# STATUTES OF CALIFORNIA

## 1948

## REGULAR SESSION

Began on Monday, March 1, 1948, and Adjourned
Saturday, March 27, 1948

# STATUTES OF CALIFORNIA

## PASSED AT THE 1948 REGULAR SESSION OF THE LEGISLATURE

## CHAPTER 1

*An act providing for daylight saving time, declaring the urgency thereof, to take effect immediately.*

"Daylight Saving Time Act of 1948"

[Approved by Governor March 10, 1948. Filed with Secretary of State March 10, 1948.]

In effect immediately

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

SECTION 1. This act shall be known and may be cited as the "Daylight Saving Time Act of 1948."

Standard time

SEC. 2. The standard time within the State, except as hereinafter provided, shall be based on the mean astronomical time of the degree of longitude governing the zone wherein this State is situated, the standard official time of which is known, described and designated by act of Congress as "United States Standard Pacific Time."

Duration of daylight saving time

SEC. 3. At 2.01 o'clock antemeridian of the fourteenth day of March of the year 1948, the standard time in this State shall be advanced one hour and the standard time in this State so established shall be one hour in advance of United States Standard Pacific Time and shall be designated as California Daylight Saving Time. At 2 o'clock antemeridian of the sixteenth day of January of the year 1949, or at such hour and day prior thereto as shall be fixed by the Governor in a proclamation issued by him and declaring the termination of the emergency caused by the shortage of water and hydro-electric power, the standard time in this State shall, by the retarding of one hour, be made to coincide with the astronomical time hereinbefore described as United States Standard Pacific Time.

Official time

SEC. 4. In all laws, statutes, orders, decrees, rules and regulations relating to the time of performance of any act by an officer or department of this State, or of any county, city and county, city, town or district thereof or relating to the time in which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of this State, and in all the public schools and in all other institutions of this State, or of any county, city and county, city, town or district thereof, and in all contracts or choses in action made or to be performed in this State, the time shall be as set forth in this section and it shall be so understood and intended.

Urgency

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace,

health or safety within the meaning of Section 1 of Article IV of the Constitution and therefore shall go into immediate effect. A statement of the facts constituting such necessity is as follows:

The State is experiencing a year of unprecedented drouth which is resulting in a great shortage of hydro-electric power. Accordingly it is essential that electrical energy be drastically conserved within the State wherever possible in order that functions essential to the peace, health and safety of the people may continue to be performed.

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## CHAPTER 2

*An act making an appropriation for contingent expenses of the Senate for the 1948 Regular Session of the Legislature, including committee expenses, to take effect immediately.*

In effect immediately

[Approved by Governor March 15, 1948. Filed with Secretary of State March 15, 1948.]

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

Appropriation: Senate contingent expenses

SECTION 1. The sum of one hundred thousand dollars ($100,000) 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 Senate for the 1948 Regular Session of the Legislature, including expenses of committees created at that session.

Current expenses

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.

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## CHAPTER 3

*An act making an appropriation for the contingent expenses of the Assembly, for the 1948 Regular Session, including committee expenses, to take effect immediately.*

In effect immediately

[Approved by Governor March 15, 1948. Filed with Secretary of State March 15, 1948.]

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

Appropriation Assembly contingent expenses

SECTION 1. The sum of one hundred thousand dollars ($100,000) 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 for the 1948 Regular Session of the Legislature, including expenses of committees created at that session.

Current expenses

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 4

*An act to amend Section 19607 of the Education Code and to add Section 19619 to said code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.*

[Approved by Governor April 1, 1948. Filed with Secretary of State April 1, 1948.]

In effect immediately

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

SECTION 1. Section 19607 of the Education Code is amended to read:

Child care center fees

19607. Said governing board shall charge and collect, in advance, from the person having custody of any child admitted to a child care center a weekly fee which, together with all funds received under Section 19613, shall be in such amount as will reimburse the district for the cost of maintaining such child care center including supervision and care and the cost of all food furnished such child. The weekly fees charged need not be uniform.

Legislative policy

It is hereby declared to be the policy of the Legislature that child care centers shall be made available first to those who have the greatest financial need and to that end no money appropriated therefor shall be expended for the care or education of any child in a child care center unless a sliding scale of weekly fees shall have been adopted by the board of the school district in which such child care center is maintained under which a nominal fee shall be charged for children of families having a monthly income of less than one hundred fifty dollars ($150) or of less than forty dollars ($40) per member of the child's immediate family, and increasingly larger fees shall be charged for children of families having larger incomes. It is further declared to be the policy of the Legislature that so far as possible where an increase in fees is made necessary because of insufficient funds that such increase shall be made first in fees charged to those in the higher income brackets, and the rate of increase in fees charged for children of families of different income levels need not be uniform as between the different income levels. It is further declared to be the policy of the Legislature that the fee scales shall, so far as reasonably possible, be uniform for all child care centers, and that they shall be established on such basis and in accordance with such principles as the State Department of Education may recommend to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures. All child care centers shall be closed on or before June 30, 1949.

Closing date

SEC. 2. Section 19619 is added to said code, to read:

Center at San Francisco State College

19619. The Department of Education may maintain a child care center in connection with the San Francisco State College subject to all the provisions of this chapter other than Sections 19608 and 19615.

The terms "governing board" and "district" as used in this chapter shall, for the purposes of this section, be deemed to mean the San Francisco State College.

Urgency

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

Unless the act takes effect immediately, the operation of child care centers will be discontinued on May 30, 1948.

The need for child care centers which arose during the war is as great today as during wartime due to the increase and shift of population in California as a result of the war and due to the slowness of the reconversion of our economy from a wartime to a peacetime basis. Thus the emergency created by war conditions which necessitated provision for child care centers has not yet terminated. Furthermore, the increase in living costs following the war still requires that in many families all possible wage earners be gainfully employed. To prevent the premature closing of established centers and the consequent disruption of the economic life of the State by the immediate withdrawal from essential industry and services of persons charged with the care of minor children, it is necessary to continue the existence of the child care centers for the additional period provided in this act and to make certain the status of the child care center which has been maintained at the San Francisco State College since the establishment of the child care center program in this State.

It is therefore necessary that this act take effect immediately.

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## CHAPTER 5

*An act to repeal Section 951.5 of the Fish and Game Code, and to add a new Section 951.5 to said code, relating to nets, declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 6, 1948. Filed with Secretary of State April 6, 1948.]

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

Repeal

SECTION 1. Section 951.5 of the Fish and Game Code is repealed.

SEC. 2. A new Section 951.5 is added to said code, to read:

Paranzella, etc., nets

951.5. It is unlawful for any person to use or possess any paranzella net, or other trawl net, with meshes which are less than five inches in length.

Operative date

The provisions of this section shall become effective July 1, 1949.

Urgency

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety

within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Section 951.5 was added to the Fish and Game Code by Chapter 1438, Statutes of 1947, to prohibit the use or possession of paranzella and other trawl nets with meshes less than five inches in length. This provision became effective on January 1, 1948. This measure was enacted as a conservation measure upon the assumption that compliance therewith would not be difficult and that nets with the prescribed mesh could readily be obtained. However, it has developed that neither the nets nor sufficient twine to make them are available. The nets are made in the East and the manufacturers will not be able to obtain the twine, reset their machines, and produce the nets required until some time in the middle of next year. The result is that since January 1, 1948, the type of commercial fishing in which these nets are used, principally the fishing for flat fish, has been prohibited to California fishermen. Therefore, not only are many commercial fishermen prevented from following their customary occupation but the people of the State are deprived of a substantial part of their customary diet. The prohibitory effect of the 1947 act was entirely unforeseen and unintended. The act operates and will continue to operate to deprive the people of the State of a necessary food resource and to contribute to the high prices of meat, poultry and other foods which must be substituted therefor. It is therefore necessary in the interests of the public welfare and the protection of the public health that this act take immediate effect.

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## CHAPTER 6

*An act making an appropriation for Emergency Fund in augmentation of the appropriation in Item 325 of the Budget Act of 1947, declaring the urgency thereof, to take effect immediately.*

[Approved by Governor April 7, 1948. Filed with Secretary of State April 7, 1948.]

In effect immediately

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

SECTION 1. The sum of four million two hundred twenty-one thousand seven hundred forty-six dollars ($4,221,746) is hereby appropriated for Emergency Fund in augmentation of Item 325 of the Budget Act of 1947. Of the amount appropriated by this act three million eight hundred ninety-one thousand seven hundred forty-six dollars ($3,891,746) shall be payable out of any money in the State Treasury not otherwise appropriated, and three hundred thirty thousand dollars ($330,000) shall be payable out of the Flood Control Fund of 1946. One hundred thirty thousand dollars ($130,000) of the amount payable from the Flood Control Fund of 1946 shall be transferred by the State

Appropriation Emergency Fund

Stats. 1947, p. 1390

Controller to the unappropriated money in the State Treasury in augmentation of Item 325 of the Budget Act of 1947.

The balance of the amount appropriated from the Flood Control Fund of 1946 shall be expended only upon written authorization of the Department of Finance for flood control projects. Such balance is made available for expenditure pursuant to the State Water Resources Act of 1945, and is, to the extent of such balance, in furtherance of the policy set forth in said act that the State will participate in the prosecution of the projects approved and authorized in said act by paying for the cooperation which is required by the acts of Congress approving and authorizing the projects.

Stats 1945, p 2327

Urgency

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

The cost of operation of State Government has increased in amounts substantially in excess of the estimates upon which the appropriations made by the Budget Act of 1947 were based, with the result that many of those appropriations are inadequate to provide for the operation of state agencies for the remainder of the fiscal year. Further, the unprecedented growth of the population of this State has increased the responsibilities of numerous state agencies. The cost of operation of such agencies has increased accordingly, to a point where the funds available for them are insufficient to enable such agencies to discharge their added responsibilities efficiently. In order to prevent a stoppage of vital governmental functions it is necessary that this act take effect immediately.

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## CHAPTER 7

*An act calling a special election to be consolidated with the general election of 1948 and to provide for the submission to the electors of the State at such consolidated election of constitutional amendments proposed by the Legislature at the 1948 Regular Session of the Legislature, to take effect immediately.*

In effect immediately

[Approved by Governor April 7, 1948. Filed with Secretary of State April 7, 1948.]

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

Special election for Constitutional Amendments

SECTION 1. A special election is hereby called to be held throughout the State on the second day of November, 1948. Such special election shall be consolidated with the general election to be held on said date. Such consolidated election shall be held and conducted in all respects as if there were only one elec-

tion and only one form of ballot shall be used. At such consolidated election there shall be submitted to the electors, in addition to such other measures as may be submitted in accordance with law, each constitutional amendment proposed by the Legislature at the 1948 Regular Session. Except as otherwise provided in this act, all of the applicable provisions of law relating to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to measures submitted pursuant to this act.

Ballot arguments

SEC. 2. The presiding officer of the house of the Legislature in which the resolution proposing such a constitutional amendment originated shall appoint the author and one member of the same house who voted in favor of the submission of the measure to draft an argument for the adoption of the measure. If the measure was not adopted unanimously by the house in which it originated the presiding officer of that house shall appoint one member thereof who voted against the submission of the measure to draft an argument against the measure. All such arguments shall be filed with the Secretary of State not later than June 3, 1948.

Ballot title

SEC. 3. Upon the filing in his office of a resolution adopted by the Legislature at the 1948 Regular Session proposing a constitutional amendment the Secretary of State shall transmit a copy thereof to the Attorney General with a request for the preparation of a ballot title. The Attorney General, within 10 days after the receipt of such request, shall deliver to the Secretary of State a ballot title for such measure.

Election

SEC. 4. This act, inasmuch as it provides for the calling of an election shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

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## CHAPTER 8

Stats 1945, p 2827, amended

*An act to add Sections 46.6 and 46.7 to the State Water Resources Act of 1945, relating to water resources and flood control and declaring the urgency of the act, to take effect immediately.*

In effect immediately

[Approved by Governor April 7, 1948. Filed with Secretary of State April 7, 1948.]

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

SECTION 1. Section 46.6 is added to the State Water Resources Act of 1945, to read:

Flood control. City of San Diego

Sec. 46.6. The City of San Diego shall give assurances satisfactory to the Secretary of the Army that the local cooperation required by Section 1 of the Act of Congress, approved July 24, 1946 (Public, Numbered 525, Seventy-ninth Congress, Second Session), will be furnished by said city in connection with the flood control project adopted and authorized in Section 46.5 of this act.

SEC. 2. Section 46.7 is added to the said act, to read:

Plans and projects

Sec. 46.7. It shall be the duty of the City of San Diego, in conjunction with the Department of the Army, to execute the plans and projects referred to in Section 46.5 of this act and exercise all powers granted to it by law, and said city may make modifications and amendments to said plans as may be necessary to execute the same for the purposes of this act.

Urgency

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

Section 46.5 of the State Water Resources Act of 1945, added thereto by Chapter 462 of 1947, adopts and authorizes the flood control project for the San Diego River and Mission Bay which project had been previously adopted and authorized by Act of Congress and for the construction of which the Congress has since appropriated funds. However, Chapter 462 of 1947 does not designate the local agency which shall give assurance satisfactory to the Secretary of the Army that the local cooperation required by the federal act will be furnished and does not designate the local agency which shall execute the plan and project in conjunction with the Department of the Army. It is therefore necessary that the local agency be designated at once as provided in this act in order that work can be commenced and continued with the federal funds appropriated in July of 1947.

Due to the recent growth of the industry and population of this State, the possible flood damage which might be caused by the waters of the State has greatly increased and it is imperative that there be no delay in putting into effect and operation means for controlling flood waters. The San Diego River and Mission Bay Project will provide protection from flood waters, which is essential to the public welfare and safety, and it is necessary that the City of San Diego be authorized to cooperate with the Federal Government as provided in this act in order that commencement and continuance of construction work on the project may be accomplished at the earliest possible date.

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## CHAPTER 9

*An act to amend Sections 353.1, 353.5, 353.6, 353.7, 353.8, 353.9, and 354 of, and to add Section 354.1 to, the Agricultural Code, relating to hide and brand inspection fees, declaring the urgency of this act, to take effect immediately.*

In effect immediately

[Approved by Governor April 7, 1948. Filed with Secretary of State April 7, 1948.]

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

SECTION 1. Section 353.1 of the Agricultural Code is amended to read:

353.1. Except as otherwise provided in this article, the fee shall be paid at the point of inspection and the fee for each such inspection is the sum of thirteen cents ($0.13) for each animal, carcass, or hide inspected. Inspection fees

SEC. 2. Section 353.5 of the Agricultural Code is amended to read:

353.5. The fee shall be eight cents ($0 08) for each head of cattle originating in other states and shipped to California, consigned to a public stockyard which is posted by the Secretary of Agriculture of the United States, or to a public sales yard, for inspection before release from such stockyard or market. Cattle from other states

SEC. 3. Section 353.6 of the Agricultural Code is amended to read:

353.6. The fee shall be eight cents ($0 08) for each head of cattle, originating in other states, shipped to California for slaughter, and unloaded in an enclosure which is used exclusively by the slaughterer and located within one mile of the slaughterhouse if the cattle are driven, not transported, from said enclosure to said slaughterhouse. Same

SEC. 4. Section 353.7 of the Agricultural Code is amended to read:

353.7. The fee shall be eight cents ($0.08) for each cattle hide or calf skin classified as reduction hide or skin. Hides

SEC. 5. Section 353.8 of the Agricultural Code is amended to read:

353.8. Cattle may be shipped from a public stockyard or from a public sales yard to another public stockyard or public sales yard if the shipment is accompanied by a duplicate California brand inspection certificate releasing the shipment from the prior public stockyard or public sales yard to another public stockyard or public sales yard designated in said certificate, but the cattle shall be inspected before being released from such designated public stockyard or public sales yard, a brand inspection certificate issued, and the fee shall be eight cents ($0.08) for each animal; but if such duplicate certificate does not accompany the shipment, on presentation of proof of ownership, satisfactory to the bureau, the cattle shall be inspected prior to being offered for sale and prior to being released from such public stockyard or public sales yard, and the fee shall be thirteen cents ($0.13) for each animal inspected prior to being offered for sale. The fees required by this section shall be paid by the person or his agent consigning the cattle to said market. Shipments between stockyards

SEC. 6. Section 353.9 of the Agricultural Code is amended to read:

353.9. The fee for the inspection of cattle, other than suckling calves accompanying their mothers, shall be eleven cents ($0.11) when the cattle are transported for purposes other than sale or slaughter and no change of ownership is involved. Purposes other than slaughter

SEC. 7. Section 354 of the Agricultural Code is amended to read:

354. The total of all fees collected upon the same cattle moving from points within this State through one public stock- Total fee

yard which is posted by the Secretary of Agriculture of the United States or through one public sales yard shall not exceed thirteen cents ($0.13) per head for all inspection including inspection at point of shipment, en route, or at first destination, inspection upon release from a public stockyard or a public sales yard and inspection at place of slaughter.

SEC. 8. Section 354.1 is added to Article 10 of Chapter 2 of Division 3 of the Agricultural Code, to read:

Below maximum fees

354.1. The fees provided by this article are maximum fees. The director may adopt a schedule or schedules of fees which are below the maximum fees established in this article and may adjust such schedule or schedules from time to time whenever he finds that the cost of administering and enforcing the provisions of Chapters 2, 4, and 5 of Division 3 of the Agricultural Code can be maintained with such below-maximum fees.

Operative date

SEC. 9. The fees provided for in this act shall be collected for all inspections made on or after the second day after the day this act takes effect.

Urgency

SEC. 10. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The administration of the law relating to livestock protection and identification is financed on a self-supporting basis and largely from fees for inspection of cattle and the hides and carcasses thereof. The fees now provided for by law have proved to be inadequate and the cattle protection service is currently operating at a loss. Unless additional money is provided immediately a large number of hide and brand inspectors will be laid off and the service will suffer a major breakdown. Large seasonal movements of livestock occur in the spring months of the year and the normal procedures of marketing livestock necessitate a continuous operation of this service. A breakdown of the service at this time would expose the livestock of the State to theft, misappropriation and other loss and would disrupt the orderly process of the marketing of livestock, the products of which are essential to the public health. In view of the current high prices of livestock, such breakdown would encourage cattle thefts and illicit dealings in beef and other livestock products outside of the regular channels of trade. In order to avoid these immediate dangers to the public peace, health, and safety it is necessary that this act take immediate effect.

# CHAPTER 10

*An act to amend Section 9355 of the Government Code, relating to retirement of Members of the Legislature, declaring the urgency hereof, to take effect immediately.*

[Approved by Governor April 7, 1948. Filed with Secretary of State April 7, 1948.]

In effect immediately

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

SECTION 1. Section 9355 of the Government Code is amended to read:

Election to become member of retirement system

9355. Every legislator in office at the time this amendment becomes effective may, at any time prior to the expiration of the term of office for which he has been elected, file with the board a written election to become a member of this system. Every legislator elected after the effective date of this amendment may file such an election within 90 days after the commencement of the first term of office for which he is elected. Upon the filing of the election he becomes a member of this system on the first day of the month following the filing of the election.

All elections heretofore filed by the board, or offered to the board for filing, and every written statement to the board of a legislator by which he has indicated his intention to become a member of this system, whether filed by the board or refused filing, is hereby validated and shall be deemed a full compliance with this section.

Urgency

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Attorney General heretofore rendered an opinion that the Legislators' Retirement Law is unconstitutional. In consequence the Board of Retirement of the State Employees' Retirement System has refused to file the written elections of legislators to become members of the Legislators' Retirement System. An action is now pending in the Supreme Court to determine the validity of the law. If this law is ultimately held constitutional, many members who would otherwise be entitled to benefits under its provisions may become ineligible because of the failure of the board to file their elections or because of their failure to file, predicated upon the Attorney General's opinion.

In order fully to protect the rights of these members, and to secure their rights under the law for members of the Legislature who may have ceased to be members at or prior to the time of the commencement of the next regular session of the Legislature, and to assure the orderly conduct of public business, it is necessary that this act take effect immediately.

# CHAPTER 11

Stats 1947, p 30, amended

*An act to amend Section 15 of the Construction and Employment Act, relating to the priority of facilities to be constructed pursuant to said act, declaring the urgency of this act, to take effect immediately.*

In effect immediately

[Approved by Governor April 9, 1948 Filed with Secretary of State April 9, 1948.]

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

SECTION 1. Section 15 of the Construction and Employment Act is amended to read:

Priorities of city projects

Sec. 15. Cities in submitting applications for an allotment, and the board in reviewing applications for projects as defined in Section 3 of this act, shall give the following priority to city projects:

(a) Sewage facilities; and

(b) Major streets, including bridges and other street structures or facilities, schools, storm drains, and the improvement of existing publicly owned water-works systems.

The Legislature hereby finds and declares that there is a state interest in the construction of sewage facilities and in the construction of major streets, including bridges and other street structures or facilities, schools, storm drains, and the improvement of existing publicly owned water-works systems.

Procedure for considering applications

The board in considering applications by cities, first shall give priority to applications for construction of sewage projects and shall not consider applications by cities for construction of other projects unless:

(a) After consultation with the State Department of Public Health, it shall first find and determine that sewage facilities are adequate to meet the reasonable needs of the city; or

(b) It shall first find and determine that provision already has been made to finance construction of such facilities.

(c) In case of an application involving the improvement of a publicly owned water-works system it finds, after consultation with the State Department of Public Health, that such improvement is more necessary than the construction of sewer facilities.

Any funds allocated to any city which are not required for sewage facilities shall be expended only for the construction of major streets, including bridges and other street structures or facilities, schools, storm drains, and the improvement of publicly owned water-works systems.

Urgency

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Under the act hereby amended an absolute priority is given to allocations to cities for sewer facilities and no allocation may

be made for other facilities unless completely adequate sewer facilities are provided for. Drought conditions have diminished the water supply of certain cities to such an extent that it is immediately necessary to obtain additional supplies by the drilling of wells and such other means as may be available. In some cities the shortage of water is so acute that there is not sufficient water for domestic use and other essential uses such as fire fighting and flushing of sewers. Such shortage is a direct menace to the public peace, health, and safety and immediate provision must be made to meet these situations. Money heretofore appropriated for allocation to a city for public works may not be made available for additional water supplies even though the sewage facilities of the city are sufficiently adequate so that there is no present menace to the public health. In some cities the situation is so acute that time will not permit the raising of the necessary money for new water supplies through such normal channels as the issuance of bonds or levying of taxes. It is therefore immediately necessary to provide funds for such purposes in order to protect the public peace, health and safety

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## CHAPTER 12

*An act to amend Section 7.5 of the Bank and Corporation Franchise Tax Act, Section 5.5 of the Corporation Income Tax Act, and Sections 6051, 6201, 17053.5, 19200, 19201.5, 19202, 19203.5, 19204.5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.*

Stats. 1929, p. 19. Stats. 1937, p. 2184, amended

[Approved by Governor April 9, 1948. Filed with Secretary of State April 9, 1948.]

In effect immediately

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

SECTION 1. Section 7.5 of the Bank and Corporation Franchise Tax Act is amended to read:

Sec. 7.5. With respect to taxable years beginning after December 31, 1943, and before January 1, 1950, the amount of the tax that would have been payable, except for the existence of this section, shall be computed in the manner, at the rates and on the basis specified in this act, but the amount to be paid to the State under this act for such taxable years shall be eighty-five percent (85%) of the amount so computed; provided, however, that every corporation not expressly exempted from tax by the provisions of this act or the Constitution of this State, shall pay annually to the State a minimum tax of twenty-five dollars ($25).

Temporary tax credit

SEC. 2. Section 5.5 of the Corporation Income Tax Act is amended to read:

Sec. 5.5. With respect to taxable years beginning after December 31, 1942, and before January 1, 1949, the amount of

Temporary tax credit

the tax that would have been payable, except for the existence of this section, shall be computed in the manner, at the rates and on the basis specified in this act, but the amount to be paid to the State under this act for such taxable years shall be eighty-five percent (85%) of the amount so computed.

SEC. 3. Section 6051 of the Revenue and Taxation Code is amended to read:

Levy of sales tax: Rate

6051. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2½ percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this State on or after August 1, 1933, and to and including June 30, 1935, and at the rate of 3 percent thereafter, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent thereafter.

SEC. 4. Section 6201 of said code is amended to read:

Levy of use tax: Rate

6201. An excise tax is hereby imposed on the storage, use, or other consumption in this State of tangible personal property purchased from any retailer on or after July 1, 1935, for storage, use, or other consumption in this State at the rate of 3 percent of the sales price of the property, and at the rate of 2½ percent on and after July 1, 1943, and to and including June 30, 1949, and at the rate of 3 percent thereafter.

SEC. 5. Section 17053.5 of said code is amended to read:

Personal income tax: Simplified return

17053.5. (a) With respect to taxable years beginning after December 31, 1946, and before January 1, 1949, in lieu of the tax imposed under Section 17052, as limited by Sections 19200 and 19201.5 of this code, there shall be levied, collected and paid for each taxable year upon the net taxable income of each individual whose adjusted gross income for such year is less than five thousand dollars ($5,000) and who has elected to pay the tax imposed by this section for such year, the tax shown in the following table:

| | | The tax shall be— | | |
|---|---|---|---|---|
| If the adjusted gross income is over— | But not over— | Single person (not head of family) | Married person making separate return | (1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family |
| $2,200 | $2,250 | $0 | $0 | $0 |
| 2,250 | 2,300 | 0 | 0 | 0 |
| 2,300 | 2,350 | 0 | 0 | 0 |
| 2,350 | 2,400 | 0 | 0 | 0 |
| 2,400 | 2,450 | 0 | 0 | 0 |
| 2,450 | 2,500 | 0 | .77 | 0 |
| 2,500 | 2,550 | 0 | 1.24 | 0 |
| 2,550 | 2,600 | 0 | 1.71 | 0 |
| 2,600 | 2,650 | 0 | 2.18 | 0 |
| 2,650 | 2,700 | 0 | 2.65 | 0 |

| If the adjusted gross income is over— | But not over— | The tax shall be— Single person (not head of family) | Married person making separate return | (1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family |
|---|---|---|---|---|
| $2,700 | $2,750 | $0 | $3.12 | $0 |
| 2,750 | 2,800 | 0 | 3.59 | 0 |
| 2,800 | 2,850 | 0 | 4.06 | 0 |
| 2,850 | 2,900 | 0 | 4.53 | 0 |
| 2,900 | 2,950 | 0 | 5.00 | 0 |
| 2,950 | 3,000 | 0 | 5.47 | 0 |
| 3,000 | 3,050 | 0 | 5.94 | 0 |
| 3,050 | 3,100 | 0 | 6.41 | 0 |
| 3,100 | 3,150 | 0 | 6.88 | 0 |
| 3,150 | 3,200 | 0 | 7.35 | 0 |
| 3,200 | 3,250 | 0 | 7.82 | 0 |
| 3,250 | 3,300 | .79 | 8.29 | 0 |
| 3,300 | 3,350 | 1.26 | 8.76 | 0 |
| 3,350 | 3,400 | 1.73 | 9.23 | 0 |
| 3,400 | 3,450 | 2.20 | 9.70 | 0 |
| 3,450 | 3,500 | 2.67 | 10.17 | 0 |
| 3,500 | 3,550 | 3.14 | 10.64 | 0 |
| 3,550 | 3,600 | 3.61 | 11.11 | 0 |
| 3,600 | 3,650 | 4.08 | 11.58 | 0 |
| 3,650 | 3,700 | 4.55 | 12.05 | 0 |
| 3,700 | 3,750 | 5.02 | 12.52 | 0 |
| 3,750 | 3,800 | 5.49 | 12.99 | 0 |
| 3,800 | 3,850 | 5.96 | 13.46 | 0 |
| 3,850 | 3,900 | 6.43 | 13.93 | 0 |
| 3,900 | 3,950 | 6.90 | 14.40 | 0 |
| 3,950 | 4,000 | 7.37 | 14.87 | 0 |
| 4,000 | 4,050 | 7.84 | 15.34 | 0 |
| 4,050 | 4,100 | 8.31 | 15.81 | 0 |
| 4,100 | 4,150 | 8.78 | 16.28 | 0 |
| 4,150 | 4,200 | 9.25 | 16.75 | 0 |
| 4,200 | 4,250 | 9.72 | 17.22 | 0 |
| 4,250 | 4,300 | 10.19 | 17.69 | 0 |
| 4,300 | 4,350 | 10.66 | 18.16 | 0 |
| 4,350 | 4,400 | 11.13 | 18.63 | 0 |
| 4,400 | 4,450 | 11.60 | 19.10 | 0 |
| 4,450 | 4,500 | 12.07 | 19.57 | 0 |
| 4,500 | 4,550 | 12.54 | 20.04 | 0 |
| 4,550 | 4,600 | 13.01 | 20.51 | 0 |
| 4,600 | 4,650 | 13.48 | 20.98 | 0 |
| 4,650 | 4,700 | 13.95 | 21.45 | 0 |
| 4,700 | 4,750 | 14.42 | 21.92 | 0 |
| 4,750 | 4,800 | 14.89 | 22.39 | 0 |
| 4,800 | 4,850 | 15.36 | 22.86 | 0 |

| If the adjusted gross income is over— | But not over— | The tax shall be— Single person (not head of family) | Married person making separate return | (1) Married person whose spouse has no gross income, or (2) married person making joint return, or (3) head of family |
|---|---|---|---|---|
| $4,850 | $4,900 | $15.83 | $23.33 | $0.83 |
| 4,900 | 4,950 | 16.30 | 23.80 | 1.30 |
| 4,950 | 4,999.99 | 16.77 | 24.27 | 1.77 |

Dependents

In applying the above schedule to determine the tax of a taxpayer with one or more dependents, there shall be subtracted from his adjusted gross income four hundred dollars ($400) for each such dependent.

