him our good wishes for a long and happy career upon the bench; and be it further

*Resolved,* That we congratulate the people of the County of Santa Clara upon their good fortune in having appointed to their superior court a judge so superlatively well-fitted for the judicial office; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit a suitably engrossed copy of this resolution to our former colleague, the Honorable John D. Foley, Judge of the Superior Court for the County of Santa Clara.

#### CHAPTER 41

*Assembly Joint Resolution No. 16—Relative to investigation and action by the Engineering Corps of the United States Army and the Los Angeles County flood control authorities to prevent stoppages of work at the Lockheed Aircraft Plant at Burbank, California, because of flood conditions.*

[Filed with Secretary of State January 17, 1942.]

WHEREAS, The successful prosecution of the war in which the United States is now engaged necessitates the maximum possible production of all implements and materials of war, and particularly of aircraft and related products; and

WHEREAS, Flood conditions at Burbank, California, where the great Lockheed Aircraft Plant is located recur each Winter, and often become so acute that the plant must cease operations for several hours at a time; and

WHEREAS, Such cessations of production are extremely costly in time of peace, and in time of war constitute a hindrance to and brake upon the National war effort which can not longer be tolerated; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California does hereby urgently request that investigations be made by the Engineering Corps of the United States Army and by the Los Angeles County flood control authorities, and such steps taken to rectify the situation as may be necessary to prevent any cessation of operations by the Lockheed Aircraft Plant because of flood conditions during periods of high water; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Secretary of War of the United States, to the Los Angeles County flood control authorities, and to the Chief of Engineers of the United States Army.

## CHAPTER 42

*Assembly Joint Resolution No. 18—Relative to memorializing the United States Government to grant priorities necessary to the continued operation of the gold mining industry.*

[Filed with Secretary of State January 17, 1942]

Gold  
mining  
priorities

WHEREAS, The National emergency is calling upon the Nation to exert every effort toward adequately arming itself; and

WHEREAS, This effort makes it necessary to give certain industries priorities in the matter of securing needed materials over other industries; and

WHEREAS, Some parts of the gold mining industry are finding it more and more difficult to secure proper priorities ratings; and

WHEREAS, Many large districts in the State of California depend upon the gold mining industry for much of the employment, taxes, and prosperity of said districts; and

WHEREAS, While we are determined to win the war, we must likewise be determined to win the peace to follow—and gold, and more gold, will be needed to rehabilitate this war-torn world upon the cessation of hostilities—gold therefore being vitally needed; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the President and the Congress of the United States are hereby respectfully urged to take such steps as will give the gold mining industry sufficient materials, and priorities thereto, to permit its continued operation through the war emergency; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to send a copy of this resolution to the President and Vice President of the United States, to each Senator and Member of the House of Representatives from California, in the Congress of the United States, and to the Office of Production Management.

## CHAPTER 43

*Assembly Concurrent Resolution No. 25—Relative to adjournment out of respect to the memory of the Honorable John F. Pullen, Presiding Justice of the Third District Court of Appeal.*

[Filed with Secretary of State January 17, 1942]

John F.  
Pullen  
See also  
Res  
Chap. 48

WHEREAS, Members of the judiciary, the bar, and many humanitarian organizations mourn the death on November 10, 1941, of the Honorable John F. Pullen, Presiding Justice of the Third District Court of Appeal; and

WHEREAS, Judge Pullen was a distinguished native son of California, born on August 1, 1882, near Roseville, California,



educated in the public schools of Auburn and at the University of California, from which he received the degrees of Bachelor of Arts and Juris Doctor, admitted to practice as an attorney in the courts of the State in 1909, and a member of the judiciary of the State for 18 years, having been appointed to the Superior Court bench in Sacramento County in 1923 and twice reelected thereto, and elected to the Third District Court of Appeal in 1932; and

WHEREAS, Judge Pullen was an active member and high officer of many fraternal organizations, including the Masonic Order, the Shrine, the Elks, the Red Men, and the Native Sons, and was a leader in the work of such humanitarian organizations as the Sacramento Red Cross, the Travelers Aid, the Young Men's Christian Association, and the Boy Scouts, and was widely known and well beloved for his activities in their behalf; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring.* That when the respective Houses of the Legislature adjourn this day they do so out of respect to the memory of that public-spirited and benevolent jurist, the Honorable John F. Pullen, Presiding Justice of the Third District Court of Appeal; and be it further

*Resolved.* That the members of the Legislature of the State of California do hereby extend their sincere condolences to the widow of Judge Pullen, Mrs. Margaret J. Pullen, and to his daughter, Mrs. Richard P. Briggs, and express to them their very deep sense of a shared loss; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit suitably engrossed copies of this resolution to Mrs. Margaret J. Pullen and to Mrs. Richard P. Briggs of Sacramento, California.