(b) For the purpose of this section—

"Married person"

(1) "Married person" means a married person on the last day of the taxable year, unless his spouse dies during the taxable year, in which case such determination shall be made as of the date of the spouse's death.

"Dependent"

(2) "Dependent" means a person who is a dependent under Section 17952.1.

Single person

(3) An individual not a head of a family or a married person shall be treated as a single person.

"Head of family"

(4) "Head of family" means a head of family on the last day of the taxable year, unless such person dies during the taxable year, in which case such determination shall be made as of the date of death.

Limitation

(c) This section shall not apply to an estate or trust, an individual filing a return for a period of less than 12 months on account of a change in the accounting period, or to a married individual whose spouse files a return and computes the tax without regard to this section or Section 17325.

SEC. 6. Section 19200 of said code is amended to read:

Personal income tax: Temporary tax basis

19200. With respect to taxable years beginning after December 31, 1942, and before January 1, 1949, there shall be levied, collected, and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State:

Upon net incomes not in excess of ten thousand dollars ($10,000), 1 percent of such net incomes.

One hundred dollars ($100) upon net incomes of ten thousand dollars ($10,000); and upon net incomes in excess of ten thousand dollars ($10,000) and not in excess of fifteen thousand dollars ($15,000), 2 percent in addition of such excess.

Two hundred dollars ($200) upon net incomes of fifteen thousand dollars ($15,000); and upon net incomes in excess of fifteen thousand dollars ($15,000) and not in excess of twenty thousand dollars ($20,000), 3 percent in addition of such excess.

Three hundred fifty dollars ($350) upon net incomes of twenty thousand dollars ($20,000); and upon net incomes in excess of twenty thousand dollars ($20,000) and not in excess of twenty-five thousand dollars ($25,000), 4 percent in addition of such excess.

Five hundred fifty dollars ($550) upon net incomes of twenty-five thousand dollars ($25,000); and upon net incomes in excess of twenty-five thousand dollars ($25,000) and not in excess of thirty thousand dollars ($30,000), 5 percent in addition of such excess.

Eight hundred dollars ($800) upon net incomes of thirty thousand dollars ($30,000); and upon net incomes in excess of thirty thousand dollars ($30,000), 6 percent in addition of such excess.

SEC. 7. Section 19201.5 of said code is amended to read:

Personal exemption

19201.5. With respect to taxable years beginning after December 31, 1944, and before January 1, 1949, there shall be allowed as a credit against net income, in the case of a single individual, a personal exemption of three thousand dollars ($3,000), or, in the case of a head of a family or a married individual, a personal exemption of four thousand five hundred dollars ($4,500). A husband and wife shall receive but one personal exemption of four thousand five hundred dollars ($4,500). If the husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

SEC. 8. Section 19202 of said code is amended to read:

Credits against net income of estates and trusts

19202. With respect to taxable years beginning after December 31, 1942, and before January 1, 1949, there shall be allowed as a credit against net income, in the case of an estate, an exemption of one thousand five hundred dollars ($1,500) and, in the case of a trust, an exemption of one hundred dollars ($100).

SEC. 9. Section 19203.5 of said code is amended to read:

Individuals required to make returns

19203.5. With respect to taxable years beginning after December 31, 1944, and before January 1, 1949, every individual taxable under this part shall make a return to the commissioner, stating specifically the items of his gross income and the deductions and credits allowed by this part, if he has for the taxable year

(a) A net income of three thousand dollars ($3,000) or over, if single;

(b) A net income of four thousand five hundred dollars ($4,500) or over, if married; or

(c) A gross income of six thousand dollars ($6,000) or over, regardless of the amount of net income.

SEC. 10. Section 19204.5 of said code is amended to read:

Returns of husband and wife

19204.5. With respect to taxable years beginning after December 31, 1944, and before January 1, 1949, if a husband and wife have for the taxable year an aggregate net income of four thousand five hundred dollars ($4,500) or over, or an

aggregate gross income of six thousand dollars ($6,000) or over—

(a) Each shall make such a return, or

(b) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income. No joint return may be made if husband and wife have different taxable years.

SEC. 11. Section 19205.5 of said code is amended to read:

Returns of fiduciaries

19205.5. With respect to taxable years beginning after December 31, 1944, and before January 1, 1949, every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make, under oath, a return for any of the following taxpayers for whom he acts, stating specifically the items of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having a net income for the taxable year of three thousand dollars ($3,000) or over, if single.

(b) Every individual having a net income for the taxable year of four thousand five hundred dollars ($4,500) or over, if married.

(c) Every individual having a gross income for the taxable year of six thousand dollars ($6,000) or over, regardless of the amount of his net income.

(d) Every estate the net income of which for the taxable year is one thousand five hundred dollars ($1,500) or over.

Tax levy

SEC. 12. This act, inasmuch as it provides for a tax levy, shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately.

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## CHAPTER 13

*An act to amend Section 734 of the Agricultural Code, relating to fees for marketing of milk and other dairy products.*

In effect June 26, 1948

[Approved by Governor April 9, 1948. Filed with Secretary of State April 9, 1948.]

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

SECTION 1. Section 734 of the Agricultural Code is amended to read:

Ice cream mix, etc., fee

734. Manufacturers who are subject to the provisions of this chapter shall pay to the directer on each gallon of ice cream mix and on each gallon of ice milk mix manufactured by them a fee of two mills ($0.002) per gallon. Said fee is a maximum fee. The director may fix such fee at a less amount, and may adjust such fee from time to time, whenever he finds that the cost of administering the provisions of this chapter can be defrayed with such below maximum fee. The amount of said fee shall be paid to the director on or before the fifteenth day of the month

following the month in which said mix was manufactured. The amount so received by the director shall be paid into the Department of Agriculture Fund to be used in the administration and enforcement of this chapter.

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## CHAPTER 14

*An act to amend Sections 736.14 and 737.6 of the Agricultural Code, relating to fees assessed for the conduct of fluid milk marketing and stabilization functions.*

[Approved by Governor April 9, 1948. Filed with Secretary of State April 9, 1948.]

In effect June 26, 1948

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

SECTION 1. Section 736.14 of the Agricultural Code is amended to read:

Milk distributor's fees

736.14. Distributors who are subject to minimum wholesale and minimum retail prices for fluid milk as established by the director shall pay to the director on all milk fat contained in fluid milk purchased from producers, including their own production, if any, a fee in mills per pound of milk fat equal to that required to be deducted from the payments due producers of fluid milk under Section 737.6 of this code. Such assessed fees received by the director shall be used in the administration and enforcement of this chapter.

Distributors who are subject to the provisions of any minimum wholesale and minimum retail prices for fluid cream as established by the director shall pay to the director on all milk fat contained in fluid cream purchased from producers, or fluid milk or fluid cream purchased from producers, including their own production, if any, a fee in mills per pound of milk fat equal to that required to be deducted from the payments due producers of fluid milk for fluid cream or fluid cream under Section 737.6 of this code. Such assessed fees received by the director shall be used in the administration and enforcement of this chapter.

SEC. 2. Section 737.6 of the Agricultural Code is amended to read:

Milk distributor's license fee

737.6. (a) For filing the application herein described, each applicant shall pay a fee of three dollars ($3).

Deductions

(b) Distributors who are subject to the provisions of any stabilization and marketing plan made effective by this chapter, shall deduct as an assessment from payments due producers for fluid milk, fluid cream or both, including each distributor's own production, the sum of two mills ($0.002) per pound milk fat on all milk fat contained in fluid milk, fluid cream or both, or in the case of distributors who do not purchase or receive fluid milk, in milk fat pounds, the sum of seven mills ($0.007) for each 10 gallons of fluid milk sold. Said assessment rates are

Adjustments

maximum rates. The director may fix the rate of such assessments at a less amount, and may adjust the rate from time to time, whenever he finds that the cost of administering the provisions of this chapter can be defrayed from revenues derived from such lower rates, in combination with such sums as are provided by Section 736.14. The amount of the assessments so deducted shall be paid to the director on or before the fifteenth of the month following the month during which such fluid milk or fluid cream was received. The amounts of all such assessments so received by the director shall be used in the administration and enforcement of this chapter, or any stabilization and marketing plan established by this chapter.

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## CHAPTER 15

Stats 1911, p 1290, amended

*An act to amend Section 12 of, and to add Sections 12a and 12b to, the Municipal Water District Act of 1911, relating to the authority of municipal water districts to restrict the use of water during drought and other emergency periods, the punishment for violation of district ordinances and regulations upon such matters, and the power of municipal water districts to make findings and the effect thereof, and declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 9, 1948. Filed with Secretary of State April 9, 1948.]

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

SECTION 1. Section 12 of the Municipal Water District Act of 1911 is amended to read:

General powers of municipal water districts

Sec. 12. Any municipal water district incorporated as herein provided, shall have power:

1. To have perpetual succession;

2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction;

3. To adopt a seal and alter it at pleasure;

4. To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the district, necessary to the full exercise of its powers;

5. To acquire, or contract to acquire, waterworks or a waterworks system, waters, water rights, lands, rights and privileges and construct, maintain and operate conduits, pipelines, reservoirs, works, machinery and other property useful or necessary to store, convey, supply or otherwise make use of water for a waterworks plant or system for the benefit of the district, and to complete, extend, add to, repair, or otherwise improve any waterworks or waterworks system acquired by it as herein authorized;

6. To lease of and from any person, firm or public or private corporation, or public agency, with the privilege of purchasing or otherwise, all or any part of water storage, transportation or distribution facilities, existing waterworks or a waterworks system, and to carry on and conduct waterworks or a waterworks system; also to sell water under the control of the district to municipalities, and to other public corporations and public agencies within the district, and to the inhabitants of such municipalities and of other territory within the district, and to persons, corporations, and other private agencies within the district for use within said district without any preference, and it may, whenever there is a surplus of water above that which may be required by such consumers within said district, sell or otherwise dispose of such surplus water to any persons, firms, public or private corporations or public agencies or other consumers;

6a. To supply and deliver district water to publicly owned and operated golf courses and other publicly owned and operated recreational facilities and to public schools, school districts and public school properties, and to fix and establish special rates, terms and conditions for the use and sale of water for each of these purposes; provided, however, that this provision shall not be construed to indicate legislative intent either for or against the existence of any power of the district to furnish water to other persons, firms or corporations at just and reasonable rates;

7. To have and exercise the right of eminent domain and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to supply the district or any portion thereof with water, whether such property be already devoted to the same use or otherwise, and may condemn any existing waterworks or system, or any portion thereof, or any waters or water rights owned by any person, firm or private corporation. In proceedings relative to the exercise of such right, the district shall have the same rights, powers and privileges as a municipal corporation;

8. To borrow money and incur indebtedness and to issue bonds or other evidences of such indebtedness; also to refund or retire any indebtedness or lien that may exist against the district or property thereof;

9. To cause taxes to be levied for the purpose of paying any obligation of the district in the manner hereinafter provided;

9a. To restrict the use of district water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of district water or the use of district water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the district; to prohibit use of such water during such periods for specific uses which the district may from time to time find to be nonessential;

9b. To prescribe and define by ordinance the restrictions, prohibitions and exclusions referred to in subdivision 9a hereof.

Every ordinance relating to the matters referred to in this subdivision shall be in full force and effect forthwith upon adoption, but shall be published once in full in a newspaper of general circulation, printed, published and circulated in the district within 10 days after adoption, or if there be no such newspaper it shall be posted within said time in three public places within the district;

10. To make contracts, to employ labor, and do all acts necessary for the full exercise of the foregoing powers;

11. In case of condemnation proceedings the board shall proceed in the name of the district;

12. To provide by ordinance of its board of directors for the pensioning of officers or employees and the creation of a special fund for the purpose of paying such pensions, and the accumulation of contributions to said fund from the revenues of the district, the wages of officers or employees, voluntary contributions, gifts, donations or any source of revenue not inconsistent with the general powers of the board, and to contract with any insurance corporation or any other insurance carrier for the maintenance of a service covering the pension of such officers or employees, and to provide in such ordinance for the terms and conditions under which such pensions shall be awarded, and for the time and extent of service of officers or employees before such pensions shall be available to them.

Duration

The provisions of Subdivisions 9a and 9b of this section shall remain in effect until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature and thereafter shall have no force or effect.

SEC. 2. Section 12a is added to said act, to read:

Findings

Sec. 12a. Any municipal water district organized hereunder shall have power to make findings upon each and all of the foregoing matters. A finding by the board of directors upon the existence, threat or duration of an emergency or shortage or upon the matter of necessity or any other matter or condition referred to in Section 12 of this act, shall be prima facie evidence of the fact or matter so found and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding shall have been made by the board by resolution or ordinance. Such finding shall be received in evidence in any civil or criminal proceeding in which it may be offered and shall be proof and evidence of the fact or matter found until rebutted or overcome by other sufficient evidence received in such proceeding. Copy of any resolution setting forth any finding shall, when certified by the secretary of the district, be evidence that the finding was made by the district as shown by the resolution and certification.

Duration

This section shall remain in effect until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature and thereafter shall have no force or effect.

SEC. 3. Section 12b is added to said act, to read:

Penalties

Sec. 12b. From and after the publication or posting of any ordinance provided for in subdivision 9b of Section

12 of this act, it is hereby declared to be and it shall be a misdemeanor for any person, firm or corporation to use or apply water received from the district contrary to or in violation of such restriction or prohibition, until such ordinance shall have been repealed or such emergency or threatened emergency shall have ceased, and upon conviction thereof such person, firm or corporation shall be punished by being imprisoned in the county jail for not more than 30 days or by fine of not more than three hundred dollars ($300), or by both such fine and imprisonment.

This section shall remain in effect until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature and thereafter shall have no force or effect. Duration

SEC. 4. The expiration of any provision added to the Municipal Water District Act of 1911 by this act shall not affect or bar any prosecution for a violation of said Municipal Water District Act of 1911 occurring prior to such expiration. Prosecutions

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of 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 rainfall throughout the State of California has now been abnormally low for two seasons and the prospects are remote for sufficient rainfall during the remainder of this spring to provide a sufficient supply of impounded water for normal domestic use; the impounding systems of our districts are inadequate even in normal seasons to supply the vastly increased populations which have come to our State in the past few years; the prospect for water shortages has therefore increased to the extent that there is danger of inadequate supplies even for essential sanitary and household requirements. It is therefore found to be necessary that each local district be authorized forthwith to judge its local requirements from week to week and month to month and to exercise the powers hereinabove granted as it may deem necessary, and it is further found to be necessary that the foregoing penalties be forthwith established to effectuate the findings and decisions so made.

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## CHAPTER 16

*An act to add Sections 12.18, 12.19, 12.20, 12.21, 12.22, and 12.23 to the County Water District Act, relating to county water districts, providing for restricting the use and delivery of water during drought and other periods of emergency and for restricting the use of watershed lands, authorizing boards of directors of such districts to make findings of fact as to matters on conditions related to the exercise of district powers and prescribing the effect of such findings,* Stats 1913, p 1049, amended

*providing for punishment of violations of district ordinances and regulations, declaring the urgency of this act, to take effect immediately.*

In effect immediately

[Approved by Governor April 9, 1948. Filed with Secretary of State April 9, 1948.]

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

SECTION 1. Section 12.18 is added to the County Water District Act, to read:

Use of district water

Sec. 12.18. To restrict the use of district water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of district water or the use of district water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the district; to prohibit use of such water during such periods for specific uses which the district may from time to time find to be nonessential.

SEC. 2. Section 12.19 is added to said act, to read:

Use of watershed areas

Sec. 12.19. During drought and other existing or threatened emergency periods, to restrict the use of watershed areas owned or leased by the district and within district boundaries, for the purpose of controlling and preventing fires and pollution of waters, and to lease or otherwise surrender limited possession rights in these areas for timbering, hunting or other purposes which the district may find will promote the patroling and other protection thereof, to exclude from areas so leased or restricted all persons except those to whom such limited possession rights may be so surrendered. Nothing herein contained shall qualify or limit authority to make similar restrictions and leases during other periods, if and when conferred by other provisions of this act.

SEC. 3. Section 12.20 is added to said act, to read:

Additional connections or services

Sec. 12.20. To decline or limit the giving or making of additional connections or services by the district during drought of water shortage periods.

SEC. 4. Section 12.21 is added to said act, to read:

Ordinances

Sec. 12.21. To prescribe and define by ordinance the restrictions, prohibitions and exclusions referred to in Sections 12.18, 12.19, and 12.20 hereof. Every ordinance relating to the matters referred to in this section shall be in full force and effect forthwith upon adoption but shall be published once in full in a newspaper of general circulation, printed, published and circulated in the district within 10 days after adoption, or if there be no such newspaper, it shall be posted within said time in three public places within the district.

SEC. 5. Section 12.22 is added to said act, to read:

Findings

Sec. 12.22. To make findings upon each and all of the facts or matters referred to in Sections 12.1 to 12.21, inclusive, of this act. A finding by the board of directors upon the existence, threat or duration of an emergency or shortage or upon the matter of necessity or any other fact or matter referred to in

Sections 12.1 to 12.21, inclusive, of this act, shall be prima facie evidence of the fact or matter so found and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding shall have been made by the board by resolution or ordinance. Such finding shall be received in evidence in any civil or criminal proceeding in which it may be offered and shall be proof and evidence of the fact or matter found until rebutted or overcome by other sufficient evidence received in such proceeding. Copy of any resolution setting forth any finding shall, when certified by the secretary of the district, be evidence that the finding was made by the district as shown by the resolution and certification.

SEC. 6. Section 12.23 is added to said act, to read:

Penalties

SEC. 12.23. From and after the publication or posting of any ordinance provided for in Section 12.21 of this act, it shall be a misdemeanor for any person, firm or corporation to use or apply water contrary to or in violation of such restriction or prohibition or to go upon or possess any watershed area in violation of any such exclusion, until such ordinance shall have been repealed or such emergency or threatened emergency shall have ceased, and upon conviction thereof such person, firm or corporation shall be punished by being imprisoned in the county jail for not more than 30 days or by fine of not more than three hundred dollars ($300), or by both such fine and imprisonment.

Duration

SEC. 7. The sections added to the County Water District Act by this act shall remain in effect until the ninety-first day after the 1949 Regular Session of the Legislature and thereafter shall have no further force nor effect. The expiration of said sections shall not affect or bar any prosecution for a violation of an act occurring prior to such expiration.

Prosecutions

Urgency

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and therefore shall take effect immediately. The facts constituting such necessity are as follows: The rainfall throughout the State of California has now been abnormally low for two seasons and the prospects are remote for sufficient rainfall during the remainder of this spring to keep the verdure on watersheds healthy and green and to provide a sufficient supply of impounded water for normal domestic use; the impounding systems of our districts are inadequate even in normal seasons to supply the vastly increased populations which have come to our State in the past few years; the prospect for water shortages has therefore increased to the extent that there is danger of inadequate supplies even for essential sanitary and household requirements and there is serious prospect for destructive fires on dry watersheds, if even normal recreational use is made thereof. It is therefore found to be necessary that each local district be authorized forthwith to judge its local requirements from week to week and month to month and to exercise the powers here-

inabove granted as it may deem necessary, and it is further found to be necessary that the foregoing penalties be forthwith established to effectuate the findings and decisions so made.

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## CHAPTER 17

*An act to amend Section 6956 of the Business and Professions Code, relating to fees for the licensing of collection agencies.*

In effect June 23, 1948

[Approved by Governor April 13, 1948. Filed with Secretary of State April 13, 1948.]

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

SECTION 1. Section 6956 of the Business and Professions Code is amended to read:

License fees: Collection agencies

6956. The Secretary of State shall charge and collect the following fees:

(a) An original license fee of one hundred dollars ($100) for each original license.

(b) A continuation fee of thirty-five dollars ($35) annually payable on or before the thirtieth day of June of each year.

(c) A removal fee of ten dollars ($10).

(d) A representative's fee of ten dollars ($10).

(e) A delinquency fee of ten dollars ($10).

(f) An examination fee of twenty-five dollars ($25).

(g) A copy fee of twenty-five cents ($0.25) per 100 words copied.

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## CHAPTER 18

Stats 1947, p 15, amended

*An act to amend Section 2 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to temporary and emergency housing, and declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 13, 1948. Filed with Secretary of State April 13, 1948.]

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

SECTION 1. Section 2 of the act cited in the title hereof is amended to read:

Sec. 2. As used in this act:

"Local agency"

(a) "Local agency" means any county, city and county, city, local housing authority, district of the State, or any college or university operated by the State or by any state agency. All

acts required to be done herein by a local agency shall be performed by the governing body thereof by resolution or ordinance unless otherwise specified. In instances where the local agency does not have a governing body such acts shall be performed in writing signed by the person charged with the administration of the local agency.

"Housing"

(b) "Housing" means any temporary housing (intact or in panels suitable for reuse) made available by the National Housing Administrator, or any other federal agency having to do with the disposal of such housing, for the purpose of providing temporary housing for veterans and their families and for families of servicemen.

"Veterans"

(c) Insofar as permitted by federal law and regulations, and unless prohibited thereby, "veterans" includes any person who has served in the military or naval forces or the Merchant Marine of the United States and who has been discharged or released therefrom under conditions other than dishonorable.

"Families of servicemen"

(d) Insofar as permitted by federal law and regulations, and unless prohibited thereby, "families of servicemen" includes the family of any person who is serving in the military or naval forces or the Merchant Marine of the United States and the unmarried widow of a deceased veteran.

"Families"

(e) "Families" is limited to the spouse and legal dependents who are members of the household.

"Director"

(f) "Director" means the Director of the State Department of Finance.

Urgency

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There continues to exist an extreme shortage of housing in the State. Many veterans and other persons are unable to find housing for themselves or their families and by reason thereof are being compelled to live in unsafe, unsanitary, and congested dwellings. The existing act defines "housing" as temporary housing made available by the National Housing Administrator. Other federal agencies have or will have authority to make available such temporary housing. The immediate adoption of this act will enable the State and local agencies to obtain temporary housing made available by such agencies. It is imperative that temporary housing, in addition to that made available by the National Housing Administrator, be acquired with the greatest dispatch in order to alleviate hardship and suffering.

# CHAPTER 19

*An act making an appropriation for the acquisition of temporary and emergency housing facilities for veterans and families of service men, declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 13, 1948. Filed with Secretary of State April 13, 1948.]

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

Appropriation Veterans' housing.

Stats. 1947, p. 45

SECTION 1. The unencumbered balance of the appropriation made by Chapter 391 of the Statutes of 1947 for the purposes of carrying out the provisions of Section 8.5 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of veterans by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, is hereby appropriated to the Director of Finance in augmentation of the appropriation made by Section 3 of said act for the purpose of carrying out the provisions of said act, exclusive of said Section 8.5.

Urgency

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

There still exists an extreme shortage in housing in the State. Many discharged veterans and other persons are unable to find housing for themselves or their families and by reason thereof are being compelled to live in unsafe, insanitary and congested dwellings. The funds remaining in the appropriation made by Chapter 391 of the Statutes of 1947 are really no longer required for the purposes for which appropriated but are necessary for the further financing of such housing facilities as provided in the act cited. The immediate adoption of this act will enable the state and local agencies to procure properties and provide suitable housing facilities for veterans and other persons entitled thereto and will enable many veterans and their families to readjust themselves to civilian life and resume their places in the community and conduct their employment without worry as to the health, sanitary condition and welfare of their families. It is therefore necessary that this act take effect immediately.

# CHAPTER 20

*An act to amend Section 796.1 of the Agricultural Code, relating to citrus fruit, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor April 13, 1948. Filed with Secretary of State April 13, 1948.]

In effect immediately

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

SECTION 1. Section 796.1 of the Agricultural Code is amended to read:

796.1. No lot of citrus fruit failing to conform to the requirements because of serious damage caused by freezing injury may be mixed or blended with other lots of citrus fruit which conform to these requirements, resulting in the concealment of inferior fruit, thereby reducing the percentage of defective fruits in the seriously damaged lots to within the tolerance which is permitted for errors in grading only.

Unlawful citrus fruit mixtures

Any packed citrus fruit which has been in storage or after being shipped fails to meet the requirements of the standards for citrus fruits established in this chapter only by reason of brown rot, blue mold, or green mold which has occurred after packing, shall not be held for violation of the provisions of this chapter on account of such deterioration.

Rot and mold

Oranges (except tangerines and mandarins), grapefruit, and lemons when packed shall be regularly packed throughout in standard containers as provided and designated for each such citrus fruit in Section 828.83; provided, however, that packed citrus fruit imported into this State from another state need not be packed in said containers if they are packed in containers conforming to the applicable laws or regulations of the state of origin or of the United States.

Packing

All containers of packed citrus fruits when packed shall bear upon them in plain sight and in plainly legible letters on one outside end: The name of the packer thereof together with a sufficiently explicit address to permit ready location of such packer; the number and average diameter of the citrus fruit in the container, except that containers of tangerines, mandarins and limes when not regularly packed, may instead be marked with the cubical capacity of the container; in the case of oranges and grapefruit the name of the variety, if known, and when not known, the words "unknown variety" or "seedlings"; provided, however, that in the case of citrus fruit imported from another state the average diameter of the fruit in the container need not be shown.

Container markings

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Urgency

A federal quarantine against citrus fruit produced in Texas has recently been lifted, thereby permitting such fruit to be

imported into this State. The California law requires grapefruit and oranges to be packed in specified standard containers which are slightly smaller than the container used in Texas. There is some question as to whether citrus fruit in a container standard for Texas may be sold within this State. The California law also requires that each container shall be marked to show the average diameter of the fruit in the container. The Texas law does not so provide. The Department of Agriculture has proposed to adopt an emergency order to permit the use in this State of the so-called Texas containers. The purpose of this proposed order is to assure that no trade barrier has been erected against Texas citrus fruit. To that extent the purpose is laudable. However, such order would permit the use within the State of two different containers for the same fruit, which containers would vary by one-half inch in two dimensions. The great majority of the citrus producers feel that such provisions would cause disruption in the industry because by using the slightly larger box some elements of the industry might attempt to gain a trade advantage. The Legislature does not desire that any trade barrier against citrus fruit from Texas or any other state shall exist or be maintained and does desire that such citrus fruit if packed in containers legal in the state of origin shall be permitted freely to enter the California markets, even if the average size of the fruit is not marked on the container, if it otherwise conforms to the legal requirements of this State. This act will permit Texas citrus fruit to be brought into this State and sold, will eliminate a possible trade barrier, will preserve the citrus fruit industry from disruption, and will make available to the people of the State a supply of wholesome and desirable food in the interest of the public health.

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## CHAPTER 21

Stats 1945, p 2178, amended

*An act to amend Section 45.7 of the "Community Redevelopment Act," relating to rehabilitation and development of blighted areas in urban and suburban communities, declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 13, 1948. Filed with Secretary of State April 13, 1948.]

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

SECTION 1. Section 45.7 of the act cited above is amended to read:

Sale, etc., of property acquired from redevelopment fund

Sec. 45.7. No property, real or personal, improved or unimproved, or any interest therein, acquired or constructed in whole or in part with moneys from the redevelopment revolving fund shall be sold at a price or encumbered (whether by mortgage, deed of trust or otherwise) for an amount which will return to the redevelopment revolving fund less than fifty percent (50%) of that part of the cost of such property paid from such fund, except by permission of the voters of the community, as

indicated by a majority of the votes cast on the proposition at any general or special election. All moneys received by the agency from the sale, lease or encumbering of property acquired with moneys from the redevelopment revolving fund shall be redeposited in the fund. All other provisions of this act that relate to financing shall be subject to the provisions of this section. Nothing contained in this section shall authorize a redevelopment agency to construct any buildings, but such redevelopment agency shall be subject to the limitations imposed by the provisions of Section 44(j) of this act.

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:

At present the "Community Redevelopment Act" has become inoperative for the reason that the economy of the State is experiencing an unusual period of inflation which is directly reflected in advanced construction costs, in high purchase prices and in the discouragement of private capital from making long term investments. Coincidentally there exists an extremely critical housing shortage which demands, for the immediate preservation of the peace, health and safety of the people of the State, the continuous and successful operation of the "Community Redevelopment Act." Unless projects developed under this act may be sold at prices which allow as much as 50 percent burden to be absorbed by the redevelopment revolving fund, private capital will remain unavailable and the housing contemplated by the act cannot be realized.

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## CHAPTER 22

*An act to amend Section 7580 of the Business and Professions Code, relating to revenue of the Detective License Bureau.*

[Approved by Governor April 13, 1948. Filed with Secretary of State April 13, 1948.]

In effect June 26, 1948

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

SECTION 1. Section 7580 of the Business and Professions Code is amended to read:

Schedule of fees: Detective, etc., licenses

7580. The amount of fees prescribed by this chapter, unless otherwise fixed, is that fixed in the following schedule:

(a) The application fee for an original license in any classification is twenty-five dollars ($25).

(b) The fee for an original license as a private investigator, or as a private investigator and private patrol operator shall be fixed by the director at not more than fifty dollars ($50) nor less than twenty-five dollars ($25).

(c) The fee for an original license as a private patrol operator shall be fixed by the director at not more than twenty-five dollars ($25) nor less than twelve dollars ($12).

(d) The amount of the renewal license fee for any classification is the same as fixed herein for the original license fee.

(e) The application and license fee for classifications prescribed by the director, in addition to those provided for in this chapter, and the application and license fees for a change in the type of business organization of a licensee, shall be in the amount prescribed by rule and regulation of the director.

(f) The reinstatement fee for a license which has been forfeited for failure to renew within the time fixed by this chapter is the amount of the annual license fee plus a penalty of fifty percent (50%) thereof.

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## CHAPTER 23

"Budget Act of 1948"

*An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.*

In effect immediately

[Approved by the Governor April 21, 1948, with reductions hereunder noted. Filed with Secretary of State April 21, 1948.]

I object to the items of appropriation contained in Item 109 5, Item 111 1, Item 111.2, Item 138 1, Item 138 2, Item 138 6, Item 276, and Item 367 in Section 2 of Senate Bill No 1, and hereby reduce each of these respective items as follows:

Item 109.5 I reduce to $1,500,000 not because the amount is excessive, and even more will be needed in the future, but since no part of this item can be expended without further legislative authority, no harm can be done by reducing it

Item 111 1 I reduce to $1,500,000 not because the amount is excessive, and even more will be needed in the future, but since this will be sufficient for all requirements during the next fiscal year, no harm can be done by reducing it

Item 111 2 I reduce to $1,500,000 not because the amount is excessive, and even more will be needed in the future, but since no part of this item can be expended without further legislative authority, no harm can be done by reducing it.

Item 138 1 I reduce to $5,000,000 because of the necessity of reducing items in this budget to keep our finances in balance The University has recommended the total amount of this appropriation as essential for the completion of the Medical School and Center The Legislature by including it in the budget has likewise approved the necessity for such an amount Based on these findings I also believe that such a sum will be required and that the University should be entitled to plan an institution costing that amount of money. When the finances of the State will warrant it, the additional appropriation should be made to accomplish this purpose

Item 138 2 I eliminate entirely If the Board of Regents of the University should now consider this item to be of greater urgency than any of the other 59 items heretofore approved for it, it can with the approval of the Public Works Board substitute this item for any of the others

Item 138 6 I reduce to $2,000,000 not because the amount is excessive, and even more will be needed in the future, but since this will be sufficient for all requirements during the next fiscal year, no harm can be done by reducing it

Item 276 I reduce to $500,000, which is the original amount recommended in the budget The Legislature because of drought conditions then prevailing, increased the budget item by $250,000 Since the passage of the budget the drought conditions have been relieved and this amount will be sufficient.

Item 367 I eliminate entirely as this item is being superseded by Assembly Bill No. 14.

I object to the item of appropriation in Section 4 of this bill, and I reduce that appropriation to $26,800,000 for the following reasons. The original item was recommended to the Legislature by me for the purpose of supplementing prior appropriations to various agencies of the State government in order that they might all have an equitable amount of the surplus to construct facilities in accordance with the priority list agreed upon by them and the Public Works Board Appropriations by the Legislature in excess of the recommendations made by me have made it necessary to reduce this item by $10,100,000 in order to keep our finances in balance In making this reduction it is my intention that the sums transferred to the Postwar Employment Reserve shall be held therein to finance expenditures not now financed in the State's postwar building program but which have been given the highest priority by the affected agencies as follows:

Department of Education, $2,400,000
Youth Authority, $1,800,000
Department of Corrections, $4,400,000
Department of Mental Hygiene, $7,000,000
National Guard, $4,000,000
Department of Finance, $4,000,000
State Agricultural Society, $3,200,000

The original recommendation included $5,000,000 for the University of California This amount is being eliminated because in lieu thereof the Legislature has approved additional sums for construction of several items in excess of the budget for immediate appropriation, which items I am approving in the sum of $8,160,000

As so reduced I approve the bill

Approved April 21, 1948.

EARL WARREN, Governor

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

SECTION 1. This act shall be known and may be cited as the "Budget Act of 1948." Short title

SEC. 2. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1948-49 Fiscal Year beginning July 1, 1948 and ending June 30, 1949. All such appropriations unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury. Budget appropriations

Whenever by constitutional or statutory provision the revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purposes to the extent only of the amount herein appropriated, unless otherwise stated herein. Special funds

Appropriations for purposes not otherwise provided for herein which have been heretofore made by any existing constitutional or statutory provision shall continue to be governed thereby. Recurrent appropriations

Whenever herein an appropriation is made for support it shall include salaries and all other proper expenses, including repairs and equipment, incurred in connection with the institution, department, board, bureau, commission, officer, employee, or other agency, for which such appropriation is made. Items included Support

Whenever herein an appropriation is made for construction and improvements, it shall include equipment necessary in connection with such construction or improvements. Construction, etc

Whenever herein in any item of appropriation the amount of such appropriation as set forth in words differs from the Variance between words and figures

amount thereof as set forth in figures, the lesser amount, whether in words or figures, is the amount appropriated by such item.

Acquisition of real property

Whenever herein any item of appropriation is made for acquisition of land or other real property, it shall include all necessary expenses in connection with the acquisition of such property.

Legislature

| Item | LEGISLATURE | Amount |
|---|---|---|
| 1 | For salaries of Senators | $72,000 |
| 2 | For pay of officers, clerks, and all other employees of the Senate | 45,000 |
| 3 | For mileage of Lieutenant Governor, Senators and statutory officers of the Senate | 3,000 |
| 4 | For contingent expenses of Senate and legislative committees thereof composed in whole or in part of Members of the Senate. This item of appropriation shall be available without regard to fiscal years. | 462,600 |
| 5 | For expenses of Members of the Senate | 48,000 |
| 6 | For salaries of Assemblymen | 144,000 |
| 7 | For pay of officers, clerks, and all other employees of Assembly | 45,000 |
| 8 | For mileage of Assemblymen and statutory officers of the Assembly | 5,000 |
| 9 | For contingent expenses of the Assembly and legislative committees thereof composed in whole or in part of Members of the Assembly. This item of appropriation shall be available without regard to fiscal years. | 509,400 |
| 10 | For expenses of Members of the Assembly | 96,000 |
| 11 | For legislative printing, binding, mailing, etc. This item of appropriation shall be available without regard to fiscal years. | 585,000 |
| 12 | For support of Legislative Office in Alameda County | 5,291 |
| 13 | For support of Legislative Office at Los Angeles | 5,220 |
| 14 | For support of Legislative Office in San Diego | 5,653 |
| 15 | For support of Legislative Office at San Francisco | 5,197 |
| 16 | For support of Legislative Counsel Bureau, in accordance with the following schedule and in addition thereto any amounts collected for services to other agencies which by law are available for support of said office. | 202,357 |

Legislative Counsel

Schedule:

| | |
|---|---|
| (a) Salaries and Wages | 212,401 |
| (b) Operating Expenses | 15,950 |
| (c) Equipment | 5,306 |
| Total of schedule | 233,657 |

| Item | | Amount | |
|---|---|---|---|
| Less: Estimated reimbursements for services to other state agencies | 1,600 | | |
| Estimated reimbursements for services to Code Commission | 29,700 | | |
| Net appropriation | 202,357 | | |
| 17—For support of California Code Commission | | 30,230 | Code Commission |
| 18—For support of California Commission on Uniform State Laws | | 2,775 | Commission on Uniform State Laws |
| JUDICIAL | | | |
| 19—For support of Supreme Court | | 360,844 | Supreme Court |
| 20—For support of Judicial Council | | 74,022 | Judicial Council |
| 21—For additional support of Judicial Council, to be expended for extra compensation and traveling expenses of judges assigned by the Judicial Council | | 15,000 | |
| 22—For support of the District Court of Appeal, First Appellate District | | 178,528 | District Courts of Appeal |
| 23—For support of the District Court of Appeal, Second Appellate District | | 264,108 | |
| 24—For support of the District Court of Appeal, Third Appellate District | | 94,025 | |
| 25—For support of the District Court of Appeal, Fourth Appellate District | | 108,969 | |
| EXECUTIVE | | | |
| 26—For support of the Governor and of the Governor's Office (exempt from the provisions of Sections 12410, 13320, and 16003 of the Government Code) | | 228,863 | Governor |
| 27—For special contingent expenses (secret service), Governor's Office (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code) | | 7,500 | |
| 28—For support of the Governor's residence (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code) | | 12,000 | |
| 30—For support of the California State Disaster Council, in accordance with the following schedule | | 31,327 | Disaster Council |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 16,877 | |
| (b) Operating Expenses | 14,200 | |
| (c) Equipment | 250 | |
| Total of schedule | 31,327 | |
| Lieutenant Governor — 31—For salary and support of Lieutenant Governor | | 29,966 |

GENERAL ADMINISTRATION

| | | |
|---|---|---|
| Employees' Retirement System — 32—For support of Board of Administration of the State Employees' Retirement System, in accordance with the following schedule and in addition thereto any amounts collected for services which by law are available for support of said board. | | 133,679 |
| Schedule: | | |
| (a) Salaries and Wages | 173,487 | |
| (b) Operating Expenses | 31,594 | |
| (c) Equipment | 8,098 | |
| Total of schedule | 213,179 | |
| Less: Estimated reimbursements for services to contracting agencies | —79,500 | |
| Net appropriation | 133,679 | |
| Commission on Interstate Cooperation — 33—For support of California Commission on Interstate Cooperation | | 28,425 |
| Personnel Board — 34—For support of State Personnel Board, in accordance with the following schedule and in addition thereto any amounts collected for services, which by law are available for support of said board. | | 1,230,777 |
| Schedule: | | |
| (a) Salaries and Wages | 1,093,930 | |
| (b) Operating Expenses | 208,238 | |
| (c) Equipment | 15,309 | |
| Total of schedule | 1,317,477 | |
| Less: Estimated reimbursements for services to other state agencies and units of local government | 86,700 | |
| Net appropriation | 1,230,777 | |

| Item | | Amount | |
|---|---|---|---|
| 35—For support of Secretary of State, in accordance with the following schedule and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said office. | | 156,195 | Secretary of State |
| Schedule: | | | |
| (a) Salaries and Wages | 124,227 | | |
| (b) Operating Expenses | 33,900 | | |
| (c) Equipment | 2,568 | | |
| Total of schedule | 160,695 | | |
| Less: Estimated reimbursements for services to other agencies | 4,500 | | |
| Net appropriation | 156,195 | | |
| 36—For printing Roster of Public Officials, Secretary of State | | 5,000 | |
| 37—For printing constitutional amendments, Secretary of State | | 80,000 | |
| 38—For establishment of a central records depository as provided by Section 12260 of the Government Code, Secretary of State | | 130,000 | |
| 39—For support of Collection Agency Division, Secretary of State's Office, payable from the Collection Agency Fund, in accordance with the following schedule | | 29,838 | |
| Schedule: | | | |
| (a) Salaries and Wages | 17,069 | | |
| (b) Operating Expenses | 12,360 | | |
| (c) Equipment | 409 | | |
| Total of schedule | 29,838 | | |

AGRICULTURE

| | | | |
|---|---|---|---|
| 40—For support of Department of Agriculture and the State Livestock Sanitary Committee, in accordance with the following schedule and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department. | | 4,028,680 | Department of Agriculture |
| Schedule: | | | |
| (a) Salaries and Wages | 2,786,433 | | |
| (b) Operating Expenses | 1,350,557 | | |
| (c) Equipment | 107,005 | | |
| Total of schedule | 4,243,995 | | |

| Item | | Amount |
|---|---|---|
| Less: Reimbursements for services rendered to activities supported from other funds: | | |
| Departmental Administration | 124,598 | |
| General marketing service | 87,077 | |
| Administration, Division of Economics | 3,640 | |
| Net appropriation | 4,028,680 | |
| 41—For additional support, Department of Agriculture, to be transferred to Item 40 upon executive order of the Director of Finance in such amounts as he finds to be necessary for emergency pest and disease control and eradication | | 100,000 |
| 42—For control and eradication of pullorum disease as authorized by Chapter 1179, Statutes of 1947, Department of Agriculture | | 85,000 |
| 43—For construction, improvements, repairs, and equipment, Department of Agriculture | | 42,820 |
| 44—For acquisition of real property, to be expended under the provisions of the Property Acquisition Act, Department of Agriculture, available during the 1948-49 and 1949-50 Fiscal Years | | 10,000 |
| 45—For cooperation with the Federal Government in marketing research under the provisions of Public Law 733 (Seventy-ninth Congress) and Section 1286 of the Agricultural Code, Department of Agriculture | | 124,500 |
| 46—For support of Department of Agriculture, payable from the Department of Agriculture Fund, in accordance with the following schedule | | 3,465,708 |
| Schedule: | | |
| (a) Salaries and Wages | 2,226,668 | |
| (b) Operating Expenses | 1,123,767 | |
| (c) Equipment | 115,273 | |
| Total of schedule | 3,465,708 | |
| 47—For support of the Agricultural Research Study Committee in lieu of the appropriations made by Chapter 361, Statutes of 1947, and Chapter 144, Statutes of 1944 (First Extra Session) | | 15,000 |

| Item | | Amount | |
|---|---|---|---|
| 48—For support of Poultry Improvement Commission, payable from the Poultry Testing Project Fund | | 21,362 | Poultry Improvement Commission |
| and in addition thereto any amounts collected for services to employees which by law are available for support of said commission. Said appropriation, together with the amount appropriated by Item 49 thereof, shall be expended in accordance with the following schedule: | | | |
| Schedule: | | | |
| (a) Salaries and Wages | 20,563 | | |
| (b) Operating Expenses | 29,410 | | |
| (c) Equipment | 2,400 | | |
| Total of schedule | 52,373 | | |
| Less: Estimated reimbursements for maintenance furnished employees | 600 | | |
| Amounts payable from appropriation for additional support (Item 49) | 30,411 | | |
| Net appropriation | 21,362 | | |
| 49—For additional support of Poultry Improvement Commission, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code | | 30,411 | |
| to be transferred by the State Controller to the Poultry Testing Project Fund. | | | |
| 50—For construction, improvements, and equipment, Poultry Improvement Commission payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code | | 39,733 | |
| 51—For support of State Soil Conservation Commission | | 14,237 | Soil Conservation Commission |

CORRECTIONS

| Item | | Amount |
|---|---|---|
| Department of Corrections | 52—For support of Departmental Administration, Department of Corrections, in accordance with the following schedule | 195,571 |
| | and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department. | |
| | Schedule: | |
| | (a) Salaries and Wages ..... 162,238 | |
| | (b) Operating Expenses ..... 31,100 | |
| | (c) Equipment ..... 6,903 | |
| | Total of schedule ..... 200,241 | |
| | Less: Estimated reimbursements for medical services to other state agencies ..... 4,670 | |
| | Net appropriation ..... 195,571 | |
| | 53—For court costs and county charges, payable under Section 4700 of the Penal Code, in connection with trials of inmates charged with commission of a crime or crimes while incarcerated in a state institution or prison under the Department of Corrections | 10,000 |
| | 54—For transportation of prisoners to and between state prisons, including the return of parole violators to prison | 139,500 |
| | 55—For expenses of returning fugitives from justice from outside the State | 100,000 |
| | 56—For support of Board of Corrections and Crime Commissions thereof, Department of Corrections | 170,536 |
| | 57—For compensation of confidential personnel furnished by the Director of Corrections to the special commissions assisting the Board of Corrections in the study of crime pursuant to Section 6027 of the Penal Code, Department of Corrections (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code) | 50,000 |
| | provided, that claims for such compensation shall be presented by the Director of Corrections in his own name with a statement that the charges have been incurred pursuant to this item and when so presented shall be paid therefrom; and provided further, that upon the completion of each secret investigation, and in any event within not more than one year after the payment of any claims, the | |

| Item | Amount | |
|---|---|---|
| Director of Corrections shall file with the Controller vouchers in support of the claims; provided that the Controller shall not divulge any information conveyed by the vouchers, except upon order of a court of record in cases where the information is relevant and material evidence or upon order of the Legislature; and provided further, that such oaths of office as may be required of persons whose compensation is paid from this item may be kept in the confidential files of the Director of Corrections. | | |
| 58—For support of The Medical Facility, Department of Corrections | 9 415 | |
| 59—For support of California Institution for Men, Department of Corrections, in accordance with the following schedule | 1,348 566 | California Institution for Men |
| and in addition thereto any amounts collected for services to employees, for services to prison industries, and from inmate work projects, which by law are available for support of said institution. | | |
| Schedule: | | |
| (a) Salaries and Wages 813,381 | | |
| (b) Operating Expenses 595,620 | | |
| (c) Equipment 73,685 | | |
| (d) Inmate Pay-work Projects 25,500 | | |
| Total of schedule 1,508,186 | | |
| Less: Estimated reimbursements: | | |
| For services to employees 36,600 | | |
| From inmate work projects 114,975 | | |
| For services to prison industries 8,045 | | |
| Net appropriation 1,348,566 | | |
| 60—For construction, improvements, repairs, and equipment, California Institution for Men, Department of Corrections | 175,110 | |
| 61—For support of Folsom State Prison, Department of Corrections, in accordance with the following schedule | 2,068,316 | Folsom State Prison |
| and in addition thereto any amounts collected for services to employees, to prison industries and other agencies, and from sale of surplus products, which by law are available for support of said prison. | | |

| Item | | Amount |
|---|---|---|
| | Schedule: | |
| | (a) Salaries and Wages | 1,106,212 |
| | (b) Operating Expenses | 940,620 |
| | (c) Equipment | 88,484 |
| | Total of schedule | 2,135,316 |
| | Less: Estimated reimbursements: | |
| | For services to employees and sale of surplus products | 39,500 |
| | For services to prison industries, and to the Division of Architecture | 27,500 |
| | Net appropriation | 2,068,316 |
| | 62—For construction, improvements, repairs, and equipment, Folsom State Prison, Department of Corrections | 103,350 |
| San Quentin Prison | 63—For support of San Quentin Prison, Department of Corrections, in accordance with the following schedule | 3,740,067 |
| | and in addition thereto any amounts collected for services to employees and inmates, for services to correctional industries and other agencies, which by law are available for support of said prison. | |
| | Schedule: | |
| | (a) Salaries and Wages | 1,865,169 |
| | (b) Operating Expenses | 1,978,925 |
| | (c) Equipment | 127,573 |
| | (d) Inmate Pay-work Projects | 38,700 |
| | Total of schedule | 4,010,367 |
| | Less: Estimated reimbursements: | |
| | For services to employees, inmates and the U. S. Navy | 87,400 |
| | For services to correctional industries | 22,700 |
| | For services to U. S. Forest Service | 160,200 |
| | Net appropriation | 3,740,067 |
| | 64—For construction, improvements, repairs, and equipment, San Quentin Prison, Department of Corrections | 213,880 |
| Medium Security Prison | 65—For support of Medium Security Prison at Soledad, Department of Corrections, in accordance with the following schedule | 692,485 |
| | and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said agency. | |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 409,904 | |
| (b) Operating Expenses | 343,240 | |
| (c) Equipment | 27,341 | |
| Total of schedule | 780,485 | |
| Less: Estimated reimbursements for services to employees and sale of surplus products | 88,000 | |
| Net appropriations | 692,485 | |
| 66—For construction, improvements, repairs, and equipment, Medium Security Prison at Soledad, Department of Corrections | | 3,500 |
| 67—For acquisition of real property as a site for the establishment of an additional medium security prison, Department of Corrections, to be expended under the provisions of the Property Acquisition Act to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | | 500,000 |
| 68—For support of California Vocational Institution, Department of Corrections, in accordance with the following schedule and in addition thereto any amounts collected for services to employees, and prison industries and from sale of surplus products which by law are available for support of said institution. | | 994,827 |
| Schedule: | | |
| (a) Salaries and Wages | 615,925 | |
| (b) Operating Expenses | 361,145 | |
| (c) Equipment | 47,957 | |
| Total of schedule | 1,025,027 | |
| Less: Estimated reimbursements: | | |
| For services to employees and sale of surplus products | 28,500 | |
| For services to prison industries | 1,700 | |
| Net appropriation | 994,827 | |
| 69—For establishment and operation of inmate camp for ground clearing and maintaining farm lands on site of permanent institution, California Vocational Institution, Department of Corrections | | 50,000 |

Additional medium security prison

California Vocational Institution

| Item | | Amount |
|---|---|---|
| | 70—For construction, improvements, repairs, and equipment, California Vocational Institution, Department of Corrections | 52,760 |
| Institution for Women | 71—For support of California Institution for Women, Department of Corrections, in accordance with the following schedule | 364,661 |
| | and in addition thereto any amounts collected for services to employees, from sale of surplus products, and for services to prison industries, which by law are available for support of said agency. | |
| | Schedule: | |
| | (a) Salaries and Wages 191,909 | |
| | (b) Operating Expenses 164,000 | |
| | (c) Equipment 23,477 | |
| | Total of schedule 379,386 | |
| | Less: Estimated reimbursements: | |
| | For services to employees and sale of surplus products 13,300 | |
| | For services to prison industries 1,425 | |
| | Net appropriation 364,661 | |
| | 72—For construction, improvements, repairs, and equipment, California Institution for Women, Department of Corrections | 103,700 |
| Adult Authority | 73—For support of Adult Authority, Department of Corrections, in accordance with the following schedule | 526,951 |
| | Schedule: | |
| | (a) Salaries and Wages 380,011 | |
| | (b) Operating expenses 107,460 | |
| | (c) Equipment 39,480 | |
| | Total of schedule 526,951 | |
| Board of Trustees California Institution for Women | 74—For support of Board of Trustees, California Institution for Women, Department of Corrections, in accordance with the following schedule | 42,741 |
| | Schedule: | |
| | (a) Salaries and Wages 27,741 | |
| | (b) Operating Expenses 13,595 | |
| | (c) Equipment 1,405 | |
| | Total of schedule 42,741 | |
| Youth Authority | 75—For support Departmental Administration, Youth Authority, in accordance with the following schedule | 967,478 |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 627,940 | |
| (b) Operating Expenses | 282,063 | |
| (c) Equipment | 59,275 | |
| Total of schedule | 969,278 | |
| Less: Estimated reimbursements for food consultant services to other state agencies | 1,800 | |
| Net appropriation | 967,478 | |
| 75.5—For per diem and other necessary expenses in connection with consulting services and conferences of the California Youth Committee, pursuant to Sections 1509.8 and 1520 of the Government Code | | 6,000 |
| 76—For transportation of persons committed to the Youth Authority to or between its facilities, including the return of parole violators | | 80,000 |
| 77—For deportation of nonresidents committed to the Youth Authority | | 20,000 |
| 78—For support of Forestry Camps, Youth Authority, such sum, not to exceed $100,000, as the Director of Finance by executive order shall direct, to be transferred by the State Controller to this item from Item 270 for use in defraying expenditures of such camps pending receipt of reimbursement for services rendered by inmates to the Division of Forestry. This item shall be augmented by any amounts collected by the Youth Authority for such services. | | Forestry Camps |
| 79—For support of Fricot Ranch School for Boys, Youth Authority, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and sale of surplus products which by law are available for support of said school. | | Fricot Ranch School 205,947 |
| Schedule: | | |
| (a) Salaries and wages | 116,006 | |
| (b) Operating Expenses | 90,010 | |
| (c) Equipment | 10,131 | |
| Total of schedule | 216,147 | |
| Less: Estimated reimbursements for services to employees and sale of surplus products | 10,200 | |
| Net appropriation | 205,947 | |

| Item | | Amount |
|---|---|---|
| | 80—For construction, improvements, repairs, and equipment at Fricot Ranch School for Boys, Youth Authority | 9,200 |
| Fred C Nelles School | 81—For support of the Fred C. Nelles School for Boys, Youth Authority, in accordance with the following schedule | 630,812 |
| | and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said school. | |
| | Schedule: | |
| | (a) Salaries and Wages 456,339 | |
| | (b) Operating Expenses 179,775 | |
| | (c) Equipment 18,098 | |
| | Total of schedule 654,212 | |
| | Less: Estimated reimbursements for services to employees and sale of surplus products 23,400 | |
| | Net appropriation 630,812 | |
| | 82—For construction, improvements. repairs, and equipment, Fred C. Nelles School for Boys, Youth Authority | 14,000 |
| Paso Robles School | 83—For support of Paso Robles School for Boys, Youth Authority, in accordance with the following schedule | 213,473 |
| | and in addition thereto any amounts collected for services to employees and sale of surplus products, which by law are available for support of said school. | |
| | Schedule: | |
| | (a) Salaries and Wages 143,403 | |
| | (b) Operating Expenses 76,260 | |
| | (c) Equipment 3,310 | |
| | Total of schedule 222,973 | |
| | Less: Estimated reimbursements for services to employees and sale of surplus products 9,500 | |
| | Net appropriation 213,473 | |
| Preston School of Industry | 84—For support of Preston School of Industry, Youth Authority, in accordance with the following schedule | 1,256,702 |
| | and in addition thereto any amount collected for services to other agencies, services to employees, and from sale of surplus products, which by law are available for support of said school. | |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 876,303 | |
| (b) Operating Expenses | 398,955 | |
| (c) Equipment | 40,894 | |
| Total of schedule | 1,316,152 | |
| Less: Estimated reimbursements for services to employees and other agencies, and sale of surplus products | 59,450 | |
| Net appropriation | 1,256,702 | |
| 85—For construction, improvements, repairs, and equipment, Preston School of Industry, Youth Authority | | 21,150 |
| 86—For support of Los Guilucos School for Girls, Youth Authority, in accordance with the following schedule | | Los Guilucos School 230,812 |
| and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said school. | | |
| Schedule: | | |
| (a) Salaries and Wages | 155,641 | |
| (b) Operating Expenses | 73,609 | |
| (c) Equipment | 11,962 | |
| Total of schedule | 241,212 | |
| Less: Estimated reimbursements for services to employees and sale of surplus products | 10,400 | |
| Net appropriation | 230,812 | |
| 87—For construction, improvements, repairs, and equipment at Los Guilucos School for Girls, Youth Authority | | 6,600 |
| 88—For support of Ventura School for Girls, Youth Authority, in accordance with the following schedule | | Ventura School 430,748 |
| and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said school. | | |
| Schedule: | | |
| (a) Salaries and Wages | 306,116 | |
| (b) Operating Expenses | 126,525 | |
| (c) Equipment | 20,107 | |
| Total of schedule | 452,748 | |

| Item | | Amount |
|---|---|---|
| Less: Estimated reimbursements for services to employees and sale of surplus products | 22,000 | |
| Net appropriation | 430,748 | |
| 89—For construction, improvements, repairs, and equipment, Ventura School for Girls, Youth Authority | | 1,000 |

EDUCATION

Department of Education

90—For support of the State Board of Education ..... 2,900

91—For support of Department of Education, Superintendent of Public Instruction and California State Historical Association, in accordance with the following schedule ..... 1,343,560
and in addition thereto any amounts collected for services to activities supported out of other funds, for sale of bulletins, and for services to local school districts, which by law are available for support of said department.

| Schedule: | | |
|---|---|---|
| (a) Salaries and Wages | 953,980 | |
| (b) Operating Expenses | 359,912 | |
| (c) Equipment | 67,599 | |
| Total of schedule | 1,381,491 | |
| Less: Estimated reimbursements for services to activities supported out of other funds, for sale of bulletins, and for services to local school districts | 37,931 | |
| Net appropriation | 1,343,560 | |

School Lunch Program

92—For administration of the School Lunch Program, Department of Education, in accordance with the following schedule ..... 129,847

| Schedule: | | |
|---|---|---|
| (a) Salaries and Wages | 80,909 | |
| (b) Operating Expenses | 47,835 | |
| (c) Equipment | 1,103 | |
| Total of schedule | 129,847 | |

The amount herein appropriated shall be available for expenditure only if the Congress appropriates federal funds for apportionment to school districts during the 1948-49 Fiscal Year in support of the School Lunch Program.

| Item | Amount |
|---|---|
| 93—For vocational education, Department of Education, in addition to the amounts appropriated under the provisions of Section 5705, Education Code _____ to be transferred to the Vocational Education Fund upon order of the State Controller. At the end of the fiscal year the unexpended balance of any money so transferred shall revert to the General Fund to the credit of this item. | Vocational education<br>295,394 |
| 94—For teacher training and preparation of instructional materials for related instruction in connection with apprenticeship and on-the-job training and institutional-on-farm training programs, Department of Education_____ to be transferred to the Vocational Education Fund by the State Controller on order of the Director of Finance. At the end of the fiscal year the unexpended balance of any money so transferred shall revert to the General Fund to the credit of this item. | Teacher training etc<br>103,199 |
| 95—For vocational rehabilitation, Department of Education, in addition to the amounts appropriated under the provisions of Education Code Sections 5803-5804_____ to be transferred to the Vocational Rehabilitation Fund, by the State Controller in such amounts as will provide therein the sums necessary to meet the State's matching requirements under the federal act or acts relating to vocational rehabilitation. The unexpended balance of any money appropriated under this item which remains unmatched by money received from the Federal Government or any agency thereof at the end of the fiscal year shall revert to the General Fund to the credit of this item. | Vocational rehabilitation<br>505,000 |
| 96—For additional vocational rehabilitation, Department of Education, for administration of Chapter 524 of the Statutes of 1945, providing for the installation of vending stands in public buildings and the operation thereof by licensed blind persons_____ to be transferred to the Vocational Rehabilitation Fund by the State Controller. The unexpended balance of any money appropriated under this item at the end of the fiscal year shall revert to the General Fund to the credit of this item. | 25,000 |

| Item | Amount |
|---|---|
| Child care centers | 96.5—For administration and support of child care centers, Department of Education, to be apportioned by the department directly to school districts maintaining child care centers pursuant to Ch. 11, Div. 9 of the Education Code and to the governing authorities of state institutions maintaining child care centers, in the discretion of the department, upon the basis of demonstrated need for supplemental support five million five hundred thousand dollars provided, that the Department of Education is authorized to expend not to exceed forty-eight thousand five hundred dollars ($48,500) in making such apportionments and for the supervision of child care centers, which sum is in addition to any other funds appropriated for the supervision of child care centers; and provided further, that no part of the appropriation made by this item shall be available for expenditure unless legislation is enacted at the 1948 Regular Session authorizing the maintenance of child care centers during a period subsequent to May 30, 1948. | 5,500,000 |
| State Library | 97—For support of California State Library, Department of Education, in accordance with the following schedule and in addition thereto any amounts collected for services, which by law are available for support of said agency. | 350,945 |