---

## CHAPTER 44

*Assembly Joint Resolution No. 23—Memorializing the President and the Congress to provide for the prompt completion of the All-American Canal to the Coachella Valley.*

[Filed with Secretary of State January 18, 1942 ]

WHEREAS, The Congress of the United States has provided by the Boulder Canyon Project Act for the construction of the Boulder Canyon Project on the Colorado River, of which project the All-American Canal to the Imperial and Coachella Valleys is an essential and important part; and

WHEREAS, The entire Boulder Canyon Project is over 30 per cent completed; and

WHEREAS, The All-American Canal to Coachella Valley is an integral and important part of the Boulder Canyon Project and is the only part of the project which remains to be completed; and

WHEREAS, The established farming community in the Coachella Valley is faced with extinction by reason of a falling underground water table and the life, health and safety of that community can only be preserved by the completion, at the earliest possible date, of the All-American Canal Project, which will bring a supplemental supply of water to said community; and

WHEREAS, On said All-American Canal to Coachella Valley there are important hydroelectric power possibilities which should be made available for prompt development; and

WHEREAS, The present situation of the Coachella Valley is one of extreme emergency; and

WHEREAS, The State of California is vitally concerned to see that such farming communities as the Coachella Valley do not revert to desert in order that the needs of California urban communities and of the armed forces of the United States for the continuation of their food supplies may be adequately served; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California does hereby respectfully request and urge the President of the United States, the Congress of the United States, the Secretary of the Interior, the Commissioner of the United States Bureau of Reclamation, the Director of the Office of Production Management and the Chairman of the War Production Board, to provide immediately for the completion of the All-American Canal to Coachella Valley at the earliest possible date; 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, the Speaker of the House of Representatives, the Senators and Representatives of the State of California in the Congress, the Secretary of the Interior, the Commissioner of the United States Bureau of Reclamation, the Director of Office of Production Management and the Chairman of the War Production Board, and that the Senators and Representatives from California are hereby respectfully requested to urge such action.

---

## CHAPTER 45

*Assembly Joint Resolution No. 25—Relative to memorializing the Federal Government to survey a water route from the Colorado River to the City of San Diego.*

[Filed with Secretary of State January 18, 1942.]

San Diego  
water supply

WHEREAS, The existing water sources supplying the City of San Diego, have been and are being severely taxed to meet the heavy increased demands for water, caused by the tremendous increase in Army, Navy, Marine Corps, and aircraft activities located in the City of San Diego and in its vicinity; and

WHEREAS, Federal financial assistance for procuring an increased water supply has been strongly recommended by responsible heads of the local Army, Navy, and Marine Corps, and the aircraft industries; and

WHEREAS, The principal available source of an increased water supply is the Colorado River; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California hereby respectfully requests and urges the Government of the United States, through the appropriate agency, to make an immediate survey of the best available route to bring water from the Colorado River to the City of San Diego for the purpose of insuring an adequate water supply which is vital to the National war program and to the welfare of the Army, Navy, and Marine Corps stationed in the Nation's most vital defense area; and be it further

*Resolved,* That the Chief Clerk of the Assembly be directed to send copies of this resolution to the President and Vice President of the United States, the Federal Works Agency, and the Senators and Members of the House of Representatives of Congress from California.

---

## CHAPTER 46

### *Assembly Concurrent Resolution No. 27—Relative to the acquisition and use of beaches for public park purposes.*

[Filed with Secretary of State January 13, 1942.]

WHEREAS, The Fifty-fourth Session of the Legislature at its Regular Session adopted Assembly Concurrent Resolution No. 2, declaring it to be the public policy of the State to acquire and develop the beaches of the State for public park purposes; and

WHEREAS, The sum of five hundred thousand dollars (\$500,000) has been appropriated for the acquisition, development, and protection of beaches by Chapter 942 of the Statutes of 1941, a large portion of which sum has not yet been encumbered; and

WHEREAS, The acquisition and control of beach lands was by said resolution to commence as soon as possible after July, 1941; and

WHEREAS, High tides have again occasioned considerable damage to the beaches along the coasts of Orange and Los Angeles counties, which require the care and control of State agencies; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Division of Beaches and Parks immediately commence the program of acquiring and maintaining the beaches as outlined in Assembly Concurrent Resolution No. 2, adopted at the Regular Session of the Fifty-fourth Legislature; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit copies of this resolution to the Governor of the State of California, to the Director of Natural Resources, to each member of the State Park Commission, and to the Chief of Division of Parks.

---

CHAPTER 47

*Senate Joint Resolution No. 10—Relative to protection of National defense industries, utilities and facilities.*

[Filed with Secretary of State January 19, 1942.]

War industry  
protection

WHEREAS, Within California there are located many industries and utilities and facilities essential and necessary for the successful prosecution of the war; and

WHEREAS, These industries, utilities, and facilities have been recognized by the Congress of the United States as necessary to the National defense by the act of April 20, 1918, 40 Stats. 533, as amended by the act approved November 30, 1940, 54 Stat. 1220, 1221, and by executive order of the President of the United States dated December 12, 1941, directed to the Secretary of War and the Secretary of the Navy ordered that they establish and maintain the military guards and patrols to protect National defense materials, premises, utilities, and facilities described in such Federal statutes; and

WHEREAS, It is of the utmost importance that these necessary industries, utilities, and facilities be securely guarded by the most competent and effective authority available and kept free from harm or damage so that they may continue to furnish without interruption their materials and services so necessary for the protection of the people and property of California and so necessary for the successful defense of the United States and its possessions and the vigorous prosecution of the war by the armed forces of the United States; and

WHEREAS, Several bills are now pending in the Congress of the United States designed to create a Home Defense Organized Reserve which organization would be a part of the Army of the United States and would be trained and directed by regular Army officers and financed by the United States Government and would have the duty of guarding and protecting from damage and injury by sabotage or enemy action the industries, utilities and facilities hereinbefore mentioned in this resolution; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly*, That the Congress of the United States is respectfully urged to enact such legislation as is best designed to accomplish the purposes expressed in this resolution to the end that the people of California shall not be injured, nor its properties, industries or utilities damaged nor the entire Nation's war effort delayed; and be it further

*Resolved*, That the Secretary of the Senate send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

## CHAPTER 48

### *Senate Concurrent Resolution No. 14—Relative to the death of Justice John Francis Pullen.*

[Filed with Secretary of State January 19, 1942.]

WHEREAS, On November 10, 1941, the Honorable John Francis Pullen, Presiding Justice of the District Court of Appeal for the Third Appellate District, was summoned by our Supreme Arbiter to a jurisdiction in which there is no litigation or parties plaintiff and defendant; and

John F.  
Pullen  
See also  
Res.  
Chan. 43

WHEREAS, This judgment of our Highest Tribunal left the bar bereft of one of its keenest minds and scholars and the bench of one of its ablest and most distinguished jurists: He was admitted to the bar in 1909, ascended to the bench in 1923, and served as presiding justice from 1932; and

WHEREAS, In the death of Justice Pullen the State of California lost a native son; he was born and educated in California schools, a civic leader, he was active in Community Chest, Boy Scout, and fraternal work, and a real friend, he was generous to all and bounden to none; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly concurring*, That this Legislature spread upon the records its most sincere regret and grief upon the sudden passing of John Francis Pullen; and be it further

*Resolved*, That the Secretary of the Senate be directed to transmit suitably engrossed copies of this resolution to his bereaved widow, Margaret Gladden Pullen, and to his daughter, Jeanette Pullen Briggs.

## CHAPTER 49

### *Senate Concurrent Resolution No. 15—Relative to loyalty of employees of the State of California.*

[Filed with Secretary of State January 19, 1942.]

WHEREAS, During times of war it is particularly important that all employees of the State of California be loyal to the United States and to the State; and

Dual  
loyal  
civil service  
employees

WHEREAS, It appears that there are employees of the State of California who may possess dual citizenship; and

WHEREAS, It appears that many State civil service lists are almost completely filled with the names of children of alien

nationals who may not have renounced their dual citizenship; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the State Personnel Board be requested to take every proper means to prevent anyone securing a position on the eligible list of the State civil service or from being certified to a civil service position in the State service who is not loyal to the United States and to further make such rules as may be necessary to provide for the dismissal from the service of such persons as may be proved to be disloyal to the United States of America in this present war.

---

## CHAPTER 50

### *Assembly Concurrent Resolution No. 24—Relative to temporary four-lane highways.*

[Filed with Secretary of State January 19, 1942.]

Temporary  
four-lane  
highways

WHEREAS, The primary and secondary State highways of California are of vital importance to the defense of the State of California and of the United States; and

WHEREAS, There exist many so-called bottlenecks in the primary and secondary highways of this State where four-lane highways converge into three-lane or two-lane highways, where the terrain is flat, where temporary four-lane highways could immediately and expediently be laid out by grading and oil-surfacing rights of way to which the State now has title; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the appropriate State authorities should take, and are hereby requested to take, immediate action to create temporary four-lane highways wherever the National and State defense makes it advisable that this be done and it is expedient to do so; and be it further

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

---

## CHAPTER 51

### *Senate Concurrent Resolution No. 19—Relative to reduction in school expenditures.*

[Filed with Secretary of State January 20, 1942.]

Public school  
economy

WHEREAS, In these times of National emergency, when it is necessary that every effort be made to further the cause of National defense, it is essential that every step be taken which will reduce the local tax bill; and

WHEREAS, Many economies may be made in the operation of the public schools by the elimination of items of expenditure which are not justifiable in the face of the greatly expanded armament drive with its consequent heavy increase in Federal taxes; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the boards of school trustees and boards of education of this State are hereby urged by the Legislature to reduce expenditure to the fullest extent to which that may be done without interfering with the fundamentals of a sound educational program or the teaching of those subjects required by the statutes of this State and without endangering teachers' salaries; and be it further

*Resolved,* That the Secretary of the Senate be hereby directed to forward a sufficient number of copies of this resolution to the State Department of Education, for transmittal by that department to the president and the secretary of each board of school trustees and board of education in this State and to the publication "California Schools."