Schedule:

| | |
|---|---|
| (a) Salaries and Wages | 249,120 |
| (b) Operating Expenses | 32,670 |
| (c) Equipment | 69,305 |
| Total of schedule | 351,095 |
| Less: Estimated reimbursements for photostat services | 150 |
| Net appropriation | 350,945 |

| | |
|---|---|
| State Colleges. Chico | 99—For support of Chico State College in accordance with the following schedule and in addition thereto the amount of such receipts from the Federal Government for the education of veterans and such student fees as may otherwise be made available by law for support of said college. | 419,705 |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 520,471 | |
| (b) Operating Expenses | 54,456 | |
| (c) Equipment | 41,277 | |
| Total of schedule | 616,204 | |
| Less: Estimated fees appropriated by Education Code, Section 20344 | 31,705 | |
| Estimated receipts from Federal Government for the education of veterans, appropriated by Education Code, Section 20344.1 | 164,794 | |
| Net appropriation | 419,705 | |
| 100—For construction, improvements, repairs, and equipment, Chico State College | | 11,240 |
| 101—For support of Fresno State College and in addition thereto the amount of such reimbursements for services to other agencies, such receipts from the Federal Government for the education of veterans, and such student fees as may otherwise be made available by law for support of said college. Said appropriation, together with the amount appropriated by Item 102 shall be expended in accordance with the following schedule: | | 849,027 Fresno |
| Schedule: | | |
| (a) Salaries and Wages | 1,188,365 | |
| (b) Operating Expenses | 131,706 | |
| (c) Equipment | 61,414 | |
| Total of schedule | 1,381,485 | |
| Reimbursements from Fresno State College Corporation for accounting service | 6,933 | |
| Less: Estimated fees appropriated by Education Code, Section 20344 | 111,795 | |
| Estimated receipts from Federal Government for education of veterans, appropriated by Education Code, Section 20344.1 | 280,700 | |
| Amount payable from Item 102 | 133,030 | |
| Net appropriation | 849,027 | |
| 102—For additional support, Fresno State College, payable from the State College Fund | | 133,030 |

| Item | Amount |
|---|---|
| 103—For construction, improvements, repairs, and equipment, Fresno State College | 90,478 |
| 104—For construction, improvements, repairs, and equipment, Fresno State College, payable from the State College Fund | 155,461 |
| Humboldt 105—For support of Humboldt State College, in accordance with the following schedule and in addition thereto the amount of such receipts from the Federal Government for the education of veterans and such student fees as may otherwise be made available by law for support of said college. | 317,566 |

Schedule:

| | |
|---|---|
| (a) Salaries and Wages | 349,788 |
| (b) Operating Expenses | 47,903 |
| (c) Equipment | 40,515 |
| Total of schedule | 438,206 |
| Less: Estimated student fees appropriated by Education Code, Section 20344 | 15,440 |
| Estimated receipts from Federal Government for education of veterans, appropriated by Education Code, Section 20344.1 | 105,200 |
| Net appropriation | 317,566 |

| | |
|---|---|
| 106—For acquisition of real property, Humboldt State College, Department of Education, to be expended under the provisions of the Property Acquisition Act to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | 95,000 |
| 107—For construction, improvements, repairs, and equipment, Humboldt State College | 20,965 |
| Four-year institution in Los Angeles 108—For support of the four-year state institution of higher education established in the City of Los Angeles by Chapter 1082 of the Statutes of 1947, and in addition thereto the amount of such receipts from the Federal Government for the education of veterans and such student fees as may otherwise be made available by law for support of said college which amount shall also be available for the payment of compensation by the Director of Education to the governing board of the Los Angeles Junior College District for such | 356,688 |

| Item | Amount |
|---|---|
| administration, support and maintenance of the Los Angeles State College as said board may furnish pursuant to an agreement authorized by law entered into between the Director of Education and said board. | |
| 109—For construction, improvements, repairs and equipment, the four-year state institution of higher education established in the City of Los Angeles by Chapter 1082 of the Statutes of 1947 | 65,000 |
| 109.5—For the acquisition and improvement of sites and construction and equipment of buildings for a state college in the City of Los Angeles to be expended by the Department of Education with the approval of the Director of Finance, under the provisions of the Property Acquisition Act | 3,000,000 |
| to be transferred to the Postwar Employment Reserve by the State Controller. The moneys appropriated by this item shall be expended only if a state college is hereafter established in the City of Los Angeles pursuant to legislative authority. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| 110—For support of the four-year state institution of higher education established in the City of Sacramento by Chapter 1017 of the Statutes of 1947, and in addition thereto the amount of such receipts from the Federal Government for the education of veterans and such student fees as may otherwise be made available by law for support of said college | 231,615 |
| 111—For improvements and equipment, the four-year state institution of higher education established in the City of Sacramento by Chapter 1017 of the Statutes of 1947 | 55,000 |
| 111.1—For the acquisition and improvement of sites and construction and improvement of buildings for the four-year state institution of higher education established in the City of Sacramento by Chapter 1017 of the Statutes of 1947, to be expended by the Department of Education with the approval of the Director of Finance, under the provisions of the Property Acquisition Act | 2,000,000 |
| to be transferred to the Postwar Employment Reserve by the State Controller. The amount | |

Four-year institution in Sacramento

| Item | | Amount |
|---|---|---|
| | so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| State college in Orange Co., etc | 111.2—For the acquisition and improvement of sites and construction and equipment of buildings for a state college in the area consisting of Orange County and the southeastern part of Los Angeles County outside the City of Los Angeles, to be expended by the Department of Education with the approval of the Director of Finance, under the provisions of the Property Acquisition Act | 2,000,000 |
| | to be transferred to the Postwar Employment Reserve by the State Controller. The money appropriated by this item shall be expended only if a state college is hereafter established pursuant to legislative authority. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| San Diego | 112—For support of San Diego State College, in accordance with the following schedule | 1,053,000 |
| | and in addition thereto the amount of such receipts from the Federal Government for the education of veterans and such student fees as may otherwise be made available by law for support of said college. | |

Schedule:

| | |
|---|---|
| (a) Salaries and Wages | 1,323,063 |
| (b) Operating Expenses | 133,531 |
| (c) Equipment | 63,466 |
| Total of schedule | 1,520,060 |
| Less: Estimated fees appropriated by Education Code, Section 20344 | 106,610 |
| Estimated receipts from Federal Government for education of veterans, appropriated by Education Code, Section 20344.1 | 360,450 |
| Net appropriation | 1,053,000 |

| | | |
|---|---|---|
| | 113—For construction, improvements, repairs, and equipment, San Diego State College | 137,960 |

| Item | | Amount |
|---|---|---|
| 114—For support of San Francisco State College, in accordance with the following schedule and in addition thereto the amount of such receipts from the Federal Government for the education of veterans and such student fees as may otherwise be made available by law for support of said college. | | 978,600 San Francisco |
| Schedule: | | |
| (a) Salaries and Wages | 1,119,727 | |
| (b) Operating Expenses | 128,400 | |
| (c) Equipment | 86,473 | |
| Total of schedule | 1,334,600 | |
| Less: Estimated fees appropriated by Education Code, Section 20344 | 114,000 | |
| Estimated receipts from Federal Government for education of veterans, appropriated by Education Code, Section 20344.1 | 242,000 | |
| Net appropriation | 978,600 | |
| 115—For construction, improvements, repairs, and equipment, San Francisco State College | | 16,750 |
| 116—For support of San Jose State College, in accordance with the following schedule and in addition thereto the amounts collected from other agencies, the amount of such receipts from the Federal Government for the education of veterans, and such student fees as may otherwise be made available by law for support of said college. | | 1,383,534 San Jose |
| Schedule: | | |
| (a) Salaries and Wages | 1,719,957 | |
| (b) Operating Expenses | 191,197 | |
| (c) Equipment | 102,655 | |
| Total of schedule | 2,013,809 | |
| Less: Estimated student fees appropriated by Education Code, Section 20344 | 114,712 | |
| Estimated receipts from Federal Government for education of veterans, appropriated by Education Code, Section 20344.1 | 515,563 | |
| Net appropriation | 1,383,534 | |

| Item | Amount |
|---|---|
| 117—For acquisition of real property, San Jose State College, Department of Education, to be expended under the provisions of the Property Acquisition Act | 35,000 |
| 118—For construction, improvements, repairs, and equipment, San Jose State College | 48,375 |
| California Polytechnic 119—For support, California Polytechnic College, payable from any moneys in the Fair and Exposition Fund available to said school under the provisions of Section 19626 of the Business and Professions Code | 1,041,747 |

and in addition thereto any amounts collected for services to other agencies and to activities supported out of other funds, services to employees, and from sale of surplus products as may otherwise be made available by law for support of said school. Said appropriation, together with such receipts from the Federal Government for the education of veterans and such student fees as are appropriated by the Education Code for support of said school, shall be expended in accordance with the following schedule:

| Schedule: | |
|---|---|
| (a) Salaries and Wages | 1,238,668 |
| (b) Operating Expenses | 205,306 |
| (c) Equipment | 116,472 |
| Total of schedule | 1,560,446 |
| Less: Estimated reimbursements for services to employees, to activities supported from other funds and to other agencies, and from sale of surplus products | 118,449 |
| Estimated student fees appropriated by Education Code, Section 20344 | 18,228 |
| Estimated receipts from Federal Government for education of veterans, appropriated by Education Code, Section 20344.1 | 382,022 |
| Net appropriation | 1,041,747 |

| | |
|---|---|
| 120—For construction, improvements, repairs, and equipment, California Polytechnic College, payable from any moneys in the Fair and Exposition Fund available to said school under the provisions of Section 19626 of the Business and Professions Code | 235,475 |

| Item | | Amount |
|---|---|---|
| 122—For support of California Maritime Academy and in addition thereto any amounts collected for services to employees and the amount of such fees as may otherwise be made available by law for the support of said academy. The appropriation made by this item, together with any funds made available for support of the Maritime Academy by the Federal Government, or any agency thereof, shall be expended in accordance with the following schedule: | | 245,343 California Maritime Academy |
| Schedule: | | |
| (a) Salaries and Wages | 201,332 | |
| (b) Operating Expenses | 152,759 | |
| (c) Equipment | 6,220 | |
| Total of schedule | 360,311 | |
| Less: Estimated reimbursements for services to employees | 15,168 | |
| Estimated student fees appropriated by Sections 21155, 21155.1, and 21156 of the Education Code | 74,800 | |
| Estimated Federal Government contributions | 25,000 | |
| Net appropriation | 245,343 | |
| 123—For support of California School for the Blind at Berkeley, in accordance with the following schedule and in addition thereto any amounts collected for services to students, employees, and other agencies which by law are available for support of said school. | | 257,850 School for Blind |
| Schedule: | | |
| (a) Salaries and Wages | 206,606 | |
| (b) Operating Expenses | 74,625 | |
| (c) Equipment | 9,771 | |
| Total of schedule | 291,002 | |
| Less: Estimated reimbursements for services to students, employees, and other agencies | 33,152 | |
| Net appropriation | 257,850 | |
| 124—For readers for blind college students, California School for the Blind at Berkeley | | 15,000 |
| 125—For construction, improvements, repairs, and equipment, California School for the Blind at Berkeley | | 7,250 |

| Item | | Amount |
|---|---|---|
| School for Deaf | 126—For support of California School for the Deaf at Berkeley, in accordance with the following schedule | 536,844 |
| | and in addition thereto any amounts collected for services to employees, other agencies, counties and students, which by law are available for support of said school. | |
| | Schedule: | |
| | (a) Salaries and Wages 397,387 | |
| | (b) Operating Expenses 153,535 | |
| | (c) Equipment 11,197 | |
| | Total of schedule 562,119 | |
| | Less: Estimated reimbursements for services to employees, other agencies, counties and students 25,275 | |
| | Net appropriation 536,844 | |
| | 127—For expenses of deaf graduates attending Gallaudet College, California School for the Deaf at Berkeley | 12,500 |
| | 128—For construction, improvements, repairs, and equipment, California School for the Deaf at Berkeley | 16,000 |
| Schools for cerebral palsied children: Northern California | 129—For support of Northern California School for Cerebral Palsied Children, Department of Education, in accordance with the following schedule | 268,669 |
| | and in addition thereto any amounts collected for services to employees, and for services to other agencies, which by law are available for the support of said school. | |
| | Schedule: | |
| | (a) Salaries and Wages 139,053 | |
| | (b) Operating Expenses 147,096 | |
| | (c) Equipment 3,290 | |
| | Total of schedule 289,439 | |
| | Less: Estimated reimbursements for services to employees and other agencies 20,770 | |
| | Net appropriation 268,669 | |

| Item | | Amount |
|---|---|---|
| 130—For support of Southern California School for Cerebral Palsied Children, Department of Education, in accordance with the following schedule ..... | | 215,353 |
| and in addition thereto any amounts collected for services to employees, and for services to other agencies, which by law are available for the support of said school. | | |
| Schedule: | | |
| (a) Salaries and Wages..... | 103,553 | |
| (b) Operating Expenses ..... | 118,300 | |
| (c) Equipment ..... | | |
| Total of schedule..... | 221,853 | |
| Less: Estimated reimbursements for services to employees and other agencies ..... | 6,500 | |
| Net appropriation ..... | 215,353 | |
| 131—For support of Training Center for the Adult Blind, in accordance with the following schedule ..... | | 244,811 |
| and in addition thereto any amounts collected for services which by law are available for support of said institution. | | |
| Schedule: | | |
| (a) Salaries and Wages..... | 165,253 | |
| (b) Operating Expenses ..... | 88,262 | |
| (c) Equipment ..... | 2,516 | |
| Total of schedule..... | 256,031 | |
| Less: Estimated reimbursements: | | |
| For services to employees and workers ..... | 7,620 | |
| For services to Manufacturing Fund ..... | 1,800 | |
| For sub-lease of rented space | 1,800 | |
| Net appropriation ..... | 244,811 | |
| 132—For support of Industrial Workshop for the Blind, Los Angeles, in accordance with the following schedule ..... | | 57,012 |
| Schedule: | | |
| (a) Salaries and Wages..... | 47,637 | |
| (b) Operating Expenses ..... | 7,325 | |
| (c) Equipment ..... | 2,050 | |
| Total of schedule..... | 57,012 | |
| 133—For construction, improvements, repairs, and equipment, Industrial Workshop for the Blind, Los Angeles..... | | 1,200 |

Southern California

Training Center for Adult Blind

Industrial Workshop for Blind

| Item | | Amount |
|---|---|---|
| State Blind Shop | 134—For support of State Blind Shop, San Diego, in accordance with the following schedule | 30,682 |
| | Schedule: | |
| | (a) Salaries and Wages 25,084 | |
| | (b) Operating Expenses 5,303 | |
| | (c) Equipment 295 | |
| | Total of schedule 30,682 | |
| State Commission on School Districts | 135—For support of State Commission on School Districts, in accordance with the following schedule | 236,792 |
| | Schedule: | |
| | (a) Salaries and Wages 108,397 | |
| | (b) Operating Expenses 119,180 | |
| | (c) Equipment 9,215 | |
| | Total of schedule 236,792 | |
| Teachers' Retirement System | 136—For support of Teachers' Retirement System, in accordance with the following schedule | 114,075 |
| | Schedule: | |
| | (a) Salaries and Wages 80,290 | |
| | (b) Operating Expenses 29,745 | |
| | (c) Equipment 4,040 | |
| | Total of schedule 114,075 | |
| University of California | 137—For support of University of California, exempt from Section 14 of this act | 23,701,220 |
| | 138—For construction, improvements, repairs and equipment, University of California, exempt from Section 14 of this act | 75,000 |
| Medical School etc., at Los Angeles | 138.1—For additional construction and equipment for the medical school and center at Los Angeles, University of California, in augmentation of the appropriation made by Chapter 33, Statutes of 1946, exempt from Section 14 of this act | 10,832,500 |
| | to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| Low temperature laboratory at Davis | 138.2—For construction and equipment of a low temperature laboratory at the Davis Campus, University of California, exempt from Section 14 of this act | 850,000 |
| | to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item | |

| Item | Amount | |
|---|---|---|
| 138.3—For construction and equipment of a virus laboratory at the Berkeley Campus, University of California, exempt from Section 14 of this act ---------- to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | 500,000 | Virus laboratory at Berkeley |
| 138.4—For additional construction and equipment for a law school or college at Los Angeles, in augmentation of the appropriation made by Chapter 1557, Statutes of 1947, University of California, exempt from Section 14 of this act to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | 660,000 | Law School at Los Angeles |
| 138.5—For construction and equipment of a sewage disposal plant at the Davis Campus, University of California, exempt from Section 14 of this act ---------- to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | 900,000 | Sewage disposal plant at Davis |
| 138.6—For construction and equipment, on the Riverside and Davis campuses of the University of California, of buildings for a 4-year liberal arts college branch of the University of California on each of said campuses--------- to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | 4,000,000 | Liberal Arts College branch at Riverside and Davis |
| 139—For acquisition and improvement of real property, University of California, exempt from Section 14 of this act---------- to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | 542,000 | Real property |
| 139.5—For Special Emergency Fund, to be expended only on written authorization of the State Department of Finance for emergencies, and only for research in and investigation of foot | | Foot and mouth disease research |

| Item | | Amount |
|---|---|---|
| | and mouth disease by the University of California, in Mexico or wherever else said disease exists and for the development of vaccines, remedies, and other methods of control or prevention of said disease | 75,000 |
| | Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law. | |
| Hastings College of Law | 140—For support of Hastings College of Law | 7,000 |
| | EMPLOYMENT | |
| Department of Employment | 141—For support of Department of Employment, payable from the Department of Employment Contingent Fund | 200 |
| | 142—For acquisition of real property and/or construction, improvements and equipment, Department of Employment, payable from the Department of Employment Contingent Fund | 1,000,000 |
| | FISCAL AFFAIRS | |
| Board of Control | 143—For support of State Board of Control, in accordance with the following schedule | 17,333 |
| | Schedule: | |
| | (a) Salaries and Wages 5,426 | |
| | (b) Operating Expenses 11,857 | |
| | (c) Equipment 50 | |
| | Total of schedule 17,333 | |
| Controller | 144—For support of State Controller | 1,054,061 |
| | The appropriation made by this item, together with the amount appropriated by Item 145, shall be expended in accordance with the following schedule: | |
| | Schedule: | |
| | (a) Salaries and Wages 959,524 | |
| | (b) Operating Expenses 216,784 | |
| | (c) Equipment 64,197 | |
| | Total of schedule 1,240,505 | |
| | Less: Estimated reimbursements for services rendered special programs for audit of appropriations for aid to local government 86,409 | |
| | Amount payable from appropriation for additional support, Item 145 100,035 | |
| | Net appropriation 1,054,061 | |

| Item | | Amount |
|---|---|---|
| 145—For additional support of State Controller, payable from the Motor Vehicle Transportation Tax Fund | | 100,035 |
| 146—For audit of special appropriations for aid to local government under Chapter 29, Statutes of 1946, First Extraordinary Session, Chapter 391, Statutes of 1947, and Chapter 1575, Statutes of 1947, which shall be in lieu of the appropriations for support of the Controller made by said acts, State Controller | | 60,097 |
| 147—For audit of special appropriations for aid to local government under Chapter 47, Statutes of 1944, Fourth Extraordinary Session, and Chapter 20, Statutes of 1946, First Extraordinary Session, State Controller, payable from the Postwar Unemployment and Construction Fund which shall be in lieu of the appropriation for support of the Controller made by Section 9 of Chapter 20, Statutes of 1946 (First Extra Session) | | 67,405 |
| 148—For support of Bureau of Highway Accounts and Reports, State Controller, payable from the Highway Users Tax Fund, in lieu of the appropriation made by Section 2103.1 of the Streets and Highways Code | | 102,267 |
| 149—For support of Motor Vehicle Fuel Tax Refund Division, State Controller, payable from the Motor Vehicle Fuel Fund, in accordance with the following schedule | | 149,522 |
| Schedule: | | |
| (a) Salaries and Wages | 103,793 | |
| (b) Operating Expenses | 44,183 | |
| (c) Equipment | 1,546 | |
| Total of schedule | 149,522 | |
| 150—For support of Tax-Deeded Lands Division, State Controller, payable from the Redemption Tax Fund, in accordance with the following schedule | | 220,913 |
| Schedule: | | |
| (a) Salaries and Wages | 183,122 | |
| (b) Operating Expenses | 51,505 | |
| (c) Equipment | 2,781 | |
| Total of schedule | 237,408 | |
| Less: Estimated reimbursements for services to political subdivisions | 16,495 | |
| Net appropriation | 220,913 | |

| Item | | Amount |
|---|---|---|
| | 150.1—For additional support of State Controller for installation and operation of a pay roll system generally in accordance with the plan of the Joint Pay Roll Committee prepared pursuant to Assembly House Resolution No. 257 of 1947 | 50,000 |
| Board of Equalization | 151—For support of State Board of Equalization, in accordance with the following schedule and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department. | 9,945,846 |
| | Schedule: | |
| | (a) Salaries and Wages | 8,479,912 |
| | (b) Operating Expenses | 1,328,967 |
| | (c) Equipment | 289,225 |
| | Total of schedule | 10,098,104 |
| | Less: Estimated reimbursements: | |
| | For services to activities supported out of other funds | 114,260 |
| | For mapping services to counties | 35,720 |
| | For services to other departments | 2,278 |
| | Net appropriation | 9,945,846 |
| Divisions: Motor Transportation license tax | 152—For support of Motor Transportation License Tax Division, State Board of Equalization, payable from the Motor Vehicle Transportation Tax Fund, in accordance with the following schedule | 585,422 |
| | Schedule: | |
| | (a) Salaries and Wages | 410,229 |
| | (b) Operating Expenses | 158,586 |
| | (c) Equipment | 16,607 |
| | Total of schedule | 585,422 |
| Motor Vehicle Fuel Tax | 153—For support of Motor Vehicle Fuel Tax Division, State Board of Equalization, payable from the Motor Vehicle Fuel Fund, in accordance with the following schedule | 394,597 |
| | Schedule: | |
| | (a) Salaries and Wages | 284,032 |
| | (b) Operating Expenses | 83,043 |
| | (c) Equipment | 27,522 |
| | Total of schedule | 394,597 |

| Item | | Amount |
|---|---|---|
| 154—For support of Department of Finance, exclusive of Buildings and Grounds Division and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department. Said appropriation, together with the amount appropriated by Item 155 hereof, shall be expended in accordance with the following schedule. | | 1,667,980 Department of Finance |
| Schedule: | | |
| (a) Salaries and Wages | 1,453,136 | |
| (b) Operating Expenses | 261,727 | |
| (c) Equipment | 39,382 | |
| Total of schedule | 1,754,245 | |
| Less: Estimated abatements for services to other agencies and/or divisions of said department | 34,700 | |
| Estimated charges to site acquisition appropriations | 6,565 | |
| Amount payable from Fair and Exposition Fund (Item 155) | 45,000 | |
| Net appropriation | 1,667,980 | |
| 155—For support of the Audits Division, State Department of Finance, payable from the Fair and Exposition Fund | | 45,000 |
| 156—For payment of automobile liability claims and salaries and expenses incident to investigation, adjustment and defense thereof, or for premiums for automobile liability insurance, Department of Finance | | 65,000 |
| 157—For official advertising, Department of Finance | | 2,500 |
| 158—For premiums on official bonds required by law for officers and employees whose salaries are paid from the General Fund, including premiums on official bonds required by Section 28 of the Unemployment Insurance Act, Department of Finance | | 5,000 |
| 159—For reclamation assessments on state-owned property, Department of Finance | | 30 |
| 160—For distribution of state documents to libraries as provided by Sections 13660 to 13667 of the Government Code, Department of Finance | | 25,000 |
| 161—For support, including expenses of Christmas tree lighting and decorations, Buildings and Grounds Division, Department of Finance | | 1,504,743 |

| Item | Amount |
|---|---|
| 162—For alterations, repairs, and equipment, State Capitol, state office buildings, and rented office buildings, Department of Finance | 480,500 |
| 163—For maintenance of the State Burying Ground in San Mateo, known as the Union Cemetery, as provided by Chapter 1096 and Chapter 1238, Statutes of 1947, Department of Finance | 1,500 |
| 164—For temporary housing for agencies in Sacramento, including alterations and repair of rented office buildings, rental of space in privately owned buildings and expenses of moving state agencies, Department of Finance | 265,000 |
| Office buildings 165—For acquisition of real property as site for an office building in Sacramento, to be expended under the provisions of the Property Acquisition Act, Department of Finance | 300,000 |
| to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| 166—For construction and equipment or acquisition of an office building in Sacramento, to be expended upon approval of the State Public Works Board, Department of Finance | 1,650,000 |
| to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| Printing plant site 167—For acquisition of a site for a new State Printing Plant in Sacramento, to be expended in accordance with the provisions of the Property Acquisition Act, Printing Division, Department of Finance | 400,000 |
| to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item. | |
| Local Allocations Division 168—For support of Local Allocations Division, Department of Finance, which shall be in lieu of the appropriations for the use of the Department of Finance made by Section 3 of Chapter 29, Statutes of 1946 (1st Extra Session), Section 4 of Chapter 1, Statutes of 1946 (2d Extra Session), Section 2 of Chapter 391, Statutes of 1947, Section 2 of Chapter 1574, Statutes of 1947, and Section 5022 of the Education Code | 134,816 |

| Item | | Amount | |
|---|---|---|---|
| 169—For additional support of Local Allocations Division, Department of Finance, payable from the Postwar Unemployment and Construction Fund which shall be in lieu of the appropriations for support of the director and the department made by Section 9 of Chapter 20, Statutes of 1946 (1st Extra Session) and Section 26 of Chapter 47, Statutes of 1944 (4th Extra Session) | | 108,273 | |
| 170—For support of the Division of Fairs and Expositions, Department of Finance, payable from the Fair and Exposition Fund, in accordance with the following schedule | | 51,874 | Division of Fairs and Expositions |
| Schedule: | | | |
| (a) Salaries and Wages | 37,916 | | |
| (b) Operating Expenses | 13,092 | | |
| (c) Equipment | 866 | | |
| Total of schedule | 51,874 | | |
| 171—For support of State Agricultural Society, Division of Fairs and Expositions, Department of Finance, payable from the State Agricultural Society Contingent Fund | | 1,506,275 | Agricultural Society |
| 172—For augmentation of the State Agricultural Society Contingent Fund, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code to be transferred to the State Agricultural Society Contingent Fund by the State Controller. | | 250,000 | |
| 173—For construction, improvements, repairs, and equipment, State Agricultural Society, Division of Fairs and Expositions, Department of Finance, payable from the State Agricultural Society Contingent Fund | | 25,800 | |
| 174—For support of Sixth District Agricultural Association, Division of Fairs and Expositions, Department of Finance, payable from the Sixth District Agricultural Association Fund, in accordance with the following schedule | | 103,509 | Sixth District Agricultural Association |
| Schedule: | | | |
| (a) Salaries and Wages | 77,723 | | |
| (b) Operating Expenses | 22,280 | | |
| (c) Equipment | 3,506 | | |
| Total of schedule | 103,509 | | |

| Item | | Amount |
|---|---|---|
| 175—For augmentation of the Sixth District Agricultural Association Fund, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code to be transferred to the Sixth District Agricultural Association Fund by the State Controller. | | 30,000 |
| 176—For construction, improvements, repairs, and equipment, Sixth District Agricultural Association, Division of Fairs and Expositions, Department of Finance, payable from the Sixth District Agricultural Association Fund | | 1,200 |
| Division of State Lands 177—For support, Division of State Lands, State Lands Commission, Department of Finance, payable from the State Lands Act Fund, in accordance with the following schedule | | 279,292 |
| Schedule: | | |
| (a) Salaries and Wages | 203,253 | |
| (b) Operating Expenses | 90,118 | |
| (c) Equipment | 18,621 | |
| Total of schedule | 311,992 | |
| Less: Reimbursements for services to other agencies and sales of land lists | 32,700 | |
| Net appropriation | 279,292 | |
| 178—For the installation of public lands record system, Division of State Lands, Department of Finance, payable from the State Lands Act Fund | | 27,800 |
| 179—For title search, title reports, and establishment of index pertaining to proprietary lands owned by the State or its agencies, Division of State Lands, Department of Finance, payable from the State Lands Act Fund | | 30,000 |
| 180—For the defense of the State's interests in its tide and submerged lands, Division of State Lands, Department of Finance, payable from the State Lands Act Fund | | 70,000 |
| 181—For the continuation of the prosecution of the litigation between the State and the Department of Water and Power of the City of Los Angeles, Division of State Lands, Department of Finance, payable from the State Lands Act Fund | | 10,000 |