---

## CHAPTER 52

### *Senate Concurrent Resolution No. 18—Requesting a reply from the Department of Finance to Senate Concurrent Resolution No. 2.*

[Filed with Secretary of State January 20, 1942.]

WHEREAS, Senate Concurrent Resolution No. 2, filed with the Secretary of State December 24, 1941, as Resolution Chapter 26, First Extraordinary Session of Fifty-fourth Legislature, directed the Director of Finance, the Relief Commission and the Relief Administrator to submit an inventory within 30 days after that date to the Secretary of the Senate, listing all properties used by the State Relief Administration and in the possession of either of said officers or commission on July 1, 1941, and certain other information; and

SRA  
Inventory  
See also  
Res  
Chap 26

WHEREAS, This inventory is necessary in order that the Legislature may determine the need for, and the amount of, appropriations to be made to the California State Guard, so that these properties may be used by the State Guard in order to conserve material and avoid waste in these times of possible shortage; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature again requests that the information called for in Senate Concurrent Resolution No. 2 be furnished to it; and be it further

*Resolved,* That the Director of Finance, the Relief Administrator and the Relief Commission are hereby directed to include in such inventory, a present inventory of all surplus commodities and all commodities produced or purchased by

self-help cooperatives now under the control of the Director of Finance in such detail and within such times as the former inventory; and be it further

*Resolved*, That the Secretary of the Senate be hereby directed to forward a copy of this resolution to said two officers of the State and the said commission.

---

## CHAPTER 53

*Assembly Concurrent Resolution No. 28—Relative to rolls of honor of State employees in the United States armed forces.*

[Filed with Secretary of State January 20, 1942.]

State  
employee  
rolls of honor

WHEREAS, The morale and patriotic sentiments of State employees would be engendered by placing in each office and agency of the State a scroll of honor upon which would be inscribed the names of all employees in the agency serving in the armed forces of the United States; and

WHEREAS, The State Printer has facilities available for the composition of these scrolls of honor; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Legislature respectfully directs the Director of Finance to make money available according to law for the preparation for each State office and agency of scrolls of honor containing the names of State employees in the United States armed forces; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed immediately to transmit a copy of this resolution to the Director of Finance.

---

## CHAPTER 54

*Assembly Concurrent Resolution No. 29—Relative to the claiming of property taxation exemptions by veterans pursuant to Revenue and Taxation Code Section 253.*

[Filed with Secretary of State January 20, 1942.]

Veterans'  
property  
exemption

WHEREAS, A veteran in order to claim his property taxation exemption specified in Section 1½ of Article XIII of the Constitution must appear before the assessor to claim the exemption by virtue of Revenue and Taxation Code Section 252; and

WHEREAS, An exception is made to the foregoing by Section 253 of the Revenue and Taxation Code, which reads in part as follows:

“If, because of sickness or similar cause, an applicant for the veterans’ exemption is unable to attend in person before the assessor, and no deputy is available to go to the place where he is located, then the applicant may make and subscribe the



affidavit before any person authorized to take an oath under the laws of this State.”

and

WHEREAS, It appears to this Legislature that veterans serving in the armed forces of the United States are for “similar cause” in a position unable personally to attend before the assessor, the inability referred to being practical inability; and

WHEREAS, Many veterans do not know that they are allowed to claim the veterans’ exemption while serving in the armed forces of the United States and unable to attend personally before the assessor; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the assessors of the several counties of this State are hereby respectfully requested to advise as many veterans as possible serving in the armed forces of the United States and unable to appear before the assessor personally that they may subscribe to an affidavit claiming the exemption before any person authorized to take an oath under the laws of this State, which persons are described in Civil Code Sections 1182 and 1183; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to send a copy of this resolution to the assessor of each county within this State and to the State Controller.

---

## CHAPTER 55

*Assembly Concurrent Resolution No. 33—Relative to the making of additional funds available for the work of the Joint Legislative Budget Committee.*

[Filed with Secretary of State January 20, 1942]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That in addition to the moneys otherwise made available to the Joint Legislative Budget Committee (created by Senate Concurrent Resolution No. 22 at the Fifty-fourth Regular Session of the Legislature and augmented by Assembly Concurrent Resolution No. 19 at the First Extra Session of the Fifty-fourth Legislature), the sum of two thousand five hundred dollars (\$2,500) is hereby appropriated from the Contingent Funds of the Senate and Assembly, to be expended equally from the Contingent Funds of the Senate and Assembly in carrying out the work of the committee and defraying the expenses of the committee and its members.

Appropriation Joint  
Legislative  
Budget  
Committee

## CHAPTER 56

*Assembly Joint Resolution No. 20—Relative to memorializing the President and Congress to amend the Federal Social Security Act to permit certain small income to aged and dependent beneficiaries in addition to the aid which they may receive under Federal, State, and local laws.*

[Filed with Secretary of State January 21, 1942.]

Social  
Security Act  
amendment.

WHEREAS, Prior to July 1, 1941, needy aged and needy orphaned and half-orphaned children who were granted aid under the Federal Social Security Act were permitted to receive in addition to such aid certain small sums from private and/or outside sources; and

WHEREAS, In 1939 Congress amended said Federal Social Security Act to provide that any and all sums of money received by any aged person or dependent child from private or outside sources should be deducted from any aid otherwise granted to such person under said Social Security Act; and

WHEREAS, Prior to July 1, 1941, California was permitting beneficiaries under said Social Security Act and the categorical aid laws in California to receive from outside sources in addition to any grants of aid as follows: Dependent aged fifteen dollars (\$15) per month; and

WHEREAS, Some small income should be permitted beneficiaries under the categorical measures in said Social Security Act not only to stimulate the beneficiary concerned, but to aid in maintaining such person's self-respect and to permit a more decent standard of living; and

WHEREAS, Because of the amendment to said Federal Social Security Act above-mentioned all aged persons and dependent orphaned and half-orphaned children have been deprived of virtually any and all income and/or aid other than what may be granted to them under said act and great hardship has resulted by reason thereof; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorialize the President and the Congress of the United States to amend the Federal Social Security Act by repealing the amendments of 1939 thereto which prevent any State in the Union from allowing any additional income to the aged, and to children beneficiaries thereunder; and, be it further

*Resolved,* That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that such Senators and Members from California are respectfully urged to support such legislation.

## CHAPTER 57

*Assembly Joint Resolution No. 22—Relative to memorializing the Federal Government to protect the acquired retirement rights of State employees brought into the Federal service by reason of the transfer to the Federal Government of the employment functions of the Department of Employment.*

[Filed with Secretary of State January 21, 1942.]

WHEREAS, The Federal Government through executive order of the President has assumed jurisdiction over the employment functions of the State Department of Employment and as a result thereof caused some 1,500 State employees to enter the Federal service and become Federal employees; and

State  
Department  
of Employ-  
ment  
employees

WHEREAS, Many of the persons affected have been for many years employed in the State service and have acquired valued rights as a result of such employment, including retirement rights under the provisions of the State Employees' Retirement Act; and

WHEREAS, Such employees have contributed monthly a part of their compensation which together with the contributions of the State have built and established these retirement rights; and

WHEREAS, These retirement rights will be entirely dissipated and destroyed without the acquiring of any other such rights with the Federal Government or under the Social Security plan, unless appropriate congressional action is taken to induct these employees into the Federal Employees' Retirement System in such a manner as to protect the retirement rights of such employees previously acquired while employees of the State of California; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the administration of the Federal Employees' Retirement System is earnestly requested to initiate and the Congress of the United States to enact legislation which will protect the retirement rights of the employees hereinabove referred to by providing that such employees shall be placed in the same position in the Federal Employees' Retirement System as they held in the State Employees' Retirement System, and to that end to make provision for the receiving of the contributions of the employees affected and of the State of California to the State Employees' Retirement System in building their present retirement rights.

## CHAPTER 58

*Assembly Concurrent Resolution No. 30—Relative to including the subject of the manner of claiming veterans' exemptions in the proclamation calling a possible special session.*

[Filed with Secretary of State January 22, 1942.]

Veteran's  
property  
exemption

WHEREAS, The veterans' exemption from property taxation as specified in Section 14 of Article XIII of the Constitution must be claimed in the manner prescribed in Revenue and Taxation Code Section 252 except in the case of the exception stated in Revenue and Taxation Code Section 253, which section reads in part as follows:

"If, because of sickness or similar cause, an applicant for the veterans' exemption is unable to attend in person before the assessor, and no deputy is available to go to the place where he is located, then the applicant may make and subscribe the affidavit before any person authorized to take an oath under the laws of this State."

and

WHEREAS, The broad terms of the exception made by the provision above quoted appear to apply to veterans serving in the armed forces of the United States and unable to attend in person before the assessor, but the language does not specifically apply to veterans so serving in the armed forces of the United States; and

WHEREAS, Patriotic sentiments make it desirable that veterans serving for a second time before the enemy of their country clearly understand the manner in which they may claim the property exemption; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That this Legislature respectfully petitions the Governor that in the event of a third special session of the Fifty-fourth Legislature he include within his proclamation calling the session a subject that will permit the Legislature to consider and act upon legislation that will clearly define the manner in which a veteran serving in the armed forces of the United States and unable to appear before the assessor may claim his property exemption; and be it further

*Resolved,* That the Chief Clerk of the Assembly immediately transmit to the Governor a copy of this resolution.