| Item | | Amount | |
|---|---|---|---|
| 182—For the defense of quiet title actions filed in accordance with the provisions of Section 6461 of the Public Resources Code and Chapter 1554, Statutes of 1947, Division of State Lands, Department of Finance, payable from the State Lands Act Fund | | 25,000 | |
| 183—For repairs, alterations and improvements to offices, garages and laboratories, Division of State Lands, Department of Finance, payable from the State Lands Act Fund | | 1,000 | |
| 184—For support of Napa State Farm, Department of Finance, in accordance with the following schedule | | 35,222 | Napa State Farm |
| Schedule: | | | |
| (a) Salaries and Wages | 19,402 | | |
| (b) Operating Expenses | 12,320 | | |
| (c) Equipment | 3,500 | | |
| Total of schedule | 35,222 | | |
| 185—For construction, improvements, repairs and equipment, Napa State Farm, Department of Finance | | 14,600 | |
| 186—For support of Franchise Tax Commissioner, in accordance with the following schedule | | 2,088,896 | Franchise Tax Commissioner |
| Schedule: | | | |
| (a) Salaries and Wages | 1,826,839 | | |
| (b) Operating Expenses | 234,872 | | |
| (c) Equipment | 27,185 | | |
| Total of schedule | 2,088,896 | | |
| 187—For support of the State Treasurer, in accordance with the following schedule | | 152,958 | Treasurer |
| Schedule: | | | |
| (a) Salaries and Wages | 102,779 | | |
| (b) Operating Expenses | 40,220 | | |
| (c) Equipment | 9,959 | | |
| Total of schedule | 152,958 | | |
| HIGHWAY PATROL | | | |
| 188—For support of the Department of the California Highway Patrol, in accordance with the following schedule | | 8,236,161 | Highway Patrol |
| Schedule: | | | |
| (a) Salaries and Wages | 5,948,007 | | |
| (b) Operating Expenses | 1,819,635 | | |
| (c) Equipment | 468,519 | | |
| Total of schedule | 8,236,161 | | |

| Item | | Amount |
|---|---|---|
| | INDUSTRIAL RELATIONS | |
| Department of Industrial Relations | 189—For support of Department of Industrial Relations, in accordance with the following schedule | 3,552,970 |
| | and in addition thereto any amounts received from the Federal Government or any agency thereof for the administration of apprenticeship or other on-the-job training. | |
| | Schedule: | |
| | (a) Salaries and Wages 2,975,845 | |
| | (b) Operating Expenses 691,722 | |
| | (c) Equipment 114,403 | |
| | Total of schedule 3,781,970 | |
| | Less: Estimated amounts to be received from the Federal Government for administration of apprenticeship and other on-the-job training 229,000 | |
| | Net appropriation 3,552,970 | |
| | 190—For payment of the additional compensation for subsequent injury provided for by Section 4751 of the Labor Code, Department of Industrial Relations | 100,000 |
| State Fire Marshal | 192—For support of State Fire Marshal, in accordance with the following schedule | 248,071 |
| | Schedule: | |
| | (a) Salaries and Wages 172,390 | |
| | (b) Operating Expenses 68,593 | |
| | (c) Equipment 7,088 | |
| | Total of schedule 248,071 | |
| | 193—For continuation of study and analysis by State Fire Advisory Board of all facts relating to the establishment of a state fire training school or schools, and in connection therewith, necessary sites, buildings, equipment, and curricula, in accordance with Chapter 1534, Statutes of 1947, State Fire Marshal | 2,500 |
| | INVESTMENT | |
| Division of Banking | 194—For support of Division of Banking, Department of Investment, payable from the Banking Fund, in accordance with the following schedule | 257,500 |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 178,410 | |
| (b) Operating Expenses | 76,203 | |
| (c) Equipment | 2,887 | |
| Total of schedule | 257,500 | |
| 195—For support of Division of Building and Loan, Department of Investment, payable from the Building and Loan Inspection Fund, in accordance with the following schedule | | 135,253 |
| Schedule: | | |
| (a) Salaries and Wages | 104,784 | |
| (b) Operating Expenses | 27,158 | |
| (c) Equipment | 3,311 | |
| Total of schedule | 135,253 | |
| 196—For support of Division of Corporations, Department of Investment, in accordance with the following schedule | | 534,728 |
| Schedule: | | |
| (a) Salaries and Wages | 475,535 | |
| (b) Operating Expenses | 40,195 | |
| (c) Equipment | 18,998 | |
| Total of schedule | 534,728 | |
| 197—For support of the Department of Insurance, payable from the Insurance Fund, in accordance with the following schedule and in addition thereto any amounts collected for services to activities which by law are available for support of said department. | | 901,599 |
| Schedule: | | |
| (a) Salaries and Wages | 679,759 | |
| (b) Operating Expenses | 215,863 | |
| (c) Equipment | 18,094 | |
| Total of schedule | 913,716 | |
| Less: Estimated reimbursements for services to insurance companies in liquidation | 12,117 | |
| Net appropriation | 901,599 | |
| 198—For support of the Division of Real Estate, Department of Investment, payable from the Real Estate Fund, in accordance with the following schedule | | 500,186 |

Division of Building and Loan

Division of Corporations

Department of Insurance

Division of Real Estate

| Item | | Amount |
|---|---|---|
| | Schedule: | |
| | (a) Salaries and Wages | 332,469 |
| | (b) Operating Expenses | 156,260 |
| | (c) Equipment | 11,457 |
| | Total of schedule | 500,186 |
| Districts Securities Commission | 199—For support of California Districts Securities Commission, in accordance with the following schedule | 25,400 |
| | Schedule: | |
| | (a) Salaries and Wages | 20,948 |
| | (b) Operating Expenses | 4,352 |
| | (c) Equipment | 100 |
| | Total of schedule | 25,400 |

JUSTICE

| | | |
|---|---|---|
| Department of Justice | 200—For support of Department of Justice and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department. Said appropriation, together with the amount appropriated by Item 201 hereof, shall be expended in accordance with the following schedule. | 1,587,443 |
| | Schedule: | |
| | (a) Salaries and Wages | 1,404,762 |
| | (b) Operating Expenses | 370,214 |
| | (c) Equipment | 69,162 |
| | Total of schedule | 1,844,138 |
| | Less: Estimated abatements for teletype and fingerprinting services | 61,500 |
| | Estimated abatements from special fund agencies for legal services | 160,195 |
| | Amount payable from appropriation for additional support (Item 201) | 35,000 |
| | Net appropriation | 1,587,443 |
| | 201—For additional support of Department of Justice, payable from the Motor Vehicle Fund | 35,000 |
| | 202—For fees to special counsel employed pursuant to Section 12520 of the Government Code, Department of Justice | 2,500 |
| | 203—For litigation and legal services in connection with activities of the Colorado River Board, Department of Justice | 38,452 |

| Item | | Amount | |
|---|---|---|---|
| 204—For conversion of modus operandi files to tabulating machine methods and for reorganization of index files in the Bureau of Criminal Identification, Department of Justice | | 55,614 | |

MENTAL HYGIENE

| | | | |
|---|---|---|---|
| 205—For support of Department of Mental Hygiene, in accordance with the following schedule | | 889,117 | Department of Mental Hygiene |
| Schedule: | | | |
| (a) Salaries and Wages | 594,541 | | |
| (b) Operating Expenses | 277,770 | | |
| (c) Equipment | 16,806 | | |
| Total of schedule | 889,117 | | |
| 206—For transportation of patients and other persons committed to state institutions of the Department of Mental Hygiene to be expended by the Department of Mental Hygiene during the 1948-49 Fiscal Year | | 70,620 | |
| 207—For support of Out Patient Mental Hygiene Clinics, Department of Mental Hygiene, in accordance with the following schedule | | 226,566 | Out patient clinics |
| Schedule: | | | |
| (a) Salaries and Wages | 261,528 | | |
| (b) Operating Expenses | 50,820 | | |
| (c) Equipment | 9,925 | | |
| Total of schedule | 322,273 | | |
| Less: Reimbursement from Department of Public Health for additional out patient clinical activities under the National Mental Health Act | 95,707 | | |
| Net appropriation | 226,566 | | |
| 208—For support of the Langley-Porter Clinic at San Francisco, in accordance with the following schedule | | 662,716 | Langley-Porter Clinic |
| Schedule: | | | |
| (a) Salaries and Wages | 545,243 | | |
| (b) Operating Expenses | 111,797 | | |
| (c) Equipment | 9,420 | | |
| Total of schedule | 666,460 | | |
| Less: Estimated reimbursements for services to employees | 3,744 | | |
| Net appropriation | 662,716 | | |

| Item | | Amount |
|---|---|---|
| State Hospitals: Agnews | 209—For support of Agnews State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | 2,729,505 |
| | Schedule: | |
| | (a) Salaries and Wages 1,809,785 | |
| | (b) Operating Expenses 967,915 | |
| | (c) Equipment 83,601 | |
| | Total of schedule 2,861,301 | |
| | Less: Estimated reimbursements for services to employees and for sale of surplus products 131,796 | |
| | Net appropriation 2,729,505 | |
| | 210—For purchase of supplies and equipment to restore normal operating complement, Agnews State Hospital | 159,550 |
| | 211—For construction, improvements, repairs, and equipment, Agnews State Hospital | 133,200 |
| Camarillo | 212—For support of Camarillo State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | 3,512,950 |
| | Schedule: | |
| | (a) Salaries and Wages 2,283,149 | |
| | (b) Operating Expenses 1,365,096 | |
| | (c) Equipment 72,801 | |
| | Total of schedule 3,721,046 | |
| | Less: Estimated reimbursements for services to employees and for sale of surplus products 208,096 | |
| | Net appropriation 3,512,950 | |
| | 213—For purchase of supplies and equipment to restore normal operating complement, Camarillo State Hospital | 164,840 |
| | 214—For construction, improvements, repairs, and equipment, Camarillo State Hospital | 214,500 |
| DeWitt | 215—For support of DeWitt State Hospital, Department of Mental Hygiene, in accordance with the following schedule and in addition thereto any amounts collected for services to employees which by law are available for support of said institution. | 2,296,870 |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 1,557,010 | |
| (b) Operating Expenses | 933,540 | |
| (c) Equipment | 4,200 | |
| Total of schedule | 2,494,750 | |
| Less: Estimated reimbursements for services to employees | 197,880 | |
| Net appropriation | 2,296,870 | |
| 216—For construction, improvements, repairs, and equipment, DeWitt State Hospital, Department of Mental Hygiene | | 10,000 |
| 217—For support of Modesto State Hospital, Department of Mental Hygiene, in accordance with the following schedule and in addition thereto any amounts collected for services to employees which by law are available for support of said institution. | | 2,337,446 Modesto |
| Schedule: | | |
| (a) Salaries and Wages | 1,620,047 | |
| (b) Operating Expenses | 924,974 | |
| (c) Equipment | 12,745 | |
| Total of schedule | 2,557,766 | |
| Less: Estimated reimbursements for services to employees | 220,320 | |
| Net appropriation | 2,337,446 | |
| 218—For construction, improvements, repairs, and equipment, Modesto State Hospital, Department of Mental Hygiene | | 20,000 |
| 219—For support of Mendocino State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 2,226,505 Mendocino |
| Schedule: | | |
| (a) Salaries and Wages | 1,486,262 | |
| (b) Operating Expenses | 784,847 | |
| (c) Equipment | 82,952 | |
| Total of schedule | 2,354,061 | |
| Less: Estimated reimbursements for services to employees and for sale of surplus products | 127,556 | |
| Net appropriation | 2,226,505 | |

| Item | | Amount |
|---|---|---|
| 220—For purchase of supplies and equipment to restore normal operating complement, Mendocino State Hospital | | 122 270 |
| 221—For construction, improvements, repairs, and equipment, Mendocino State Hospital | | 58,900 |
| Napa 222—For support of Napa State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 3,035,308 |
| Schedule: | | |
| (a) Salaries and Wages | 2,111,315 | |
| (b) Operating Expenses | 1,020,633 | |
| (c) Equipment | 87,148 | |
| Total of schedule | 3,219,096 | |
| Less: Estimated reimbursements for services to employees and for sale of surplus products | 183,788 | |
| Net appropriation | 3,035,308 | |
| 223—For purchase of supplies and equipment to restore normal operating complement, Napa State Hospital | | 110,760 |
| 224—For construction, improvements, repairs, and equipment, Napa State Hospital | | 33,400 |
| Norwalk 225—For support of Norwalk State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 2,097,984 |
| Schedule: | | |
| (a) Salaries and Wages | 1,464,816 | |
| (b) Operating Expenses | 659,753 | |
| (c) Equipment | 78,787 | |
| Total of schedule | 2,203,356 | |
| Less: Estimated reimbursements for services to employees and for sale of surplus products | 105,372 | |
| Net appropriation | 2,097,984 | |
| 226—For purchase of supplies and equipment to restore normal operating complement, Norwalk State Hospital | | 80,440 |
| 227—For construction, improvements, repairs, and equipment, Norwalk State Hospital | | 70,500 |

| Item | | Amount | |
|---|---|---|---|
| 228—For support of Patton State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 3,076,873 | Patton |
| Schedule: | | | |
| (a) Salaries and Wages | 2,075,413 | | |
| (b) Operating Expenses | 1,019,998 | | |
| (c) Equipment | 90,622 | | |
| Total of schedule | 3,186,033 | | |
| Less: Estimated reimbursements for services to employees and for sale of surplus products | 109,160 | | |
| Net appropriation | 3,076,873 | | |
| 229—For purchase of supplies and equipment to restore normal operating complement, Patton State Hospital | | 120,280 | |
| 230—For construction, improvements, repairs, and equipment, Patton State Hospital | | 57,400 | |
| 231—For support of Stockton State Hospital, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 3,439,685 | Stockton |
| Schedule: | | | |
| (a) Salaries and Wages | 2,401,507 | | |
| (b) Operating Expenses | 1,115,325 | | |
| (c) Equipment | 70,793 | | |
| Total of schedule | 3,587,625 | | |
| Less: Estimated reimbursements for services to employees and for sale of surplus products | 147,940 | | |
| Net appropriation | 3,439,685 | | |
| 232—For purchase of supplies and equipment to restore normal operating complement, Stockton State Hospital | | 133,060 | |
| 233—For construction, improvements, repairs, and equipment, Stockton State Hospital | | 125,500 | |
| 234—For support of Pacific Colony, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 1,712,788 | Pacific Colony |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 1,090,889 | |
| (b) Operating Expenses | 629,494 | |
| (c) Equipment | 74,041 | |
| Total of schedule | 1,794,424 | |
| Less: Estimated reimbursements for services to employees and for sale of surplus products | 81,636 | |
| Net appropriation | 1,712,788 | |
| 235—For purchase of supplies and equipment to restore normal operating complement, Pacific Colony | | 84,470 |
| 236—For construction, improvements, repairs, and equipment, Pacific Colony | | 72,600 |
| 237—For purchase of water stock to provide domestic and agricultural water supply, Pacific Colony | | 20,000 |
| Sonoma State Home 238—For support of Sonoma State Home, in accordance with the following schedule and in addition thereto any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said institution. | | 2,580,279 |
| Schedule: | | |
| (a) Salaries and Wages | 1,698,336 | |
| (b) Operating Expenses | 906,936 | |
| (c) Equipment | 61,207 | |
| Total of schedule | 2,666,479 | |
| Less: Estimated reimbursements for services to employees, service to other agencies, and for sale of surplus products | 86,200 | |
| Net appropriation | 2,580,279 | |
| 239—For purchase of supplies and equipment to restore normal operating complement, Sonoma State Home | | 119,330 |
| 240—For construction, improvements, repairs, and equipment, Sonoma State Home | | 103,100 |

MILITARY AFFAIRS

| | | |
|---|---|---|
| Adjutant General and National Guard 241—For support of the Adjutant General and the California National Guard in accordance with the following schedule provided, however, that all receipts and reimbursements received from the Federal Government for the Adjutant General and the Cali- | | 2,522,701 |

| Item | | Amount |
|---|---|---|
| fornia National Guard shall be deposited with the State Controller to the credit of this appropriation and shall not be available for expenditure except upon written order of the Department of Finance; and provided, further, that no expenditures shall be made from this appropriation as a substitution for personnel, equipment, facilities or other assistance, or for any portion thereof, which in the absence of such expenditure, or of this appropriation, would be available to the Adjutant General or the California National Guard from the Federal Government. | | |
| Schedule: | | |
| (a) Salaries and Wages | 1,146,293 | |
| (b) Operating Expenses | 1,184,470 | |
| (c) Equipment | 191,938 | |
| Total of schedule | 2,522,701 | |
| 242—For allowances to organizations of the California National Guard for unit funds, the Adjutant General | | 50,000 |
| Allowances made from this item to any organization shall be repaid to the State by said organization on or before June 30, 1952, for deposit in the General Fund. | | |
| 243—For maintenance of California Cadet Corps, the Adjutant General, in accordance with the following schedule | | 183,059 California Cadet Corps |
| Schedule: | | |
| (a) Salaries and Wages | 47,499 | |
| (b) Operating Expenses | 98,010 | |
| (c) Equipment | 37,550 | |
| Total of schedule | 183,059 | |

MOTOR VEHICLES

| | | |
|---|---|---|
| 244—For support of Department of Motor Vehicles, payable from the Motor Vehicle Fund, in accordance with the following schedule | | 7,084,943 Department of Motor Vehicles |
| and in addition thereto any amounts collected for services to other agencies which by law are available for support of said department. | | |
| Schedule: | | |
| (a) Salaries and Wages | 6,014,971 | |
| (b) Operating Expenses | 2,073,959 | |
| (c) Equipment | 197,331 | |
| Total of schedule | 8,286,261 | |

| Item | | Amount |
|---|---|---|
| Less: Amount payable from Motor Vehicle License Fee Fund (Item 245) | 1,201,318 | |
| Net appropriation | 7,084,943 | |
| 245—For additional support, Department of Motor Vehicles, payable from the Motor Vehicle License Fee Fund to be transferred to the Motor Vehicle Fund in augmentation of Item 244, as provided by Section 11003 of the Revenue and Taxation Code. | | 1,201,318 |
| 247—For additional support, Department of Motor Vehicles, payable from the Motor Vehicle Fund, to be transferred to Item 244 upon executive order of the Director of Finance, in such amounts as he finds necessary to meet increases in work load | | 165,500 |

NATURAL RESOURCES

Department of Natural Resources

| | | |
|---|---|---|
| 248—For support of Departmental Administration, Department of Natural Resources, in accordance with the following schedule and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department. | | 161,906 |
| Schedule: | | |
| (a) Salaries and Wages | 239,073 | |
| (b) Operating Expenses | 32,640 | |
| (c) Equipment | 12,070 | |
| Total of schedule | 283,783 | |
| Less: Estimated reimbursements for services to activities supported out of other funds | 121,877 | |
| Net appropriation | 161,906 | |

Division of Beaches and Parks

| | | |
|---|---|---|
| 249—For support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Maintenance Fund, in accordance with the following schedule and in addition thereto any amounts collected for services which by law are available for support of said division; provided, that $15,000 of the amount herein appropriated is available only for title and escrow expenses not provided in any other appropriations. | | 1,025,697 |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 1,108,458 | |
| (b) Operating Expenses | 473,562 | |
| (c) Equipment | 234,389 | |
| Total of schedule | 1,816,409 | |
| Less: Reimbursements for: Employees' maintenance | 32,000 | |
| La Purisima Mission maintenance, Santa Barbara County | 3,500 | |
| Amount payable from the General Fund (Item 250) | 755,212 | |
| Net appropriation | 1,025,697 | |

of which amount there shall be made available by transfer to the State Park Maintenance Fund by the State Controller the sum of $579,802 from the State Park Fund, and $287,735 from the State Beach Fund.

Upon executive order of the Director of Finance, there may be transferred to the State Park Maintenance Fund for credit to this item, any additional amounts appropriated or otherwise made available by law from the State Beach Fund or the State Park Fund for support of this division for the 1948-1949 Fiscal Year.

250—For additional support of Division of Beaches and Parks, Department of Natural Resources to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 249 upon written order of the Department of Finance; provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. 755,212

| Item | Amount |
|---|---|
| 251—For investigation and surveys and preparation of plans for acquisition and development of state parks, Division of Beaches and Parks, Department of Natural Resources | 10,000 |
| provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | |
| 252—For investigation and surveys and preparation of plans for acquisition and development of state beaches, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund | 25,000 |
| 253—For survey to determine the mean high tide line along certain ocean beaches which are owned by the State or are being considered for acquisition by the State Park Commission, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund | 25,000 |
| 255—For acquisition of additional redwood park areas in Humboldt and Del Norte Counties, Division of Beaches and Parks, Department of Natural Resources, subject to the approval of the Department of Finance | 52,223 |
| provided, that any amount withdrawn from this item must be matched by like amounts in money, property or lands received from private or other sources; provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be | |

| Item | Amount |
|---|---|
| determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | |
| 256—For acquisition of parcels of land adjacent to or surrounded by presently owned state park lands which in the judgment of the State Park Commission are needed in order properly to administer, operate, and maintain any state park, Division of Beaches and Parks, Department of Natural Resources, subject to the approval of the Department of Finance-------- provided, such acquisition shall be limited to not more than 10 percent of the present area of any individual park; provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | 50,000 |
| 257—For acquisition of parcels of land adjacent to presently owned state beaches which in the judgment of the State Park Commission are needed in order properly to administer, operate, and maintain any state beach park, Division of Beaches and Parks, Department of Natural Resources, subject to the approval of the Department of Finance, payable from the State Beach Fund---------- provided, such acquisition shall be limited to not more than 10 percent of the present area or any such individual beach. | 50,000 |
| 258—For acquisition of parcels of land in conformity with Sections 880 and 881 of the Streets and Highways Code, Division of Beaches and Parks, Department of Natural Resources, subject to the approval of the Department of Finance, payable from the State Beach Fund---------- | 50,000 |

| Item | Amount |
|---|---|
| 259—For construction, improvements, repairs, and equipment of state parks, Division of Beaches and Parks, Department of Natural Resources. provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | 2,665,800 |
| 260—For construction, improvements, repairs, and equipment of state parks, acquired during the 1948-1949 Fiscal Year, Division of Beaches and Parks, Department of Natural Resources. to be transferred to Item 259 upon executive order of the Director of Finance; provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | 100,000 |
| 261—For construction, improvements, repairs, and equipment of state beaches, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund | 439,393 |
| 262—For construction, improvements, repairs, and equipment of state beaches, Division of Beaches and Parks, Department of Natural Resources provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item | 424,537 |

| Item | Amount |
|---|---|
| shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | |
| 263—For construction, improvements, repairs, and equipment of state beaches, acquired during the 1948-1949 Fiscal Year, Division of Beaches and Parks, Department of Natural Resources to be transferred to Item 262 upon executive order of the Director of Finance; provided, that any moneys made available to the Division of Beaches and Parks, Department of Natural Resources, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | 200,000 |
| 264—For support of Division of Fish and Game, Department of Natural Resources, including license commissions, and for the maintenance and construction of fish screens and other stream improvements, payable from the Fish and Game Preservation Fund, in accordance with the following schedule and in addition thereto any amounts collected for services which by law are available for support of said division. | Division of Fish and Game<br>4,185,349 |

Schedule:

| | |
|---|---|
| (a) Salaries and Wages | 2,245,141 |
| (b) Operating Expenses | 1,587,824 |
| (c) Equipment | 379,384 |
| Total of schedule | 4,213,349 |

| Item | | Amount |
|---|---|---|
| Less: Estimated reimbursements for services to employees | 27,000 | |
| Net appropriation | 4,185,349 | |
| 265—For cooperation with the Federal Government in the purchase of land for game production, improvement of waterfowl areas and research in game management under the provisions of the Pittman-Robertson Act, Division of Fish and Game, Department of Natural Resources, payable from the Fish and Game Preservation Fund | | 180,000 |
| 266—For acquisition of real property for sites for district offices, Division of Fish and Game, Department of Natural Resources, subject to the approval of the Department of Finance, payable from the Fish and Game Preservation Fund, to be expended under the provisions of the Property Acquisition Act | | 15,000 |
| 267—For construction, improvements, repairs, and equipment, Division of Fish and Game, Department of Natural Resources, payable from the Fish and Game Preservation Fund | | 607,000 |
| Wildlife Conservation Board — 268—For support of Wildlife Conservation Board, Department of Natural Resources, payable from the Wildlife Restoration Fund | | 55,801 |
| 269—For construction, improvements, repairs, and equipment and for acquisition of such lands, rights in land, water or water rights as may be necessary to carry out the provisions of the Wildlife Conservation Act of 1947, Wildlife Conservation Board, Department of Natural Resources, payable from the Wildlife Restoration Fund | | 3,000,000 |
| 269.5—For improving approximately 2.6 miles of road in Mono County in cooperation with Mono County, from State Highway 395 in Leevining, Mono County, to the Fish and Game Rush Creek Experiment Station, Division of Fish and Game, Department of Natural Resources, payable from the Fish and Game Preservation Fund provided, that any amount withdrawn from this item must be matched by like amounts in money contributed from private or other sources or work performed by Mono County subsequent to April 1, 1948. | | 3,000 |
| Division of Forestry — 270—For support of Division of Forestry, Department of Natural Resources, in accordance with the following schedule and in additional thereto any amounts collected | | 7,355,776 |

| Item | | Amount |
|---|---|---|
| for services to other agencies and to employees, which by law are available for support of said division. | | |
| Schedule: | | |
| (a) Salaries and Wages | 5,594,477 | |
| (b) Operating Expenses | 2,061,042 | |
| (c) Equipment | 968,389 | |
| Total of schedule | 8,623,908 | |
| Less: Estimated reimbursements: | | |
| For services to employees | 423,039 | |
| For services to counties under cooperative agreements | 740,691 | |
| For fire protection services to the Federal Government, or any agency thereof, pursuant to contracts | 104,402 | |
| Net appropriations | 7,355,776 | |
| 271—For direct allotment to cooperating counties for prevention and suppression of forest fires on State responsibility lands, Division of Forestry, Department of Natural Resources, in accordance with the following schedule | | 604,360 |
| Schedule: | | |
| (a) Kern County | 177,950 | |
| (b) Los Angeles County | 191,667 | |
| (c) Marin County | 43,367 | |
| (d) San Mateo County | 59,250 | |
| (e) Santa Barbara County | 66,063 | |
| (f) Ventura County | 66,063 | |
| Total of schedule | 604,360 | |
| 272—For direct allotment to the United States Department of Agriculture, for prevention and suppression of forest fires on private and state-owned lands located inside the boundaries of United States Forest Reserves within this State, Division of Forestry, Department of Natural Resources | | 469,488 |
| 273—For forest land survey in cooperation with the California Forest and Range Experiment Station of the Federal Government, Division of Forestry, Department of Natural Resources | | 77,000 |
| 274—For watershed research at the San Dimas Experimental Forest in cooperation with the California Forest and Range Experiment Station of the Federal Government, Division of Forestry, Department of Natural Resources | | 50,000 |

| Item | Amount |
|---|---|
| 275—For white pine blister rust control protection, Division of Forestry, Department of Natural Resources; provided, that any amount withdrawn from this item must be matched by an expenditure of a like amount by the Federal Government in this State for the same purpose | 153,125 |
| 276—For emergency fire suppression, Division of Forestry, Department of Natural Resources, which may be transferred to Item 270 upon executive order of the Director of Finance | 750,000 |
| 277—For pine beetle control protection, Division of Forestry, Department of Natural Resources, to be expended in accordance with Section 4455 of the Public Resources Code | 25,000 |
| 278—For the acquisition of real property, Division of Forestry, Department of Natural Resources, subject to the approval of the Department of Finance, to be expended under the provisions of the Property Acquisition Act | 71,200 |
| 279—For expenses for preliminary surveys and investigations for the acquisition of land for state forests, pursuant to Article 6 of Chapter 2 of Division 4 of the Public Resources Code, Division of Forestry, Department of Natural Resources | 25,000 |
| 280—For construction, improvements, repairs, and equipment, Division of Forestry, Department of Natural Resources | 128,491 |
| Division of Mines — 281—For support of Division of Mines, Department of Natural Resources, in accordance with the following schedule | 311,964 |
| Schedule: | |
| (a) Salaries and Wages | 169,553 |
| (b) Operating Expenses | 120,790 |
| (c) Equipment | 21,621 |
| Total of schedule | 311,964 |
| 282—For geological exploration in cooperation with United States Geological Survey, Division of Mines, Department of Natural Resources; provided, that any amount withdrawn from this item must be matched by an expenditure of a like amount by the Federal Government in this State for this purpose | 50,000 |
| Division of Oil and Gas — 283—For support of Division of Oil and Gas, Department of Natural Resources, payable from the Petroleum and Gas Fund, in accordance with the following schedule | 351,934 |

| Item | | Amount | |
|---|---|---|---|
| Schedule: | | | |
| (a) Salaries and Wages | 256,394 | | |
| (b) Operating Expenses | 86,305 | | |
| (c) Equipment | 9,235 | | |
| Total of schedule | 351,934 | | |
| 284—For research in the development of commercial fisheries of the Pacific Ocean and of marine products in accordance with Fish and Game Code, Section 1015.5, Marine Research Committee, payable from the Fish and Game Preservation Fund | | 97,500 | Marine Research Committee |
| 285—For expenses of the Pacific Marine Fisheries Commission, in accordance with the Pacific Marine Fisheries Compact, Department of Natural Resources | | 11,000 | Pacific Marine Fisheries Commission |