## CHAPTER 59

*Assembly Concurrent Resolution No. 37—Relating to increases in the salaries of the assistant and deputy marshals of cities of one and one-half class.*

[Filed with Secretary of State January 22, 1942.]

WHEREAS, Due to war conditions and the consequent reorganization of industry, costs of living have risen by 13.5 per cent; and

Los Angeles  
Municipal  
Court assistant  
marshals

WHEREAS, The salaries of the assistant and deputy marshals of the municipal court of cities of the first and one-half class, Los Angeles, are fixed by the Legislature; and

WHEREAS, The amount of work performed by the assistant and deputy marshals, as evidenced by the fees collected by them and deposited in the county treasury is twice that of the sheriff's office of Los Angeles County; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Governor is hereby respectfully requested to include an item permitting legislation with respect to the salaries of the said assistant and deputy marshals, in the event a proclamation convening another Extraordinary Session of the Fifty-fourth Legislature of this State is issued by him.

## CHAPTER 60

*Assembly Concurrent Resolution No. 38—Relative to adjournment sine die of the Fifty-fourth (First Extraordinary) Session of the Legislature of the State of California.*

[Filed with Secretary of State January 22, 1942 ]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Fifty-fourth (First Extraordinary) Session of the Legislature of the State of California shall adjourn sine die at 6 o'clock p.m., January 22, 1942.

Adjournment  
sine die

## CHAPTER 61

*Senate Concurrent Resolution No. 21—Relating to the refund of sales taxes.*

[Filed with Secretary of State January 22, 1942.]

WHEREAS, Money may now be available to refund sales tax paid or now owing on the sale of dairy cattle in the State of California; and

Sales tax  
refunds

WHEREAS, It is deemed advisable to inform any officer authorized to make such refunds of the method which the Legislature deems to be proper procedure; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That any payments of such refunds be made to claimants who are able to support their claims by verified records; and, be it further

*Resolved,* That the Secretary of the Senate be hereby directed to transmit a copy of this resolution to the Governor of this State.

---

## CHAPTER 62

### *Senate Concurrent Resolution No. 22—Relating to sale prices and containers of milk.*

[Filed with Secretary of State January 22, 1942.]

Milk  
prices and  
containers

WHEREAS, A regulation has been established by the Director of Agriculture pursuant to the authority vested in him by law, providing that milk distributors selling gallon lots of milk in four 1-quart bottles can not charge the gallon price therefor and that in order to charge a gallon price the milk must be in two 2-quart bottles; and

WHEREAS, Due to the rubber and material shortage caused by the outbreak of war it is contemplated that milk distributing facilities will have to be curtailed, that deliveries of milk will only be made by the smaller distributors two or three times weekly and that therefore it will become increasingly inconvenient for milk consumers to receive gallon lots of milk in large and unwieldy containers; and

WHEREAS, Due to the shortage of milk bottles and containers it is becoming increasingly difficult for small distributors to stock a large variety of milk bottles and containers of all sizes and shapes; now, therefore, be it

*Resolved, by the Senate of the State of California, the Assembly thereof concurring,* That the Director of Agriculture is hereby respectfully urged to provide that during the present emergency caused by the war, milk distributors be permitted to sell and deliver gallon lots of milk in four 1-quart bottles at the same price as if they were sold and delivered in two 2-quart bottles; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to forward a copy of this resolution to the Director of Agriculture.

---

---

# STATUTES OF CALIFORNIA

SECOND EXTRA SESSION OF THE FIFTY-FOURTH LEGISLATURE

1942

BEGAN ON SATURDAY, JANUARY SEVENTEENTH, NINETEEN  
HUNDRED FORTY-TWO, AND ADJOURNED SUNDAY,  
JANUARY EIGHTEENTH, NINETEEN HUNDRED  
FORTY-TWO

---

---

PROCLAMATION BY THE GOVERNOR  
CONVENING THE LEGISLATURE IN  
EXTRAORDINARY SESSION

---

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

I, Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session at Sacramento, California, on Saturday, the seventeenth day of January, one thousand nine hundred and forty-two, at 10 o'clock, p.m., of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation authorizing the City and County of San Francisco to grant to the United States of America, for the use of the Navy Department of said United States, title in fee to those tide and submerged lands heretofore granted by the State to said city and county by Chapter 912, Statutes of 1933; consenting on behalf of the State to the acquisition of said lands by the United States and reserving to the State the power of taxation and the authority to serve civil and criminal process; and conferring upon the United States the powers now had by said city and county to raise, fill, and reclaim said lands and for that purpose to dredge said lands and submerged lands adjacent thereto.

2. To consider and act upon legislation providing for wage and salary deductions for the purchase of United States Savings Bonds or similar obligations of the United States for public officers and employees of the State of California, counties, cities and counties, cities, municipal corporations, political subdivisions, public districts and of other public agencies of the State of California.