PROFESSIONAL AND VOCATIONAL STANDARDS

| | | | |
|---|---|---|---|
| 286—For support of Division of Administrative Procedure, Department of Professional and Vocational Standards, in accordance with the following schedule and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said division. | | 102,143 | Department of Professional and Vocational Standards Division of Administrative Procedure |
| Schedule: | | | |
| (a) Salaries and Wages | 96,535 | | |
| (b) Operating Expenses | 35,066 | | |
| (c) Equipment | 2,542 | | |
| Total of schedule | 134,143 | | |
| Less: Estimated reimbursements from other agencies for hearing and other services | 32,000 | | |
| Net appropriation | 102,143 | | |
| 287—For support of State Board of Accountancy, payable from the Accountancy Fund, in accordance with the following schedule | | 99,739 | State Boards Accountancy |
| Schedule: | | | |
| (a) Salaries and Wages | 39,470 | | |
| (b) Operating Expenses | 59,969 | | |
| (c) Equipment | 300 | | |
| Total of schedule | 99,739 | | |
| 288—For support of State Board of Architectural Examiners, payable from the Board of Architectural Examiners' Fund, in accordance with the following schedule | | 26,683 | Architectural Examiners |

| Item | | | Amount |
|---|---|---|---|
| | Schedule: | | |
| | (a) Salaries and Wages | 15,924 | |
| | (b) Operating Expenses | 10,539 | |
| | (c) Equipment | 220 | |
| | Total of schedule | 26,683 | |
| Athletic Commission | 289—For support of State Athletic Commission, payable from the Athletic Commission Fund, in accordance with the following schedule | | 143,520 |
| | Schedule: | | |
| | (a) Salaries and Wages | 114,030 | |
| | (b) Operating Expenses | 28,972 | |
| | (c) Equipment | 518 | |
| | Total of schedule | 143,520 | |
| Barber Examiners | 290—For support of State Board of Barber Examiners, payable from the State Board of Barber Examiners' Fund, in accordance with the following schedule | | 93,871 |
| | Schedule: | | |
| | (a) Salaries and Wages | 53,529 | |
| | (b) Operating Expenses | 35,617 | |
| | (c) Equipment | 4,725 | |
| | Total of schedule | 93,871 | |
| Chiropractic Examiners | 291—For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners' Fund, in accordance with the following schedule | | 29,836 |
| | Schedule: | | |
| | (a) Salaries and Wages | 14,336 | |
| | (b) Operating Expenses | 15,301 | |
| | (c) Equipment | 199 | |
| | Total of schedule | 29,836 | |
| Registration for Civil and Professional Engineers | 292—For support of Board of Registration for Civil and Professional Engineers, payable from the Civil Engineers' Fund, in accordance with the following schedule | | 97,864 |
| | Schedule: | | |
| | (a) Salaries and Wages | 60,136 | |
| | (b) Operating Expenses | 36,651 | |
| | (c) Equipment | 1,077 | |
| | Total of schedule | 97,864 | |
| Contractors' License | 293—For support of Contractors' License Board, payable from the Contractors' License Fund, in accordance with the following schedule | | 420,159 |

| Item | | Amount | |
|---|---|---|---|
| Schedule: | | | |
| (a) Salaries and Wages | 279,873 | | |
| (b) Operating Expenses | 118,579 | | |
| (c) Equipment | 21,707 | | |
| Total of schedule | 420,159 | | |
| 294—For support of State Board of Cosmetology, payable from the Board of Cosmetology Contingent Fund, in accordance with the following schedule | | 154,214 | Cosmetology |
| Schedule: | | | |
| (a) Salaries and Wages | 86,813 | | |
| (b) Operating Expenses | 62,377 | | |
| (c) Equipment | 5,024 | | |
| Total of schedule | 154,214 | | |
| 295—For support of Board of Dental Examiners, payable from the State Dentistry Fund, in accordance with the following schedule | | 48,559 | Dental Examiners |
| Schedule: | | | |
| (a) Salaries and Wages | 29,370 | | |
| (b) Operating Expenses | 18,622 | | |
| (c) Equipment | 567 | | |
| Total of schedule | 48,559 | | |
| 296—For support of Detective License Bureau, Department of Professional and Vocational Standards, payable from the Private Detective Fund, in accordance with the following schedule | | 25,145 | Detective License Bureau |
| Schedule: | | | |
| (a) Salaries and Wages | 11,267 | | |
| (b) Operating Expenses | 12,728 | | |
| (c) Equipment | 1,150 | | |
| Total of schedule | 25,145 | | |
| 297—For support of State Board of Dry Cleaners, payable from the Dry Cleaners' Fund, in accordance with the following schedule | | 131,122 | Dry Cleaners |
| Schedule: | | | |
| (a) Salaries and Wages | 75,153 | | |
| (b) Operating Expenses | 49,303 | | |
| (c) Equipment | 6,666 | | |
| Total of schedule | 131,122 | | |
| 298—For support of State Board of Funeral Directors and Embalmers, payable from the Funeral Directors and Embalmers' Fund, in accordance with the following schedule | | 28,769 | Funeral Directors and Embalmers |

| Item | | Amount |
|---|---|---|
| | Schedule: | |
| | (a) Salaries and Wages | 15,409 |
| | (b) Operating Expenses | 13,051 |
| | (c) Equipment | 309 |
| | Total of schedule | 28,769 |
| Furniture and Bedding Inspection | 299—For support of Bureau of Furniture and Bedding Inspection, Department of Professional and Vocational Standards, payable from the Bureau of Furniture and Bedding Inspection Fund, in accordance with the following schedule | 152,883 |
| | Schedule: | |
| | (a) Salaries and Wages | 104,381 |
| | (b) Operating Expenses | 42,531 |
| | (c) Equipment | 5,971 |
| | Total of schedule | 152,883 |
| Guide Dogs for the Blind | 300—For support of State Board of Guide Dogs for the Blind, in accordance with the following schedule | 1,688 |
| | Schedule: | |
| | (a) Operating Expenses | 1,688 |
| Medical Examiners | 301—For support of State Board of Medical Examiners, payable from Contingent Fund of the Board of Medical Examiners, in accordance with the following schedule | 149,522 |
| | Schedule: | |
| | (a) Salaries and Wages | 80,324 |
| | (b) Operating Expenses | 67,462 |
| | (c) Equipment | 1,736 |
| | Total of schedule | 149,522 |
| Nurse Examiners | 302—For support of Board of Nurse Examiners, payable from the Board of Nurse Examiners' Fund, in accordance with the following schedule | 98,250 |
| | Schedule: | |
| | (a) Salaries and Wages | 48,925 |
| | (b) Operating Expenses | 48,140 |
| | (c) Equipment | 1,185 |
| | Total of schedule | 98,250 |
| Optometry | 303—For support of State Board of Optometry, payable from the State Optometry Fund, in accordance with the following schedule | 24,298 |

| Item | | Amount | |
|---|---|---|---|
| Schedule: | | | |
| (a) Salaries and Wages | 14,267 | | |
| (b) Operating Expenses | 9,795 | | |
| (c) Equipment | 236 | | |
| Total of schedule | 24,298 | | |
| 304—For support of State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund, in accordance with the following schedule | | 121,616 | Pharmacy |
| Schedule: | | | |
| (a) Salaries and Wages | 69,317 | | |
| (b) Operating Expenses | 43,103 | | |
| (c) Equipment | 9,196 | | |
| Total of schedule | 121,616 | | |
| 305—For support of the Board of Social Work Examiners, payable from the Registered Social Workers' Fund, in accordance with the following schedule | | 16,794 | Social Work Examiners |
| Schedule: | | | |
| (a) Salaries and Wages | 9,423 | | |
| (b) Operating Expenses | 6,867 | | |
| (c) Equipment | 504 | | |
| Total of schedule | 16,794 | | |
| 306—For support of Structural Pest Control Board, payable from the Structural Pest Control Fund, in accordance with the following schedule | | 30,040 | Structural Pest Control |
| Schedule: | | | |
| (a) Salaries and Wages | 15,559 | | |
| (b) Operating Expenses | 14,210 | | |
| (c) Equipment | 271 | | |
| Total of schedule | 30,040 | | |
| 307—For support of Board of Examiners in Veterinary Medicine, payable from the Board of Veterinary Examiners' Contingent Fund, in accordance with the following schedule | | 11,887 | Examiners in Veterinary Medicine |
| Schedule: | | | |
| (a) Salaries and Wages | 5,535 | | |
| (b) Operating Expenses | 5,252 | | |
| (c) Equipment | 1,100 | | |
| Total of schedule | 11,887 | | |
| 308—For support of Yacht and Ship Brokers Commission, payable from the Yacht and Ship Brokers' Fund, in accordance with the following schedule | | 13,229 | Yacht and Ship Brokers Commission |

| Item | | Amount |
|---|---|---|
| | Schedule: | |
| | (a) Salaries and Wages | 6,852 |
| | (b) Operating Expenses | 6,043 |
| | (c) Equipment | 334 |
| | Total of schedule | 13,229 |
| Osteopathic Examiners | 309—For support of State Board of Osteopathic Examiners, payable from the Board of Osteopathic Examiners' Contingent Fund, in accordance with the following schedule | 22,344 |
| | Schedule: | |
| | (a) Salaries and Wages | 14,935 |
| | (b) Operating Expenses | 7,146 |
| | (c) Equipment | 263 |
| | Total of schedule | 22,344 |
| Pilot Commissioners | 310—For support of the Board of Pilot Commissioners, payable from the Board of Pilot Commissioners Special Fund, in accordance with the following schedule | 10,590 |
| | Schedule: | |
| | (a) Salaries and Wages | 9,600 |
| | (b) Operating Expenses | 870 |
| | (c) Equipment | 120 |
| | Total of schedule | 10,590 |
| Horse Racing | 311—For support of California Horse Racing Board, payable from the Fair and Exposition Fund, in accordance with the following schedule | 103,732 |
| | Schedule: | |
| | (a) Salaries and Wages | 63,458 |
| | (b) Operating Expenses | 39,480 |
| | (c) Equipment | 794 |
| | Total of schedule | 103,732 |

PUBLIC HEALTH

| | | |
|---|---|---|
| Department of Public Health | 312—For support of Department of Public Health, exclusive of Bureau of Cannery Inspection | 3,546,374 |
| | 313—For additional support of Department of Public Health, payable from Public Health Fund and in addition thereto any amounts collected from sale of antigens, services to other agencies, amounts deposited by the Federal Government, or any agency thereof, as grants for public health purposes, and amounts contributed by organizations for public health purposes, which by law are available for support of said | 481,345 |

| Item | | Amount |
|---|---|---|
| department. Said appropriation, together with the appropriation made by Item 312 hereof, shall be expended in accordance with the following schedule: | | |
| Schedule: | | |
| (a) Salaries and Wages | 2,800,119 | |
| (b) Operating Expenses | 3,661,394 | |
| (c) Equipment | 198,028 | |
| (d) Contributions to State Employees' Retirement Fund | 222,573 | |
| Total of schedule | 6,882,114 | |
| Less: Estimated reimbursements from sale of antigens | 19,000 | |
| Estimated reimbursements for services to Departments of Corrections and Mental Hygiene | 27,000 | |
| Estimated reimbursements for services to Department of Education, Bureau of Vocational Rehabilitation | 25,000 | |
| Estimated reimbursements for services to Department of Social Welfare | 6,000 | |
| Estimated grants from the Federal Government or agencies thereof | 2,689,920 | |
| Estimated contributions for public health purposes from organizations | 87,475 | |
| Estimated amount payable from General Fund appropriation made by Item 312 | 3,546,374 | |
| Net appropriation | 481,345 | |
| Federal grants available under this item for assistance to cities, counties, local health agencies, and local health districts may be disbursed on a per capita basis as provided in Section 1141b of the Health and Safety Code. | | |

PUBLIC UTILITIES

| | | |
|---|---|---|
| 314—For support of the Public Utilities Commission of the State of California, in accordance with the following schedule | 1,359,446 | Public Utilities Commission |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 1,174,483 | |
| (b) Operating Expenses | 159,505 | |
| (c) Equipment | 25,458 | |
| Total of schedule | 1,359,446 | |
| provided that no expenditures shall be made for the Power Emergency Unit after such day as shall be fixed by the Governor in a proclamation issued by him and declaring the termination of the emergency caused by the shortage of water and hydroelectric power. | | |
| 315—For additional support of the Public Utilities Commission of the State of California, payable from the Transportation Rate Fund, in accordance with the following schedule | | 1,110,461 |
| Schedule: | | |
| (a) Salaries and Wages | 875,518 | |
| (b) Operating Expenses | 205,404 | |
| (c) Equipment | 29,539 | |
| Total of schedule | 1,110,461 | |

PUBLIC WORKS

| | | | |
|---|---|---|---|
| Department of Public Works | 316—For pro rata support of Departmental Administration, Department of Public Works, in accordance with the following schedule | | 71,249 |
| | and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department. | | |
| | Schedule: | | |
| | (a) Salaries and Wages | 126,952 | |
| | (b) Operating Expenses | 21,399 | |
| | (c) Equipment | 5,356 | |
| | Total of schedule | 153,707 | |
| | Less: Estimated reimbursements for services to activities supported out of other funds | 82,458 | |
| | Net appropriation | 71,249 | |
| Division of Architecture | 317—For support of Division of Architecture, Department of Public Works, in accordance with the following schedule | | 302,443 |
| | and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said division. | | |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 244,834 | |
| (b) Operating Expenses | 72,620 | |
| (c) Equipment | 4,989 | |
| Total of schedule | 322,443 | |
| Less: Estimated reimbursements for services to activities supported out of other funds | 20,000 | |
| Net appropriation | 302,443 | |
| 318—For support of Division of Architecture, Department of Public Works, payable from the Division of Architecture Public Building Fund, in accordance with the following schedule | | 275,078 |
| Schedule: | | |
| (a) Salaries and Wages | 234,450 | |
| (b) Operating Expenses | 33,196 | |
| (c) Equipment | 7,432 | |
| Total of schedule | 275,078 | |
| 319—For support of Division of Water Resources, Department of Public Works, including cooperative work with other agencies and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said division and/or department. Said appropriation, together with the amount appropriated by Item 325 hereof, shall be expended in accordance with the following schedule. | | 1,008,416 |
| Schedule: | | |
| (a) Salaries and Wages | 668,030 | |
| (b) Operating Expenses | 282,733 | |
| (c) Equipment | 78,092 | |
| (d) Contributions to Watermaster Services | 22,652 | |
| Total of schedule | 1,051,507 | |
| Less: Estimated amount payable from Watermaster Service Fund (Item 325) | 43,091 | |
| Net appropriation | 1,008,416 | |
| 320—For surveys, plans, estimates, preliminary engineering, and other preliminary expenses for the construction of an additional toll bridge or other toll highway crossing across the Bay | | |

Division of Water Resources

Surveys, etc., San Francisco Bay crossing

| Item | | Amount |
|---|---|---|
| | of San Francisco from the City and County of San Francisco to the County of Alameda, Division of San Francisco Bay Toll Crossings. The California Toll Bridge Authority shall return said appropriation, or so much thereof as may be used, with interest thereon at the rate of one and one-half percent (1½%) per annum, to the General Fund in the State Treasury from the proceeds of the first sale of revenue bonds issued for the construction of said bridge or other crossing under the provisions of the California Toll Bridge Authority Act, Chapter 1, Division 17, of the Streets and Highways Code, as amended; provided, that in the event revenue bonds are not issued and sold for the construction of an additional toll bridge or other toll highway crossing any moneys expended hereunder for surveys, plans, estimates, preliminary engineering or other preliminary expenses shall be returned to the General Fund in the State Treasury from the tolls and revenues of the existing San Francisco-Oakland Bay Bridge, but only after all revenue bonds issued and sold by the California Toll Bridge Authority for the construction of said bridge, or for the refunding of the indebtedness thereof, have been fully redeemed and paid and all other obligations of the bridge have been fully satisfied, including repayment to the State Highway Fund of all moneys appropriated by the State and expended from the State Highway Fund for the acquisition and construction of the highway approaches leading to and upon such toll bridge at both the Alameda County and the San Francisco ends thereof, as provided by Section 30607 of the Streets and Highways Code. The California Toll Bridge Authority is hereby authorized to continue to fix and collect tolls on said bridge for the purpose of reimbursement of the General Fund as may be required by this proviso. | 500,000 |
| Construction, etc | 321—For construction, renewal, and repair of work for restraining, impounding, and control of debris resulting from mining operations, natural erosion, and other causes along the Yuba River, Department of Public Works, Division of Water Resources; provided, however, that the money herein appropriated shall be available subject to the provisions of Sections 2, 3, and 4 of Chapter 686, Statutes of 1935 | 20,000 |

| Item | Amount |
|---|---|
| 322—For topographic mapping in cooperation with the Federal Government, Division of Water Resources, Department of Public Works; provided, that any amount withdrawn from this item must be matched by an expenditure of a like amount by the Federal Government in this State for this purpose | 300,000 |
| 323—For investigation, study, and report on water resources of Salinas Valley, Division of Water Resources, Department of Public Works, provided, that any amount withdrawn from this item must be matched from sources other than the State | 1,750 |
| 324—Construction and reconstruction of shelter cabins in connection with snow surveys and the construction, repair and marking of trails leading to and from such cabins. Division of Water Resources, Department of Public Works | 25,420 |
| 325—For additional support of the Division of Water Resources, Department of Public Works, payable from the Watermaster Service Fund | 20,439 |
| which sum shall be augmented by the transfer made from the General Fund in accordance with the provisions of Section 4360 of the Water Code. | |
| 325.5—For the cost of any and all work necessary for the repair or restoration of, and for the protection of the ocean beach in the City of Redondo Beach, Los Angeles County, or any portion thereof, Department of Public Works, Division of Water Resources | 50,000 |
| to be expended during the 1948-49 Fiscal Year in accordance with the provisions and limitation and matching requirements as set forth in Chapter 1417, Statutes of 1945; provided, that any moneys made available to the Division of Water Resources, Department of Public Works, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance. | |

| | Item | | Amount |
|---|---|---|---|
| California Aeronautics Commission | 326—For support of the California Aeronautics Commission, in accordance with the following schedule | | 188,846 |
| | Schedule: | | |
| | (a) Salaries and Wages | 101,937 | |
| | (b) Operating Expenses | 63,696 | |
| | (c) Equipment | 23,213 | |
| | Total of schedule | 188,846 | |
| Board, Colorado River | 327—For support of Colorado River Board, in accordance with the following schedule | | 89,594 |
| | Schedule: | | |
| | (a) Salaries and Wages | 39,922 | |
| | (b) Operating Expenses | 47,350 | |
| | (c) Equipment | 2,322 | |
| | Total of schedule | 89,594 | |
| Harbor Commissioners for Humboldt Bay | 328—For support of the Board of Harbor Commissioners for Humboldt Bay | | 3,187 |
| Reclamation | 329—For support of State Reclamation Board, in accordance with the following schedule | | 138,897 |
| | Schedule: | | |
| | (a) Salaries and Wages | 112,098 | |
| | (b) Operating Expenses | 20,256 | |
| | (c) Equipment | 6,543 | |
| | Total of schedule | 138,897 | |
| | 330—For lands, rights of way, borrow pits, and easements for levees and flood control works to be constructed by the United States within the Sacramento River Flood Control Project, and for advances and payment to the United States for incidental construction items which are a right-of-way cost or obligation of the State in the construction of said levees and flood control works, and for materials and necessary construction or reconstruction of, or alterations to highways, bridges, power lines, pipe lines and other structures or facilities, and for flowage rights over lands in by-passes and channels created for the disposal of flood waters, and for flowage rights over lands in overflow areas, State Reclamation Board | | 500,000 |
| | The appropriation made by this item shall be available for expenditure until June 30, 1952. | | |
| Water Resources | 331—For allocation to the State Water Resources Board for reallocation to the State Reclamation Board for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State for the construction of the project for the Fresno | | |

| Item | Amount |
|---|---|
| County Stream Group adopted and authorized by Section 35 of the State Water Resources Act (Chapter 1514, Statutes of 1945), payable from the Flood Control Fund of 1946 | 100,000 |
| 332—For allocation to the State Water Resources Board for reallocation to the State Reclamation Board for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State for the construction of the project for the Merced County Stream Group adopted and authorized by Section 32 of the State Water Resources Act (Chapter 1514, Statutes of 1945), payable from the Flood Control Fund of 1946 | 100,000 |
| together with any unexpended balance in the Emergency Fund in Item 325 of the Budget Act of 1947 appropriated for such fund out of the Flood Control Fund of 1946 by the provisions of Assembly Bill No. 35 if enacted at the 1948 Regular Session. | Stats 1948, Ch 6 |
| 334—For support of the State Water Resources Board, in accordance with the following schedule | 26,784 |
| Schedule: | |
| (a) Salaries and Wages 16,684 | |
| (b) Operating Expenses 10,100 | |
| Total of schedule 26,784 | |
| 335—For minor investigations, studies, and reports on water resources, State Water Resources Board; provided, that any sums expended from this item shall be matched by a like amount from local agencies or other sources | 58,000 |
| 336—For conducting water resources investigations, surveys, and studies, preparing plans and estimates, making reports thereon and otherwise performing all work and doing all things required relative thereto by provisions of the State Water Resources Act of 1945, and for services performed by State Engineer, State Water Resources Board | 211,200 |

SOCIAL WELFARE

| | | |
|---|---|---|
| 337—For support of Department of Social Welfare to be transferred to the Social Welfare Fund under the provisions of Section 124 of the Welfare and Institutions Code; provided, however, that the limitations of subdivision (b) of Section 124 of the Welfare and Institutions | 1,542,700 | Department of Social Welfare |

| Item | | Amount |
|---|---|---|
| | Code on the rate of withdrawal do not apply to revolving fund withdrawals under Section 12 of this act. Such appropriation, together with any grants made available by the Federal Government for support of the Department of Social Welfare during the 1948-49 Fiscal Year shall be expended in accordance with the following schedule: | |
| | Schedule: | |
| | (a) Salaries and Wages ..... 1,629,659 | |
| | (b) Operating Expenses ..... 537,670 | |
| | (c) Equipment ..... 25,939 | |
| | (d) Contributions to State Employees' Retirement Fund ..... 130,372 | |
| | Total of schedule ..... 2,323,640 | |
| | Less: Estimated amounts payable from federal grants ..... 780,940 | |
| | Net appropriation ..... 1,542,700 | |
| 337.5 | —For additional support of the Department of Social Welfare for the purpose of studying and analyzing all matters relating to the requirements for licensing of schools in accordance with Section 1620 of the Welfare and Institutions Code (exempt from Section 124 of the Welfare and Institutions Code) ..... | 10,000 |
| 338 | —For treatment or operations to prevent blindness or restore vision to applicants for, or recipients of, blind aid, Department of Social Welfare ..... | 50,000 |
| | provided, that all or any portion may be transferred to the Social Welfare Fund upon executive order of the Director of Finance. | |
| Recreation Commission 339 | —For support of the Recreation Commission and the Director of Recreation, in accordance with the following schedule ..... | 76,397 |
| | Schedule: | |
| | (a) Salaries and Wages ..... 45,807 | |
| | (b) Operating Expenses ..... 30,090 | |
| | (c) Equipment ..... 500 | |
| | Total of schedule ..... 76,397 | |
| | VETERANS AFFAIRS | |
| Department of Veterans Affairs 340 | —For support of Department of Veterans Affairs, in accordance with the following schedule ..... | 281,215 |
| | and in addition thereto any amounts collected for services to activities supported from other funds. | |

| Item | | Amount |
|---|---|---|
| Schedule: | | |
| (a) Salaries and Wages | 228,781 | |
| (b) Operating Expenses | 55,840 | |
| (c) Equipment | 2,594 | |
| Total of schedule | 287,215 | |
| Less: Estimated reimbursements from Veterans' Dependents' Education Fund for administrative services | 6,000 | |
| Net appropriation | 281,215 | |
| 341—For educational assistance to veterans, Department of Veterans Affairs, to be expended under the provisions of Article 2 of Chapter 6 of Division 4 of the Military and Veterans Code | | 1,830,000 |
| 342—For veterans' claims and rights service, Department of Veterans Affairs, to be expended under the provisions of Section 699.5 of the Military and Veterans Code | | 500,000 |
| 343—For additional support of Department of Veterans Affairs, payable from the Veterans' Dependents' Education Fund | | 6,600 |
| 344—For educational assistance to veterans' dependents, Department of Veterans Affairs, payable from the Veterans' Dependents' Education Fund | | 152,400 |
| to be expended under the provisions of Article 2 of Chapter 4 of Division 4 of the Military and Veterans Code. | | |
| 345—For support of Veterans' Home of California and in addition thereto any grants received from the Federal Government and any amounts collected for services to employees and from sale of surplus products, which by law are available for support of said home. Said appropriation shall be expended in accordance with the following schedule; provided, that none of the funds herein appropriated shall be expended for the payment of sick leave pay for member employees: | | 1,496,559 Veterans' Home |
| Schedule: | | |
| (a) Salaries and Wages | 1,208,854 | |
| (b) Operating Expenses | 689,805 | |
| (c) Equipment | 55,295 | |
| Total of schedule | 1,953,954 | |

| Item | | | Amount |
|---|---|---|---|
| | Less: Estimated reimbursements for services to employees and for members and for sale of surplus products | 73,270 | |
| | Estimated receipts from Federal Government | 384,125 | |
| | Net appropriation | 1,496,559 | |
| | 346—For purchase of supplies and equipment to restore normal operating complement, Veterans' Home of California | | 50,000 |
| | 347—For construction, improvements, repairs, and equipment, Veterans' Home of California | | 58,860 |
| | 348—For construction, improvements, repairs, and equipment, Veterans' Home of California, payable from the Athletic Commission Fund | | 475,000 |
| Woman's Relief Corps Home | 349—For support of Woman's Relief Corps Home, in accordance with the following schedule and in addition thereto any amounts collected for services to employees, which by law are available for support of said home. | | 77,056 |
| | Schedule: | | |
| | (a) Salaries and Wages | 51,789 | |
| | (b) Operating Expenses | 25,840 | |
| | (c) Equipment | 2,287 | |
| | Total of schedule | 79,916 | |
| | Less: Estimated reimbursements for services to employees | 2,860 | |
| | Net appropriation | 77,056 | |
| | 350—For hospitalization of members, to be expended under the provisions of Section 1086.1 of the Military and Veterans Code, Woman's Relief Corps Home | | 10,000 |
| | 351—For construction, improvements, repairs, and equipment, Woman's Relief Corps Home | | 8,000 |

MISCELLANEOUS

| | | | |
|---|---|---|---|
| Centennials Commission | 352—To plan for, provide for, assist in, sponsor, and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission | | 2,000,000 |

| Item | | Amount | |
|---|---|---|---|
| 353—For such proportion of the compensation benefits to state officers and employees as in each case the contribution out of the General Fund to the salary of such officer or employee, during the portion of the 1948-1949 Fiscal Year prior to the date when the benefit becomes payable, bears to the total salary of such officer or employee during the same period, or for officers and employees of the State paid in whole or in part from the Vocational Education Fund or Vocational Rehabilitation Fund; or for premiums on insurance therefor | | 335,000 | Compensation benefits to State officers and employees |
| 354—For augmentation of working revolving funds, in accordance with the following schedule | | 300,000 | Revolving funds |
| Schedule: | | | |
| (a) State Printing Fund | 100,000 | | |
| (b) Industrial Home for the Adult Blind Manufacturing Fund | 50,000 | | |
| (c) Surplus Educational Property Revolving Fund | 150,000 | | |
| to be transferred thereto by the State Controller. Upon executive order of the Director of Finance any portion of the sums transferred to said funds from the appropriation made by this item shall be returned to the General Fund in the State Treasury. | | | |
| 355—For refunding of payments of taxes, licenses, fees and other receipts which have been paid erroneously into the General Fund and for the refund of which no other provision is made by law; provided, that expenditures from this item shall be approved by the State Board of Control | | 5,000 | Refunds of tax payments, etc |
| 356—For Claim of the Secretary of the Board of Control, to be paid from the several funds in accordance with the following schedule | | 45,415 | Claim of Secretary of Board of Control |
| Schedule: | | | |
| (a) General Fund | 30,752 | | |
| (b) State Agricultural Society Contingent Fund | 2,328 | | |
| (c) Department of Agriculture Fund | 315 | | |
| (d) Fair and Exposition Fund available to California Polytechnic School under the provisions of Section 19626 of the Business and Professions Code | 40 | | |
| (e) Fish and Game Preservation Fund | 436 | | |

| Item | | Amount |
|---|---|---|
| (f) State Highway Fund | 4,169 | |
| Insurance Fund | 10 | |
| (g) State Lands Act Fund | 714 | |
| (h) Motor Vehicle Fund | 3,773 | |
| (i) Motor Vehicle Fuel Fund | 753 | |
| (j) Board of Nurse Examiners' Fund | 1,380 | |
| (k) Public Health Fund | 115 | |
| (*l*) San Francisco Harbor Improvement Fund | 131 | |
| (m) Unemployment Administration Fund | 499 | |
| Total of schedule | 45,415 | |

San Francisco Harbor Improvement Fund

357—For return of interest earned on Fourth San Francisco Seawall Fund moneys deposited in the Surplus Money Investment Fund ..... 43,606
to be transferred to the San Francisco Harbor Improvement Fund by the State Controller.

POSTWAR CONSTRUCTION PROGRAM

Site for institution for mental defectives

358—For acquisition of real property as a site for a new institution for mental defectives, to be expended under the provisions of the Property Acquisition Act, Department of Mental Hygiene ..... 400,000
to be transferred to the Postwar Employment Reserve by the State Controller. The amount so transferred shall be available to June 30, 1951, for the purpose and subject to the conditions set forth in this item.