3. To consider and act upon legislation making county probation officers and superintendents of State correctional schools eligible to serve, without additional compensation, as members of the Youth Correction Authority.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventeenth day of January, A.D., one thousand nine hundred and forty-two.

CULBERT L. OLSON, Governor of California.

ATTEST:

PAUL PEEK, Secretary of State.



# STATUTES OF CALIFORNIA

PASSED AT THE SECOND EXTRA SESSION OF THE  
FIFTY-FOURTH LEGISLATURE

## CHAPTER 1

*An act to add Section 1711.5 to the Welfare and Institutions Code, relating to the Youth Correction Authority and members thereof, to take effect immediately.*

Stats 1937,  
p 1005,  
amended

[Approved by Governor January 20, 1942. Filed with Secretary of State January 20, 1942.]

In effect  
immediately

*The people of the State of California do enact as follows:*

SECTION 1. Section 1711.5 is hereby added to the Welfare and Institutions Code, to read as follows:

New section  
See also  
Stats 1943,  
Ch 605  
Duration

1711.5. This section shall remain in effect only while the United States is at war and not after June 30, 1943. While this section is in effect to the extent that it conflicts with Sections 1711 and 1722, this section controls.

Any superintendent of a State correctional school for boys, also any probation officer of a county, is eligible to accept and hold the office of member of the Youth Correction Authority and to continue to hold office as such superintendent or as such probation officer (subject, in the latter case, to the consent, permission, or approval of the board of supervisors or other appropriate county authority or authorities), devoting such time to his duties as member as the duties of his other office permit, but during the period of such dual holding he shall receive no salary as member of the authority, though he shall receive his actual necessary traveling expenses as such member and such salary and expenses as may be otherwise provided for the office of superintendent or of probation officer. The rate of pay fixed by the State Personnel Board for the superintendent of a correctional school for boys for full-time employment shall not be diminished because the superintendent is serving as a member of the authority.

Authority  
membership  
of correctional  
school  
superintendent  
or  
probation  
officer

Compensation

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Urgency

The United States is at war. It is more than ever necessary that the youth of this Nation be conserved so that they may assume their obligations during the war and during the period of reconstruction thereafter. The amendments made to the Youth Correction Authority Act by this act will enable the authority to function more effectively at once, contributing to the public peace, health and safety of this Nation and this State.

CHAPTER 2

*An act to provide for wage and salary deductions for public officers and employees for the purpose of purchasing United States savings bonds or similar United States obligations, including the adding of Section 665.5 to the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately.*

In effect immediately [Approved by Governor January 26, 1942. Filed with Secretary of State January 26, 1942.]

*The people of the State of California do enact as follows:*

New section  
See also  
Stats 1943,  
Ch 138  
Salary  
deductions  
for war bond  
purchases  
by State  
officers and  
employees

SECTION 1. Section 665.5 is hereby added to the Political Code, to read as follows:

665.5. The State Board of Control is hereby authorized and directed to make rules and regulations governing the deductions of such sums of money from the salary or wages of any officer or employee of the State of California as may be requested in writing by any such officer or employee for the purpose of purchasing United States savings bonds or similar United States obligations

Employees'  
defense  
savings  
account

The State Controller and all other officers, departments, boards, commissions, and other agencies of the State of California are authorized to recognize and act upon such requests for salary or wage deductions. All amounts so deducted shall be paid by the Controller to the Board of Administration of the State Employees' Retirement System for deposit in the State Treasury to the credit of the employees' defense savings account, which account is hereby created, in the Special Deposit Fund provided for in Section 453a.

Special  
accounts

The Board of Administration of the State Employees' Retirement System, in addition to the accounts maintained for employees' retirement contributions, is also authorized to establish special accounts for such officer or employee requesting such salary or wage deductions in order that sufficient funds may be accumulated to the credit of such officer or employee for the purchase of United States savings bonds or similar United States obligations. All funds so accumulated are trust funds and may be withdrawn from the Treasury upon claims filed by said Board of Administration for the purchase of United States savings bonds or similar United States obligations, or for refunds.

Salary  
deductions  
for war bond  
purchases by  
officers and  
employees of  
counties, etc

SEC. 2. The governing bodies of counties, cities and counties, cities, municipal corporations, political subdivisions, public districts, and other public agencies of the State of California are hereby authorized to provide for the purchase of United States savings bonds or similar United States obligations by salary or wage deductions for those officers and employees who make written requests for such deductions and such purchases.

All auditors, treasurers, and other disbursing officers are authorized to recognize and act upon such requests for salary

or wage deductions and to establish special accounts for each such officer or employee so that sufficient funds may be accumulated to the credit of such officer or employee for the purchase of United States savings bonds or similar United States obligations. All funds so accumulated are trust funds.

SEC. 3. No provision of law prohibiting, restricting or limiting the assignment or order for wages or salaries shall be deemed in any way to prohibit, restrict or limit the powers conferred in this act. If a request for a salary or wage deduction is made by an officer or employee who is a married person his signature is a sufficient authorization and if the request is made by a minor the signature of the minor is a sufficient authorization for the making of a deduction pursuant to the provisions of this act. Inapplicability of wage assignment laws

SEC. 4. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby. Constitutionality

SEC. 5. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately. A statement of the facts constituting such necessity is as follows: Urgency

The people of the United States are engaged in a war the successful prosecution of which is necessary in order to maintain our democratic form of government and its freedoms as guaranteed by the Bill of Rights. The Federal Government has instituted a democratic program of financing the tremendous cost of the war and is asking all citizens to purchase defense bonds. The authority for public officers and employees to request pay roll deductions for purchasing defense savings bonds will materially expedite and enhance the program of the Federal Government, and it is therefore imperative that this act take effect immediately.

### CHAPTER 3

*An act relating to the transfer of certain tide and submerged lands known as Treasure Island to the United States of America for the uses of the Navy Department thereof, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor January 31, 1942. Filed with Secretary of State January 31, 1942 ] In effect immediately

*The people of the State of California do enact as follows:*

SECTION 1. The City and County of San Francisco is hereby authorized and empowered to grant, lease, or otherwise transfer to the United States of America for the uses of the Transfer or lease of Treasure Island to U S

Navy Department thereof those certain tide and submerged lands heretofore granted by the State of California to said city and county and more particularly described in Chapter 912 of the Statutes of California, 1933; and the right, title, or interest of the United States to said lands under such grant, lease, or other transfer shall be free and clear of all conditions and reservations respecting the title to or use of said lands contained in said Chapter 912, Statutes of California, 1933, as amended and supplemented. This section shall not be construed to impair or to authorize the impairing of any private rights heretofore acquired in or to said lands or the use thereof or any such rights acquired hereafter and prior to the making of the grant, lease or transfer herein authorized.

Private  
rights

Civil and  
criminal  
process

SEC. 2. The State of California hereby consents to the acquisition of said lands by the United States by grant pursuant to Section 1 of this act, upon the express reservation and condition that all civil process issued by the courts of this State and such criminal process as may issue under the authority of this State against any person charged with crime, may be served and executed thereon in the same mode and manner and by the same means as if said acquisition had not been effected and upon the further express reservation and condition that the State of California reserves its entire power of taxation with respect to such lands and may levy and collect all taxes now or hereafter imposed in the same manner and to the same extent as if this consent had not been granted.

Taxation

Reclaiming  
and dredging

SEC. 3. Upon the granting, leasing, or transferring of said tide and submerged lands pursuant to this act the United States shall have the right to reclaim, fill, and raise said lands and for those purposes may dredge said lands and the submerged lands surrounding them.

Urgency

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of California, and therefore shall take effect immediately. The following is a statement of the facts constituting such necessity:

The tide and submerged lands now known as Treasure Island were granted by the State to the City and County of San Francisco by Chapter 912, Statutes of 1933, for the establishment of a public airport and for purposes incidental to the promotion and accommodation of air navigation and subject to other restrictions contained in said Chapter 912. The United States of America now desires to create an extensive naval establishment on these lands but only if unrestricted rights to the use and possession thereof may be acquired, which is not possible under existing law. The immediate necessities of the National defense require that provision be made without delay to provide for the acquisition of these lands by the United States as provided for herein.

---

---

CONCURRENT RESOLUTIONS

SECOND EXTRA SESSION

1942

---

---

# CONCURRENT RESOLUTIONS

ADOPTED AT THE SECOND EXTRA SESSION OF THE  
FIFTY-FOURTH LEGISLATURE

## CHAPTER 1

*Senate Concurrent Resolution No. 1—Relative to Joint Rules  
of the Legislature.*

[Filed with Secretary of State January 18, 1942.]

*Resolved by the Senate of the State of California, the Assem-  
bly thereof concurring, That the Joint Rules of the Senate and  
the Assembly adopted at the Fifty-fourth Session of the Cali-  
fornia Legislature be and the same are hereby adopted as  
Joint Rules of this Extraordinary Session.*

---

## CHAPTER 2

*Senate Concurrent Resolution No. 2—Relative to adjourn-  
ment sine die of the Second Extraordinary Session of the  
Fifty-fourth Legislature of the State of California.*

[Filed with Secretary of State January 18, 1942.]

*Resolved by the Senate of the State of California, the  
Assembly thereof concurring, That the Second Extraordinary  
Session of the Fifty-fourth Legislature of the State of Cali-  
fornia, which convened at 10 o'clock p.m. on the seventeenth  
day of January, 1942, pursuant to a proclamation issued by  
the Governor of the State of California under date of Janu-  
ary 17, 1942, shall adjourn sine die at 9 p.m., January 18,  
1942.*