Adjutant General and National Guard

359—For carrying out further the provisions of Chapter 145, Statutes of 1946, in augmentation of the appropriation made by Section 6 thereof, payable from the Postwar Employment Reserve ..... 3,000,000
The schedule set forth in said Section 6 shall be augmented as follows:

Adjutant General and National Guard ..... 3,000,000

RESERVES FOR CONTINGENCIES

Emergency Fund

360—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies ..... 1,500,000
provided, that loans may be made from the Emergency Fund to state agencies which derive their support from sources other than the General Fund, upon such terms and con-

| Item | Amount |
|---|---|
| ditions for repayment as may be prescribed by the Department of Finance and any sum so loaned shall, if ordered by the Department of Finance, be transferred by the Controller to the fund from which the support of the agency is derived.<br>Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law. | |
| 360.5—For Flood Control Emergency Fund, to be expended only upon written authorization of the Department of Finance for flood control projects, payable from the Flood Control Fund of 1946 ---------- provided, that no more than 20 percent of the total amount of money appropriated by this item shall be expended for any one project. Notwithstanding any other provisions of this section the appropriation made by this item shall be available for expenditure until June 30, 1952. The appropriation made by this item is made pursuant to the State Water Resources Act of 1945, and is, to the extent of such appropriation, in fulfillment of the policy set forth in said act that the State will pay for such cost of cooperation as provided in said act necessary for the construction of flood control projects approved by said act, as required by acts of Congress.<br>None of the money in this item may be allocated by the Department of Finance while the Legislature is in session.<br>Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law for a specific project or projects for which the Federal Government has made or hereafter makes money available. | Flood Control Emergency Fund<br>5,000,000 |
| 361—For Price and Population Increase Fund, to be allocated only on written authorization of the Department of Finance to the several hospitals, homes, prisons, correctional facilities, the University of California, schools, colleges, and training facilities for the blind, and to the Buildings and Grounds Division of the Department of Finance, in augmentation of their respective appropriations for support for the 1948-49 Fiscal Year, in such amounts as are | Price and Population Increase Fund |

| Item | Amount |
|---|---|
| necessary to meet increases in prices of commodities and utilities and increases in institutional populations over the levels upon which appropriations in this act have been bases--- | 2,000,000 |
| Salary Increase Fund 362—For Salary Increase Fund to be allocated only on authorization of the Department of Finance to the several state offices, departments, boards, bureaus, commissions, the Regents of the University of California, and other state agencies, in augmentation of their respective appropriations for support for the 1948-49 Fiscal Year, in such amounts as will make sufficient money available during said fiscal year to be paid each state officer or employee in the state service whose compensation, or a portion thereof, is payable from the General Fund the increase in compensation provided for in any increased salary range established by the Personnel Board or other salary-fixing authority with the approval of the Department of Finance or for contributions to the State Employees Retirement Fund | 2,000,000 |
| For state officers and employees whose compensation, or portion thereof, is payable from special funds, there is appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide increases in compensation for each such officer or employee in accordance with this item, which amount is to be made available by executive order of the Director of Finance in augmentation of their respective appropriations for support for the 1948-49 Fiscal Year. Before the State Personnel Board or other salary-fixing authority establishes any increased salary range during the 1948-49 Fiscal Year, a certification shall be obtained from the Director of Finance that sufficient money either is available in appropriations for support of the agencies or can be made available from the appropriation in this item, to meet the cost of the increased salary range. | |
| Expenditures made necessary by 40-hour week 363—For payment of salaries and wages and other expenditures made necessary by reduction in hours of state employees working more than 40 hours per week, to be allocated by the Department of Finance to the several state officers, departments, boards, bureaus, commissions, the Regents of the University of California and other state agencies in aug- | |

| Item | Amount | |
|---|---|---|
| mentation of their respective appropriations for support for the 1948-49 Fiscal Year | 1,500,000 | |
| In addition to said sum there is hereby appropriated from each special fund from which state officers and employees are paid an amount sufficient to pay salaries and wages and other expenses made necessary by reduction in hours of state employees working more than 40 hours per week, to be made available by executive order of the Department of Finance. | | |
| PAYMENTS TO LOCAL GOVERNMENTS | | |
| 364—For transfer by the State Controller to the Teachers' Permanent Fund for operation of the State Teachers' Retirement System | 3,670,000 | Teachers' Retirement System |
| 365—For transfer by the State Controller to the Retirement Annuity Fund for operation of the State Teachers' Retirement System | 4,019,000 | |
| 366—For publishing, purchasing, and shipping free textbooks, Department of Education, in accordance with the following schedule | 1,720,809 | Textbooks |
| and in addition thereto any amounts collected for sale of textbooks and bulletins, which by law are available for support of said department. | | |
| Schedule: | | |
| (a) Salaries and Wages | 59,284 | |
| (b) Operating Expenses | 1,667,570 | |
| (c) Equipment | 955 | |
| Total of schedule | 1,727,809 | |
| Less: Estimated reimbursements for sale of textbooks and bulletins | 7,000 | |
| Net appropriation | 1,720,809 | |
| 367—For apportionment by the State Allocation Board, Department of Finance, to school districts for purchase and improvement of school building sites, construction, reconstruction, repair, alteration of and additions to school buildings, and furnishing and equipment of school buildings | 30,000,000 | Distressed school districts<br>See also Stats 1948, Ch 24 |
| to be expended in accordance with the provisions of Chapter 1575, Statutes of 1947. | | |
| 368—For reimbursement of expenses incurred by counties and cities in maintaining approved services for the licensing and inspection of agencies for child care and home finding, and agencies for the care of the aged, Department of Social Welfare, to be expended in accord- | | Child care, etc |

| Item | | Amount |
|---|---|---|
| | ance with the provisions of Sections 1622 and 2302 of the Welfare and Institutions Code--- provided, that all or any portion of this appropriation may be transferred to the Social Welfare Fund upon executive order of the Director of Finance. | 463,630 |
| Adoption programs | 369—For reimbursement to counties for the cost of administering adoption programs under license issued pursuant to Section 225m of the Civil Code and for the portion of the cost of care of children relinquished for adoption under license granted to the county by the State Department of Social Welfare from the time of relinquishment until placement which is not met from fees collected pursuant to Section 225p of the Civil Code; provided, that the amount payable to any county on any claim for such care shall not exceed two hundred dollars ($200) on the average per child, and that no reimbursement shall be made for the cost of care of any child for whose care the county has previously claimed reimbursement, regardless of the length of time the county has provided care for the child; State Department of Social Welfare---------- Claims for such reimbursements shall be filed quarterly with the State Department of Social Welfare, and shall be subject to audit by the department. The State Department of Social Welfare shall adopt such rules as may be necessary to determine the costs of administration and of care, and to provide for the presentation, allowance, and payment of such claims. | 264,400 |
| Juvenile home, etc. | 370—For reimbursements to counties for maintenance of juvenile homes and camps, Youth Authority, to be expended in accordance with the provisions of Article 13, Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code ---------- | 475,000 |
| Local health departments | 371—For assistance to cities, counties, local health agencies and local health districts for the establishment of minimum standards of personnel, organization and administration of local health departments, in accordance with the provisions of Chapter 8, Part 2, Division 1 of the Health and Safety Code---------- | 2,835,776 |
| Tuberculosis sanatoria | 372—For subsidies to cities, counties, and cities and counties for maintenance of tuberculosis sanatoria, Department of Public Health-------- to be expended in accordance with Division 4 of the Health and Safety Code. | 3,600,000 |

| Item | Amount | |
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| 373—For assistance to local districts and other public agencies in the control of mosquitoes, Department of Public Health provided, that the State's cooperation under cooperative agreements with any local or district or other public agency shall not exceed 50 percent of the cost of any acceptable plan. | 400,000 | Mosquito control |
| 374—For assistance to local agencies in the construction of hospital facilities, Department of Public Health, to be expended under the provisions of the California Hospital Survey and Construction Act and in addition thereto any amounts remaining unexpended on June 30, 1948, in the appropriation made by Item 334 of the Budget Act of 1947; provided, that any sums expended from this item shall be on the basis of one-third from this appropriation and two-thirds from the Federal Government, local agency or other sources. | 2,000,000 | Hospital facilities |
| 375—For allocation to the State Water Resources Board for reallocation to the Los Angeles County Flood Control District for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in the construction of the project for control of floods on the Los Angeles and San Gabriel Rivers and Ballona Creek, adopted and authorized by Section 29 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 | 490,000 | Los Angeles County Flood Control District |
| 376—For allocation to the State Water Resources Board for reallocation to the Los Angeles County Flood Control District for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in the construction of the project for the Los Angeles River Watershed program, adopted and authorized by Section 52 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 | 411,000 | |
| 377—For allocation to the Water Resources Board for reallocation to City of San Diego for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in the work of improvement on the San Diego River and Mission Bay, San Diego County, adopted and authorized by Section 46.5 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 | 1,006,000 | San Diego flood control |

| | Item | Amount |
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| Ventura County Flood Control District | 378—For allocation to the Water Resources Board for reallocation to the Ventura County Flood Control District, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in projects on the Ventura River and tributaries for flood protection at Ventura and Ojai, adopted and authorized by Section 27 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 | 145,000 |
| Pajaro River flood control | 379—For allocation to the State Water Resources Board for reallocation to the Counties of Santa Clara, Santa Cruz, and San Benito, and to the Monterey County Flood Control and Water Conservation District, or to any one or more thereof as may be proper, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in the plan of improvement for flood protection on the Pajaro River and tributaries, adopted and authorized by Section 30 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 | 604,975 |
| Superior courts | 380—For State's share of salaries of judges of superior courts as provided by Section 736b of the Political Code. | 1,063,750 |
| County service officers | 381—For contributions to counties toward the compensation and expenses of county service officers, Department of Veterans Affairs. To be expended in accordance with Section 972 of the Military and Veterans Code | 300,000 |
| County agricultural commissioners, etc | 382—For salaries of county agricultural commissioners or compensation for services performed for county agricultural departments, Department of Agriculture. To be expended in accordance with the provisions of Section 63.5 of the Agricultural Code | 108,496 |
| Workmen's compensation, disaster service workers | 383—For furnishing of workmen's compensation to disaster service workers and their dependents in accordance with the provisions of Division 4 of the Labor Code, including the reimbursing of the State Compensation Insurance Fund for the cost of services as adjusting agent, California State Disaster Council. The State Compensation Insurance Fund may draw from the State Treasury out of the appropriation made by this item, without at the time presenting vouchers and itemized statements, any portion of the appropriation | 25 000 |

| Item | Amount | |
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| contained in this item, to be used as a cash revolving fund. Expenditures made from the revolving fund in payment of claims for workmen's compensation and adjusting services are excepted from the operation of Section 16003 of the Government Code. Reimbursement of the revolving fund for such expenditures shall be made upon presentation to the Controller of an abstract or statement of such expenditures. Such abstract or statement shall be in such form as the Controller requires. | | |
| SAN FRANCISCO HARBOR | | |
| 384—For support of Board of State Harbor Commissioners, San Francisco, payable from San Francisco Harbor Improvement Fund | 3,946,024 | Board of State Harbor Commissioners, San Francisco |
| 385—For maintenance of fire boats, Board of State Harbor Commissioners, payable from San Francisco Harbor Improvement Fund | 167,000 | |
| 386—For promotion of the maritime and commercial interests of the harbor by advertising its advantages and facilities and by the solicitation of business, payable from the San Francisco Harbor Improvement Fund which amount shall be in addition to the funds made available for this purpose by Section 1915 of the Harbors and Navigation Code, and subject to the provisions of Section 1706 of the Harbors and Navigation Code. | 50,000 | |
| 387—For services of City and County of San Francisco firemen, Board of State Harbor Commissioners, payable from San Francisco Harbor Improvement Fund | 12,000 | |
| 388—For construction and improvements of wharves, piers, sheds, bridges, tracks, and other construction, improvements, and equipment as needed, Board of State Harbor Commissioners, San Francisco, payable from San Francisco Harbor Improvement Fund | 62,000 | |
| UNEMPLOYMENT DISABILITY ADMINISTRATION | | |
| 389—For administration of unemployment compensation disability benefits, Department of Employment, payable from the Unemployment Compensation Disability Fund | 2,364,612 | Unemployment compensation disability benefits |

Postwar Employment Reserve

SEC. 3. The unexpended balances as of June 30, 1948, in the appropriations made by the statutes herein listed shall be transferred by the State Controller to the Postwar Employment Reserve:

Chapter 22, Statutes of 1944 (4th Extraordinary Session).
Chapter 23, Statutes of 1944 (4th Extraordinary Session).
Chapter 24, Statutes of 1944 (4th Extraordinary Session).
Chapter 25, Statutes of 1944 (4th Extraordinary Session).
Chapter 27, Statutes of 1944 (4th Extraordinary Session).
Chapter 28, Statutes of 1944 (4th Extraordinary Session).
Chapter 29, Statutes of 1944 (4th Extraordinary Session).
Chapter 30, Statutes of 1944 (4th Extraordinary Session).
Chapter 31, Statutes of 1944 (4th Extraordinary Session).
Chapter 32, Statutes of 1944 (4th Extraordinary Session).
Chapter 38, Statutes of 1944 (4th Extraordinary Session).
Item 251, of Section 2, of Chapter 644, Statutes of 1945.
Item 251.1, of Section 2, of Chapter 644, Statutes of 1945.
Item 252, of Section 2, of Chapter 644, Statutes of 1945.
Item 253, of Section 2, of Chapter 644, Statutes of 1945.
Chapter 1315, Statutes of 1945.
Chapter 1413, Statutes of 1945.
Chapter 1414, Statutes of 1945.
Chapter 1426, Statutes of 1945.
Chapter 33, Statutes of 1946 (1st Extraordinary Session).
Chapter 87, Statutes of 1946 (1st Extraordinary Session).
Chapter 100, Statutes of 1946 (1st Extraordinary Session).
Chapter 101, Statutes of 1946 (1st Extraordinary Session).
Chapter 140, Statutes of 1946 (1st Extraordinary Session).
Chapter 147, Statutes of 1946 (1st Extraordinary Session).
Chapter 152, Statutes of 1946 (1st Extraordinary Session).
Chapter 155, Statutes of 1946 (1st Extraordinary Session).
Item 50, of Section 2, of Chapter 486, Statutes of 1947.
Item 57, of Section 2, of Chapter 486, Statutes of 1947.
Item 69, of Section 2, of Chapter 486, Statutes of 1947.
Item 86, of Section 2, of Chapter 486, Statutes of 1947.
Item 109, of Section 2, of Chapter 486, Statutes of 1947.
Item 111, of Section 2, of Chapter 486, Statutes of 1947.
Item 184, of Section 2, of Chapter 486, Statutes of 1947.
Item 186, of Section 2, of Chapter 486, Statutes of 1947.
Item 189, of Section 2, of Chapter 486, Statutes of 1947.
Item 205, of Section 2, of Chapter 486, Statutes of 1947.
Item 214, of Section 2, of Chapter 486, Statutes of 1947.
Item 217, of Section 2, of Chapter 486, Statutes of 1947.
Item 222, of Section 2, of Chapter 486, Statutes of 1947.
Item 285, of Section 2, of Chapter 486, Statutes of 1947.
Chapter 724, Statutes of 1947.
Chapter 1051, Statutes of 1947.
Chapter 1104, Statutes of 1947.
Chapter 1105, Statutes of 1947.
Chapter 1131, Statutes of 1947.
Chapter 1237, Statutes of 1947.

Chapter 1243, Statutes of 1947.
Chapter 1318, Statutes of 1947.
Chapter 1358, Statutes of 1947.
Chapter 1463, Statutes of 1947.
Chapter 1530, Statutes of 1947.
Chapter 1546, Statutes of 1947.
Chapter 1547, Statutes of 1947.
Chapter 1557, Statutes of 1947.
Chapter 1258, Statutes of 1947.
Chapter 1413, Statutes of 1947.
Chapter 1461, Statutes of 1947.

The amounts so transferred shall continue to be available for the respective purposes for which they were heretofore appropriated by the above statutes and shall be subject to all of the provisions of said statutes covering the expenditure thereof, except that such appropriations shall be available for expenditure until June 30, 1951.

Part or all of the total sum to be transferred in this section may be transferred in bonds valued at their market price plus accrued interest, computed as of the effective date of the transfer.

Postwar Unemployment and Construction Fund

SEC. 3.5. The unexpended balances as of June 30, 1948 in the appropriations made by Chapter 47, Statutes of 1944 (4th Extraordinary Session), as amended by Chapter 1321, Statutes of 1947, shall be transferred by the State Controller to the Postwar Unemployment and Construction Fund and, subject to all of the provisions of said act as amended, shall continue to be available therein for the purposes for which they were heretofore appropriated. Part or all of the total sum to be transferred under this section may be transferred in bonds valued at their market price plus accrued interest, computed as of the effective date of the transfer.

SEC. 3.6. The appropriations made by the following statutes shall, notwithstanding the provisions of Section 16304 of the Government Code or any other provision of law, continue to be available for expenditure for the purpose for which appropriated without regard to fiscal years:

Chapter 112, Statutes of 1946 (1st Extraordinary Session).
Item 42.5 of Section 2 of Chapter 486, Statutes of 1947.

State Beach Fund

SEC. 3.7. The unexpended balance as of June 30, 1948 in the appropriation made by Section 4 of Chapter 1422, Statutes of 1945, shall be transferred by the State Controller as follows:

(a) That portion of the balance which is available for expenditure for acquisition of ocean beaches, tidewater bays and inlets shall be transferred to the State Beach Fund and shall be available therein without regard to fiscal years for said purpose, subject to all the provisions of said act.

State Park Fund

(b) That portion of the balance which is available for expenditure for acquisition of lands for state park purposes shall be transferred to the State Park Fund and shall be available therein without regard to fiscal years for said purpose, subject to all the provisions of said act.

Part or all of the total sum to be transferred under this section may be transferred in bonds valued at their market price plus accrued interest, computed as of the effective date of the transfer.

Postwar Employment Reserve

SEC. 4. There is hereby appropriated from the General Fund the sum of thirty-six million nine hundred thousand dollars ($36,900,000) to be transferred on the effective date of this act to the Postwar Employment Reserve. The Legislature shall have the exclusive power to allocate, appropriate and provide for the expenditure of all or part of the appropriation hereby made to the Postwar Employment Reserve for any state public works project or public improvements.

Part or all of the sum appropriated by this section may be transferred in bonds valued at their market price, plus accrued interest computed as of the effective date of the transfer.

Construction or improvement projects

SEC. 5. Wherever herein an appropriation is made for construction, improvements, repairs, and equipment, any construction or improvement project exceeding ten thousand dollars ($10,000) in cost shall be subject to the provisions of Sections 3, 12, and 13 of Chapter 145, Statutes of 1946 (First Extraordinary Session).

Limitations of expenditures to object categories

SEC. 6. In providing that certain appropriations in Section 2 of this act are to be expended in accordance with a schedule set forth after each such appropriation item, it is the intent of the Legislature, except as specifically provided in other sections of this act relating to the category "salaries and wages," to limit thereby the amount of money to be expended from each such appropriation item for certain specified object categories, such as "salaries and wages," "operating expenses," or "equipment," using in that connection the same terms as used in the detailed budget of the officer, department, division, bureau or other agency to whom the appropriation is made, as contained in that document entitled "State of California Budget for the Fiscal Year July 1, 1948, to June 30, 1949," submitted by the Governor to the Legislature at the 1948 Regular Session. Each such schedule in this act is a restriction or limitation upon the expenditure of the respective appropriation made by this act, does not itself appropriate any money, and is not itself an item of appropriation.

As used in such schedules:

"Salaries and wages"

"Salaries and wages" shall include all expenditures for payment of officers and employees of the State but does not include compensation of independent contractors rendering personal services to the State under contract.

"Operating expenses"

"Operating expenses" shall include all expenditures for purchase of materials, supplies (including expendable equipment), services (other than services of state officers and employees), and all other proper expenses (other than the acquisition of unexpendable tangible property).

"Equipment"

"Equipment" shall include all expenditures for the acquisition or replacement of nonexpendable tangible property.

For the purpose of further interpreting the meaning of the words, terms, and phrases used in such schedules, reference is hereby made to the aforementioned budget document, the uniform accounting system prescribed by the Department of Finance under the provisions of Section 13290 of the Government Code, and the appropriate portions thereof. The State Board of Control shall establish such interpretations as are necessary to carry out the provisions of this section and shall furnish the same to the State Controller and to every state agency to whom appropriations are made under this act. Interpretation

SEC. 7. The Director of Finance may, pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to whom an appropriation is made herein, authorize the augmentation of the amount available for expenditure for an object category designated in any schedule set forth for such appropriation in Section 2 by transfer from any of the other designated object categories within the same schedule. The Director of Finance shall present to the Joint Legislative Budget Committee assembled in meeting a report on all authorizations given pursuant to this section during the preceding quarter. Transfers from object categories

SEC. 8. The Director of Finance may authorize the augmentation of the amount available for expenditure for any object category under the schedules set forth for any appropriation in Section 2 hereof or any additional category in the amount of any funds which he estimates will be received by an officer, department, division, bureau or other agency during the 1948-1949 Fiscal Year from any other state agency, from any agency of local government or the Federal Government, from any appropriation made by the Legislature or from any other source which he determines has not been taken into consideration in said schedule, or is in excess of the amount so taken into consideration. Augmentation

The Director of Finance may also reduce any object category whenever he determines that funds to be received will be less than the amount taken into consideration in the schedule. Reduction

SEC. 9. Premiums for official bonds may be paid out of appropriations contained in this act, notwithstanding the period covered by such bonds. Premiums for official bonds

SEC. 10. The sums that are herein appropriated for expenses of the Senate and Assembly shall be disbursed under the direction of the bodies to which they respectively belong, and shall not be subject to any of the provisions of Sections 16003 and 13320 of the Government Code; provided, that the State Controller shall not be required to draw such warrants until the original claims and vouchers, itemized and properly sworn to, are filed with him. Senate and Assembly disbursements

SEC. 10.5. The allocations made by Items 331, 332, 360 5, 375, 376, 377, 378, and 379 of Section 2 of this act are subject to Section 11 of the Flood Control Fund Act of 1946 in the same manner as the allocations made by Sections 13 and 14 of that act are subject to Section 11, are made pursuant to the State Water Limitations

Stats 1947, p 180

Stats. 1945, p. 2827

Resources Act of 1945, and are, to the extent of such allocations, in fulfillment of the policy set forth in said act that the State will participate in the prosecution of the projects approved and authorized in said act by paying for the cooperation which is required by the acts of Congress approving and authorizing the projects. No reallocation shall be made by the State Water Resources Board pursuant to Item 360.5 for a project for which the Legislature has not previously or by this act allocated or appropriated state funds until a report as to the engineering and economic feasibility of the project for which the reallocation is to be made, has been made by the State Engineer and filed with the State Water Resources Board. The State Water Resources Board shall determine the amounts in which each of such reallocations shall be made. The allocations made by said items shall remain available for reallocation and expenditure until June 30, 1952.

Payments from appropriations

SEC. 11. The State Controller is hereby expressly prohibited from allowing any demands payable out of any appropriation herein contained, unless the same are presented in accordance with the provisions of Section 16003 of the Government Code; provided, that in instances where the duties of any state officers or board make necessary the use of moneys for purposes of a confidential nature, the State Controller may audit claims for such expense without requiring itemization or vouchers; but such claims must be accompanied by a statement of the fact surrounding the expenditure, which statement must be filed in the office of the State Controller; provided further, that the total amount so allowed for such confidential purposes from the moneys herein appropriated shall not exceed the sum of two thousand dollars ($2,000), except in the case of the Attorney General's office, whose expenditures for such confidential purposes shall be governed by Sections 12572 and 12573 of the Government Code. All bills and vouchers, which shall be presented for supplies furnished or services rendered, shall be original bills and vouchers of the parties furnishing supplies and rendering services. No officer shall use or appropriate any money, appropriated by this act, for any purpose whatever, unless authorized thereto by law.

Revolving funds

SEC. 12. Any officer, board, commission, or department for whom any appropriation is made herein, may, without at the time furnishing vouchers and itemized statements, draw from such appropriations a sum not to exceed 3 percent of the total amount appropriated for any such officer, board, commission or department. Any officer, board, commission or department for whom any appropriation is made herein, may with the permission and the approval of the Department of Finance, and without at the time furnishing vouchers or itemized statements, draw from such appropriation a sum in excess of 3 percent, but not to exceed 10 percent of the total amount appropriated for any such officer, board, commission or department. Any officer, board, commission or department for whom any appropriation is made herein, may with the permission and approval

of the Board of Control, and without at the time furnishing vouchers or itemized statements, draw from such appropriation a sum in excess of 10 percent of the total appropriated to such officer, board, commission or department.

In lieu of withdrawing from the State Treasury a revolving fund authorized under this section an officer, board, commission or department may request the State Controller to apply such amount, or any portion thereof, as repayment and return of any existing revolving fund to the appropriation from which it was withdrawn. Upon receipt of such request the State Controller shall credit the amount designated to the appropriation from which such revolving fund previously was withdrawn.

Any sums drawn under the provisions of this section without at the time furnishing vouchers and itemized statements, shall be used as a revolving fund where payment of compensation earned, traveling expense advances, or other cash payments are necessary. Such revolving fund must, at any time, upon the demand of the Department of Finance, be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Controller.

Expenditures from Emergency Fund, etc.

SEC. 13. Whenever an expenditure is authorized from the Emergency Fund, from the Salary Increase Fund, from the appropriation made by Item 363, or from a special fund pursuant to Section 11006 of the Government Code, in addition to an appropriation made by this act, such authorized expenditures shall, for accounting purposes, be deemed to be an augmentation and increase of the appropriation made by this act.

Application of Govt C Sec 13320

SEC. 14. The appropriations under this act, unless otherwise provided, shall be subject to the provisions of Section 13320 of the Government Code requiring expenditures to be made in accordance with the allotments and other provisions of fiscal year budgets approved by the Department of Finance.

Positions established

The fiscal year budget shall authorize in such manner as the Department of Finance shall prescribe all established positions whose continuance for the year is approved and all new positions. No new position shall be established unless authorized by the Department of Finance.

Salary Savings Reserve

Each fiscal year budget shall provide for a Salary Savings Reserve to which shall be transferred on a document initiated by the agency and approved by the Department of Finance the unencumbered balance remaining in each allotment for salaries and wages at the close of each quarter or other period of time covered by the allotment. The unencumbered balance remaining in each budget allotment for salaries and wages shall be computed by deducting from the amount of the allotment the expenditures and accrued obligations for salaries and wages chargeable to such allotment for the period covered thereby. The amount in the Salary Savings Reserve shall not be available for expenditure except upon transfer to allotments for salaries and wages approved by the Department of Finance. Such transfers shall be approved only after it has been demonstrated to the satisfaction of the Department of Finance that

the allotment to be augmented is insufficient to meet necessary expenditures for salaries and wages.

No money in any Salary Savings Reserve may be expended to pay increases in salary ranges established after July 1, 1948, unless the Department of Finance certifies to the State Personnel Board prior to the adoption of such increased salary range that funds will be made available to pay the increased salaries resulting therefrom.

A certification on a pay roll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the Controller that such expenditures comply with the provisions of this section.

*Acquisition of motor vehicles*

SEC. 15. No purchase order for acquisition or replacement of motor vehicles shall be issued against any appropriation made herein until the Department of Finance has investigated and established the necessity therefor.

*Expenditures in excess of appropriation*

SEC. 16. The officers of the various departments, boards, commissions and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditure in excess of such appropriations, except the consent of the State Department of Finance be first obtained, and a certificate, in writing, duly signed by the director of said department, of the unavoidable necessity of such expenditure; and any indebtedness attempted to be created against the State in violation of the provisions of this section shall be absolutely null and void; and shall not be allowed by the State Controller nor paid out of any state appropriation. Any member of any such department, board, commission or institution, who shall vote for any expenditure, or create any indebtedness against the State in excess of the respective appropriations made by this act, except by the consent of the State Department of Finance and the certificate in this section provided to be first obtained, shall be liable on his official bond for the amount of such indebtedness, to be recovered in any court of competent jurisdiction by the person or persons, firm or corporation to whom such indebtedness is owing.

*Fire insurance*

SEC. 17. No money appropriated by this act shall be used to renew, or to pay for the renewal of any fire insurance on any public building or property, nor to effect or pay for any new fire insurance on any public building or property, except the property of San Francisco Harbor, the University of California, and the property referred to in Section 6 of Chapter 264, Statutes of 1933.

*Transfer of unneeded funds*

SEC. 18. The State Board of Control upon the recommendation of the Director of Finance, may authorize the transfer of unneeded funds from an appropriation for support, or for construction, improvements, repairs, and equipment, for an institution, school or college within any of the following agencies to a similar appropriation for another institution, school or college within the same agency:

(a) Department of Corrections, exclusive of the Youth Authority, upon request of the Director of Corrections;

(b) California Youth Authority, upon request of the Director of the Youth Authority;

(c) Department of Education, upon request of the Director of Education;

(d) Department of Mental Hygiene, upon request of the Director of Mental Hygiene.

SEC. 19. The State Board of Control, upon the recommendation of the Director of Finance, may authorize the transfer of unneeded funds between the appropriation for support of the Department of Motor Vehicles and the appropriation for support of the Department of the California Highway Patrol upon the joint request of the Director of Motor Vehicles and the Commissioner of the California Highway Patrol.

Effect of item veto, etc

SEC. 20. If any item of appropriation in this act is vetoed, eliminated or reduced by the Governor under Sections 16 and 34 of Article IV of the Constitution while approving portions of this act, such veto, elimination or reduction shall not affect the other portions of this act and these other portions of this act, so approved, shall have the same effect in law as if any vetoed or eliminated items of appropriation had not been present in this act and as if any reduced item of appropriation had not been reduced.

Transfer of appropriations

SEC. 21. Whenever any of the duties, powers, purposes, responsibilities, or jurisdiction of any office, officer, board, commission, bureau or other agency of the State are transferred by law to any other office, officer, board, commission, bureau or other agency of the State, that portion of any appropriation herein made for such office, officer, board, commission, bureau or other agency of the State, intended to be used and available for the performance of such duties, powers, purposes, responsibilities or jurisdiction, upon certification by the Department of Finance as to the amount shall, by the State Controller, be transferred to, and the same shall become a part of, the funds available for the office, officer, board, commission, bureau or other agency of the State, to which the duties, powers, purposes, responsibilities, or jurisdiction of such office, officer, board, commission or other state agency have been transferred.

Abolished State agencies

SEC. 22. Whenever the duties, powers, purposes, responsibilities and jurisdiction of any office, board, commission or other state agency are abolished by law the appropriation herein made for the support of such office, board, commission, or other state agency shall upon the effective date of the act abolishing such office, board, commission or other state agency revert to and become a part of the unexpended balance of the fund from which such appropriation was made.

Change in fund

SEC. 23. Whenever by law a change is made in the fund from which the support of any office, board, commission or other state agency is properly payable, any appropriation made herein for the support of such office, commission or other state agency, or the applicable portion thereof, shall become payable from the

fund designated in that law. The State Board of Control shall determine the adjustments to be made in the appropriations provided for herein as a result of any such change in law and shall certify the same to the State Controller, who shall thereupon make the necessary entries upon his records.

Constitutionality

SEC. 24. If any section, subsection, sentence, clause, or 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 section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Current expenses

SEC. 25. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of Section 1 of Article IV of the Constitution of the State of California, take effect immediately.

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## CHAPTER 24

*An act to amend Sections 5026, 5026.1, and 5033 of, and to add Section 5025.1 to, the Education Code, relating to distressed school districts, making an appropriation therefor, and repealing the appropriation for purchase and improvement of school building sites, construction, reconstruction, repair, alteration of, and additions to school buildings and furnishing and equipment of school buildings made by Item 367 of the Budget Act of 1948, and declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 21, 1948, with reductions noted hereunder. Filed with Secretary of State April 21, 1948.]

I object to the item of appropriation in Section 4 of Assembly Bill No. 14, and I reduce the amount of said appropriation to $35,000,000 (thirty-five million dollars). However, in most if not all of the counties in the State there is money that can be used for this purpose by the boards of supervisors from moneys appropriated for public works in the counties in the Postwar Unemployment and Construction Fund provided by Chapter 20, Statutes First Extraordinary Session, 1946. With this reduction I approve the bill.

Approved April 21, 1948.

EARL WARREN, Governor

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

SECTION 1. Section 5025.1 is added to the Education Code, to read:

Issuance of bonds

5025.1. For the purposes of this chapter, bonds of a school district shall be deemed to have been issued when sold to a purchaser other than the school district or when made available for a public works project in an application for apportionment.

Apportionments to impoverished school districts

SEC. 1.5. Section 5026 of said code is amended to read:

5026. The State Allocation Board shall apportion the money appropriated for the purposes of this chapter to school districts which in the judgment of the board are so impoverished

and lacking in essential physical properties as to necessitate apportionments of funds to such school districts under this chapter without such districts being required to expend, or make available for expenditure, funds for the purposes of this chapter and no such requirement shall be imposed upon any such district other than expenditure of the district's available funds. No apportionment shall be made to any school district under this section unless (1) the district makes application for an apportionment under this section; (2) the rate of district tax levied for the district is within one-half cent ($0 005) of the maximum tax rate fixed in Section 6357 of the Education Code unless, in the event a lesser rate of district tax was levied, the board finds that the levy of the lesser rate was the result of an error not made by an officer or employee of the district; (3) the total amount of bonds of the district exceeds 95 percent of the total amount of bonds of the district permitted by the Education Code, or any law, to be issued, unless, in the event the total amount of bonds of the district issued is a lesser amount, (a) the board finds that the cost to the district of authorizing the issuance of bonds in such amount as would be necessary to make the district eligible for an apportionment under this chapter would be disproportionate to the par value of such bonds or (b) the board finds that the amount of bonds issued plus the amount in the special accumulative building fund, or funds of the district from the proceeds of taxes levied for the district in excess of the maximum rate of district tax fixed by Section 6357, plus the amount expended for new school buildings since January 1, 1946 from the special accumulative building fund or funds of the district from the proceeds of taxes levied for the district in excess of the maximum rate of district tax fixed for the district by Section 6357, plus such amounts as may be due the Board of Public Building Reconstruction equals 95 percent of the total amount of bonds of the district permitted by law to be issued, or the amount the total bonds of the district issued is below such percentage, in the opinion of the board, is of such limited amount as to make the additional issuance of bonds impracticable or (c) the board finds that the district at any time subsequent to January 1, 1946, had met the requirements of this provision (3); (4) the advice of the State Commission on School Districts with respect to the making of such apportionment has been secured; and (5) the district has met such other qualifications as the board has established.

Conditions

The board may, in its discretion, make an apportionment to a school district not meeting the requirements of (2) of this section if the governing board of the school district shows to the satisfaction of the board that its budget for the then current school year would have required the levy of a rate of district tax for the district within one-half cent ($0.005) of the maximum tax rate fixed in Section 6357 of the Education Code based upon the assessed valuation of the district for the preceding year

Exceptions

and that the county assessor or assessors concerned had failed to make known to the governing board of the district the assessed valuation of the district for the then current school year prior to the date upon which the governing board of the district finally adopted the budget of the district for the then current school year, or, the result of including on the assessment roll property upon which taxes have been paid under protest.

SEC. 2. Section 5026.1 of said code is amended to read:

Eligibility

5026.1. No district shall become ineligible for an apportionment under this chapter by reason of any lessening in the percentage the total amount of the bonds of the district issued is of the total amount of bonds of the district authorized by law to be issued caused by any increase in the assessed valuation of the district, or by any change in the tax rate of the district, occurring after an application by the district has been approved by the board or an apportionment has been made to the district by the board.

SEC. 3. Section 5033 of said code is amended to read:

Availability of appropriations

5033. The appropriation herein made is exempt from the provisions of Section 16304 of the Government Code. Any money appropriated by this chapter for apportionment to school districts for which application is not made on or before December 31, 1953, shall revert to the General Fund in the State Treasury. In regard to applications filed on or before the latter date, apportionments may be made at any time until December 31, 1954. Any unexpended funds from apportionments made pursuant to this chapter where the award of a contract is less than the estimated cost of construction, shall revert to the State Treasury and be credited to the appropriation heretofore made, and shall be available for reapportionment by the State Allocation Board. Any money appropriated by this chapter for support of the Department of Finance or the Director of Finance shall be available for expenditure until December 31, 1955.

Appropriation

SEC. 4. In addition to any other appropriation heretofore made the sum of fifty million dollars ($50,000,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for apportionments to school districts of this State in accordance with the provisions of Chapter 1.5 of Division 3 of the Education Code and for the administration of that chapter. There shall first be allocated from said appropriation such amount as the Director of Finance shall determine, but in no event in excess of 1 percent of twenty million dollars ($20,000,000), for support of the Director of Finance and the Department of Finance in administering Chapter 1.5 of Division 3 of the Education Code and for the support of the Department of Education in the performance of duties required or authorized by the board under that chapter. There is hereby allocated and made available an amount equal to 1 percent of twenty million dollars ($20,000,000), or so much thereof as may be necessary,

for support of the State Controller in carrying out his duties under that chapter. Apportionments from said appropriation to such school districts shall be made by the State Allocation Board in the manner, and subject to the conditions herein provided, for the following purposes (1) the purchase and improvement of school building sites; (2) the construction, reconstruction, repair, alteration of and additions to, school buildings; and (3) the furnishing and equipment of school buildings; all of which are hereby declared to be and are defined as such public works.

The appropriation herein made is exempt from the provisions of Section 16304 of the Government Code. Any money appropriated by this act for apportionment to school districts for which application is not made on or before December 31, 1953, shall revert to the General Fund in the State Treasury. In regard to applications filed on or before the latter date, apportionments may be made at any time until December 31, 1954. Any money appropriated by this chapter for support of the Department of Finance or the Director of Finance shall be available for expenditure until December 31, 1955.

Repeal

SEC. 5. The appropriation for apportionment by the State Allocation Board, Department of Finance, to school districts for purchase and improvement of school building sites, construction, reconstruction, repair, alteration of, and additions to school buildings, and furnishing and equipment of school buildings made by Item 367 of the Budget Act of 1948 is hereby repealed and shall have no further force or effect.

Stats. 1948 Ch. 23

Urgency

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There are hundreds of impoverished school districts in California that do not have the financial means to provide either suitable buildings or adequate instruction. The children living in those districts are being denied their birthright of a good education. There must be equalization of educational opportunities by helping the poorer districts to render more adequate service to the children upon whom the future of the State depends. They are our future citizens, and it is clearly our duty to give them every opportunity to become useful and happy people. The need is great, and the State is under a direct obligation.

In order that the benefits arising from this measure may inure to the children of the State at the earliest possible time it is necessary that this act take effect immediately.

# CHAPTER 25

*An act relating to joint union elementary school districts, declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 20, 1948. Filed with Secretary of State April 21, 1948.]

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

Effect of uniting school districts

SECTION 1. The purported uniting, between December 1, 1946 and February 1, 1947, under Article 2 of Chapter 9 of Division 2 of the Education Code, of an elementary school district situated in one county and a union elementary school district situated in another county shall be deemed, for all purposes, to have resulted in the formation of a joint union elementary school district by the annexation of the first mentioned elementary school district to the first mentioned union elementary school district pursuant to the provisions of Article 4 of Chapter 9 of Division 2 of the Education Code.

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 an urgency measure within the meaning of Section 2 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity and urgency is as follows:

Because of an error in the construction of the laws relating to the formation of joint union elementary school districts, proceedings heretofore had in certain instances for the uniting of an elementary school district in one county with a union elementary school district in another county are invalid. To validate the proceedings had within such time and to avoid the adverse effects upon the public welfare which would result from the impairment of the ability of the Public School System to adequately serve the children residing in such districts if this measure is not immediately enacted, it is necessary that this act take effect immediately.

# CHAPTER 26

*An act to amend Sections 10752 and 10753 of, and to add Section 10753.2 to, and to repeal Sections 10753.5 and 10754 of, the Revenue and Taxation Code, relating to motor vehicle license fees.*

[Approved by Governor April 20, 1948. Filed with Secretary of State April 21, 1948.]

In effect immediately

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

SECTION 1. Section 10752 of the Revenue and Taxation Code is amended to read:

Motor vehicle license fee: Rate

10752. The annual amount of the license fee shall be a sum equal to two (2) percent of the market value of the vehicle as determined by the department.

SEC. 2. Section 10753 of said code is amended to read:

Determination of market value

10753. (a) For the purposes of this part the market value of vehicles shall be determined by the department upon the basis of the California delivered prices as established by the manufacturers or distributors in their selling agreements with authorized dealers as of the time the particular make and year model is first offered for sale in California, subject to the exceptions, procedures and classifications as set forth in this part.

(b) In the event the California delivered price of a commercial vehicle has reference only to such vehicle without a body or other essential part, the department shall determine the market value of the body or such other essential part of the vehicle on the basis of the cost price to the purchaser as evidenced by a certificate of cost, but not including California sales or use tax or any local sales or other local tax.

(c) In the event the department is unable to ascertain the California delivered price as defined above in respect to any vehicle or class of vehicles by reason of the same being a specially constructed vehicle, or for any other reason, the department shall determine the market value upon the basis of the cost price to the purchaser of the vehicle as evidenced by a certificate of cost, but not including California sales or use tax or any local sales or other local tax.

(d) In the event any vehicle is modified or additions are made to the chassis or body at a cost of two hundred dollars ($200) or more, but not including any change of engine of the same type or any cost of repairs to a vehicle, the owner of such vehicle shall report any said modification or additions to the department and the department shall classify or reclassify the vehicle in its proper class as provided in Section 10753.2, taking into consideration the increase in the market value of the vehicle due to such modifications or additions, and any reclassification resulting in increase in market value shall be based on the cost to the consumer of such modifications or additions. In the event any vehicle is modified or altered resulting in a decrease in the market value thereof of two hundred dollars

($200) or more as reported to and determined by the department, the department shall classify or reclassify the vehicle in its proper class as provided in Section 10753.2.

The foregoing provisions of this subdivision shall not apply in the event the cost of any modification or additions to the chassis or body of a vehicle is less than two hundred dollars ($200).

SEC. 3. Section 10753.2 is added to said code, to read:

Classification of vehicles

10753.2. (a) After determining the California delivered price as defined above of a vehicle or its cost price to the purchaser, as hereinbefore provided, the department shall classify every vehicle in its proper class according to the classification plan as set forth in this section.

(b) For the purpose of this part a classification plan is established consisting of the following classes: a class from no dollars ($0) to and including forty-nine dollars and ninety-nine cents ($49.99); a class from fifty dollars ($50) to and including one hundred ninety-nine dollars and ninety-nine cents ($199.99); and thereafter a series of classes successively set up in brackets having a spread of two hundred dollars ($200), consisting of such number of classes as will permit classification of all vehicles.

Determination of market value

(c) The market value of a vehicle for each calendar year of its life, starting with the year first sold to a consumer as a new vehicle, shall be as follows: For the first year, 85 percent of a sum equal to the middle point between the extremes of its class as established in subdivision (b) of this section; for the second year, 70 percent of such sum; for the third year, 55 percent of such sum; for the fourth year, 40 percent of such sum; for the fifth year, 30 percent of such sum; for the sixth year, 25 percent of such sum; for the seventh year, 15 percent of such sum; for the eighth year, 10 percent of such sum; and for the ninth and each succeeding year, 5 percent of such sum, provided that the minimum tax shall be the sum of one dollar ($1).

(d) For the purposes of subsection (c) hereof a vehicle first sold to a consumer as a new vehicle during the calendar years 1942, 1943, 1944, and 1945, shall be deemed to have been first sold during the calendar year 1945; a vehicle first sold to a consumer as a new vehicle during the calendar year 1941 shall be deemed to have been first sold during the calendar year 1944; a vehicle first sold to a consumer as a new vehicle during the calendar year 1940 shall be deemed to have been first sold during the calendar year 1943; a vehicle first sold to a consumer as a new vehicle during the calendar year 1939 shall be deemed to have been first sold during the calendar year 1942; and a vehicle first sold to a consumer as a new vehicle during the calendar year 1938 shall be deemed to have been first sold during the calendar year 1941.

Repeals

SEC. 4. Sections 10753.5 and 10754 of said code are hereby repealed.

Severability

SEC. 5. The Legislature hereby declares its intent to be that this act is inseverable and that if any part hereof is found

or declared to be invalid either in whole or in part, the whole of this act shall be ineffectual for any purpose.

SEC. 6. This act, inasmuch as it provides for a tax levy, shall, under the provisions of Section 1 of Article IV of the Constitution take effect immediately but shall not become completely operative until January 1, 1949, it being the intention to the Legislature that the changes in determining the market value of vehicles for the purposes of this act, shall take effect as of that date, but that the administrative work necessary to enable such changes to be effected in an orderly manner on said date be performed prior thereto. Tax levy

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## CHAPTER 27

*An act making an appropriation for the support of the Department of Motor Vehicles, declaring the urgency of this act, to take effect immediately.*

[Approved by Governor April 20, 1948. Filed with Secretary of State April 21, 1948.] In effect immediately

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

SECTION 1. Out of any money in the Motor Vehicle Fund there is hereby appropriated the sum of one hundred three thousand eight hundred thirteen dollars ($103,813) in augmentation of the appropriation made by Item 225 of Section 2 of the Budget Act of 1947, for support of the Department of Motor Vehicles. Appropriation: Department of Motor Vehicles

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

The rapidly increasing population of this State has been reflected by a greatly increased registration of motor vehicles and an unexpected increase in the work of the Department of Motor Vehicles in connection with such registration. Money appropriated for the current year has proved to be insufficient and unless funds are made available to carry on this work during the remainder of this fiscal year many people will be unable to register their vehicles. A large part of the people of the State depend upon their motor vehicles in the conduct of their daily affairs. If they are unable to operate their vehicles because of a breakdown of the registration system, the economic life of the State will be seriously disrupted to the detriment of the peace, health and safety of the people.

# CHAPTER 28

*An act to amend Section 10759 of the Revenue and Taxation Code and Sections 373.5 and 378 of the Vehicle Code, relating to vehicle registration and license penalties, and providing that this act shall take effect immediately.*

In effect immediately

[Approved by Governor April 20, 1948. Filed with Secretary of State April 21, 1948.]

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

SECTION 1. Section 10759 of the Revenue and Taxation Code is amended to read:

Computation of vehicle license fee

10759. In computing any fee or penalty imposed by this chapter, whether on a proration or otherwise, a fraction of a dollar is disregarded, unless it exceeds fifty cents ($0.50), in which case it is treated as one full dollar ($1). Computation of any penalty shall be made from the fee after the same has been computed as provided in this section.

Any fee or penalty in an amount of fifty cents ($0.50) or less shall be deemed to be one dollar ($1).

SEC. 2. Section 373.5 of the Vehicle Code is amended to read:

Computation of registration or weight fee

373.5. In computing any registration or weight fee or penalty imposed by this code, whether on a proration or otherwise, a fraction of a dollar is disregarded, unless it exceeds fifty cents ($0.50), in which case it is treated as one full dollar ($1). Computation of any penalty shall be made from the fee after the same has been computed as provided in this section.

Any fee or penalty in an amount of fifty cents ($0.50) or less shall be deemed to be one dollar ($1).

SEC. 3. Section 378 of the Vehicle Code is amended to read:

When fees delinquent

378. When Fees Delinquent. Penalties. (a) (1) Whenever any vehicle is operated upon any highway of this State without the registration fee having first been paid as required by this code, such fee is delinquent.

(2) Whenever any person has received as transferee a properly endorsed certificate of ownership and the registration card of the vehicle described in said certificate and card and the transfer fee has not been paid as required by this code within 10 days, such fee is delinquent.

(3) Whenever any person becomes an automobile wrecker without first having paid the license or certificate and special plate fees as required by this code, such fees are delinquent.

Penalties

(b) A penalty shall be added upon any application for annual renewal of registration made on or after February 5th except as provided in Section 164.5 of this code.

(c) A penalty shall be added upon any application for renewal of any special plate or plates made on or after February 5th.

(d) Except as otherwise provided in subdivisions (b) and (c), if any fee is not paid within 30 days after the same becomes delinquent a penalty shall be added thereto.

(e) In every event the penalty shall be equal to the fee after the same has been computed as provided in Section 373.5 and shall be collected therewith, except that the penalty for delinquency in respect to any transfer shall be one dollar ($1), and shall apply only to the last transfer.

SEC. 4. This act imposes a tax levy and shall take effect immediately pursuant to Article IV of the Constitution. Tax levy

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## CHAPTER 29

*An act to amend Section 164 of the Vehicle Code, relating to the renewal of registrations, declaring the urgency thereof, to take effect immediately.*

[Approved by Governor April 20, 1948. Filed with Secretary of State April 21, 1948.] In effect immediately

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

SECTION 1. Section 164 of the Vehicle Code is amended to read:

164. Department to Renew Registration. The department, upon renewing a registration, shall issue a new registration card and license plate or plates to the owner as upon an original registration. In lieu of issuing a new registration card the department may endorse or authorize the endorsement of a receipt or validation upon payment of the required fees, such receipt or validation to be stamped upon the registration card last issued for such vehicle during the preceding registration year, or upon a potential registration card issued near the close of the preceding year, which registration card so endorsed or validated shall constitute the registration card for the ensuing registration year, and the department may, in place of issuing a new license plate or plates for the ensuing year, issue in lieu thereof a symbol or other device indicating the year number for which issued, which symbol or device shall be attached to the license plate or plates issued for such vehicle for the last preceding calendar year in which license plates were issued, and, when so attached, said license plates with such symbols or devices shall for the purposes of this code be deemed to be the license plate or plates for the ensuing registration year. Department to renew registration

On January 1, 1951, the department shall issue license plates and thereafter issue license plates every fifth year, and during each intervening four-year period the department shall annually issue symbols or devices as herein provided.

The department may authorize an endorsement of a receipt or the validation of a registration card or potential registration card as hereinbefore provided by a person or organization hold-

ing a certificate of authority issued under the provisions of Part 5 of Division 2 of the Insurance Code.

Urgency

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Innumerable individuals of this State rely upon automobiles for transportation, and of necessity such automobiles must be registered by the owners thereof for preservation of public safety, and since there exists a shortage of materials from which license plates incident to automobile registration can be fabricated, and since shortages of such materials will exist until January 1, 1951, therefore this bill should be enacted to take immediate effect.

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## CHAPTER 30

Stats 1947, p. 45 amended

*An act to amend Sections 3.5, 4, 5, 7, 8, and 9 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to temporary and emergency housing for veterans, extending the duration of such housing projects and the period of availability of moneys appropriated therefor, enlarging the classes of tenants eligible to occupy such housing, defining terms used in said act, and declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 22, 1948. Filed with Secretary of State April 22, 1948.]

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

SECTION 1. Section 3.5 of the act cited in the title hereof is amended to read:

Housing for veterans attending college

Sec. 3.5. Allocations under this act to universities or colleges other than universities or colleges administered by a district shall be used only for the acquiring and establishing of housing in the vicinity of such colleges or universities in order to furnish living accommodations for the following classes of persons:

1. Veterans who are attending such universities or colleges as students, and their families,

2. Veterans who are members of the faculty or administrative staffs of such universities or colleges, and their families,

Nonveterans

3. Nonveterans who are attending such universities or colleges as students or are members of the faculty and admin-

istrative staffs thereof, and their families, and who are permitted by federal laws or by regulations published or announced by federal authority to be admitted to vacant space therein.

SEC. 2. Section 4 of the act cited in the title hereof is amended to read:

Authority of local agencies

Sec. 4. For the purposes of this act any local agency may expend or use its funds and employ its personnel to do anything necessary to carry out the federal program and render housing suitable for occupancy, except that the use of such funds shall be limited to items for which federal funds are not available. For the purposes of this act any local agency may enter into agreements with the Federal Government and the State. Any local agency may lease, or if necessary acquire by purchase or otherwise, real and personal property suitable for conversion into housing facilities, and may remodel, repair, or remove and reerect, or furnish buildings for such housing facilities but shall not erect or construct new housing facilities It may also provide for the installation of necessary appurtenances and utilities.

"Necessary appurtenances and utilities"

As used in this act "necessary appurtenances and utilities" means all such appurtenances and utilities approved by the director as being necessary for the proper utilization of housing facilities, and includes, but is not limited to, school buildings, community buildings, fire stations, administration buildings, playgrounds, recreational facilities, traffic safety facilities, maintenance and management equipment and vehicles, sewer lines, water, gas, and electric facilities, and commercial buildings for supplying goods and services to the occupants of the housing facilities. It is hereby declared that this definition is not intended as a change in but as a declaration of the existing law and that it shall apply to all such appurtenances and utilities constructed or provided after February 15, 1946.

The authority granted to local agencies by this act may be exercised either inside or outside the boundaries thereof; provided, however, such authority may not be exercised outside the boundary of such local agencies without the consent, by resolution, of the governing body of such outside territory.

Cooperation between agencies

Any city, county, or city and county may cooperate with a housing authority for the purpose of carrying out the provisions of this act to the same extent as such city, county, or city and county is authorized to cooperate with a housing authority pursuant to the Housing Cooperation Law. In providing housing for veterans and their families, single veterans, and families of servicemen pursuant to the provisions of this act, a housing authority shall not be subject to any provisions of the Housing Authorities Law relating to rentals and tenant selection, particularly the limitations in Section 10 and in the second sentence of Section 9 of said act.

Stats 1938 (Ex Sess) p 2

Administration

The local agency shall administer any housing facility acquired pursuant to this act and let or lease accommodations therein to veterans and families of servicemen upon such terms and for such rentals as may be agreed between it and the director, and in such manner as to secure to the local agency and the

State a return insofar as is practical of the investment made by both parties.

Validation of contracts, etc

Any and all contracts, undertakings, and commitments of a local agency, together with all acts and proceedings in respect thereto heretofore done or undertaken for the provision of housing for veterans and their families or single veterans and families of servicemen are hereby validated and declared legal.

Standards of construction, etc

In providing housing pursuant to this act, a local agency shall not be subject to any state statute or regulation prescribing standards of construction, repair, maintenance or use of buildings. As to the housing provided for in this act, the governing body of any local agency by which any ordinance or regulation prescribing the use or occupancy of land or standards of construction, repair, maintenance or use of buildings was enacted may by ordinance or resolution suspend all or a part of any such ordinance or regulation for the period during which such housing may by the terms of this act lawfully be maintained.

SEC. 3. Section 5 of the act cited in the title hereof is amended to read:

Application for allocation

Sec. 5. Each local agency which desires to participate in the acquisition of housing and the establishment of a housing facility pursuant to this act shall submit to the director an application for an allocation of not more than 90 percent of the estimated nonfederal cost of each proposed housing facility for which it desires aid under this act. The application shall be accompanied by a certified statement of such estimated cost of the housing facility. The application shall include a statement showing what provision the local agency proposes to make for paying at least 10 percent of such cost of the housing facility, and shall be accompanied by a copy of the contract or other documents showing the terms upon which the housing is to be acquired and the agreements with the Federal Government in respect thereto.

The director shall promptly consider the applications filed with him, and may require any local agency to submit such additional or supplementary information as to the housing facility or the financial condition of the local agency as he deems pertinent. A local agency may at any time amend or supplement its preliminary application.

Approval or rejection

The director shall approve or reject each application submitted to him by a local agency. The approval of any application shall be subject to the contingency that the local agency transmit to the director a certified copy of a resolution or ordinance showing that the local agency has made provision for paying 10 percent of the cost of the housing facility.

New commitments

The director shall enter into no new commitments for the acquisition of housing facilities pursuant to this act after December 31, 1949, but commitments and agreements made before said date shall nevertheless be completed.

SEC. 4. Section 7 of the act cited in the title hereof is amended to read:

**Sec. 7. The director shall enter into agreements with** local agencies providing for the management, operation, and maintenance of any housing facilities acquired and established pursuant to this act. In addition to such other matters as the director deems necessary, and subject only to federal law or regulations adopted pursuant thereto, the agreement shall provide:

Agreements with local agencies

(a) That if the acquisition of any housing facility or if the remodeling, repair, or removal and reerection of buildings is not under the control and direction of the United States or any of its agencies, no contract for any of such acts shall be made by the local agency without first obtaining the approval of the director.

(b) That when any housing facility is discontinued, in whole or in part, it shall be liquidated in such manner as may be agreed upon between the local agency and the director and according to rules and regulations prescribed by the director for the purpose in such manner as to secure to the local agency and the State a share of the proceeds proportionate to their respective investments.

(c) That the operation and maintenance of any housing facility acquired pursuant to this act may be terminated at any time, if consistent with the terms of the federal act under which it was acquired, and if the director or the Legislature determines that the necessity therefor no longer exists, but in no event shall such housing facility be operated and maintained after December 31, 1950.

(d) For the fixing of minimum and maximum rentals.

(e) For repayment to the State of the costs advanced pursuant to this act, to the extent permitted by the federal act, it being the intent of this act that the maximum amount of recovery possible be obtained.

(f) For the payment of the costs of operation and maintenance, including administration, with a view that such costs shall be adequate for the purpose, but not excessive.

(g) For a division of the proceeds upon final or partial liquidation in proportion to the investment made by the local agency and the State.

(h) For showing of all conditions, terms, rentals, expenditures and receipts and all other matters done or agreed to pursuant to the federal program.

(i) For the establishment of a reserve from the original amount allocated for the purpose of demolition and site restoration in such sum as may be agreed upon by the director and the local agency.

SEC. 5. Section 8 of the act cited in the title hereof is amended to read:

**Sec. 8. The director shall prescribe the time and manner** of payment of the State's share of the cost of construction of a

Payment of State's share of cost

project for which a local agency has received an allotment under this act, which the local agency shall, on its request, be paid.

Any money expended by or on behalf of a local agency after December 1, 1945, for the purpose of acquiring housing as provided by this act shall be considered as part of the money required to be provided by the local agency hereunder.

Any funds appropriated under this act may be allocated as herein provided to defray expenditures incurred by local agencies after February 15, 1946, in acquiring and establishing housing as defined in this act.

The Board of Control shall by rule prescribe the information to be shown on claim for payment of the State's share of the cost of construction of projects under this act and the nature of the evidence of payment to be required in support of such claim. When the director approves such claim and finds the payment to be due, he shall transmit a claim for the amount due, together with all supporting information of payment, to the Controller. The Controller shall make such audit as he deems necessary and shall thereupon draw his warrant for the amount of payment he finds to be due.

Title in local agency

Except in the case of allocations to colleges operated by the State or by any state agency, title to any project constructed with funds made available by this act shall not vest in the State but shall vest in the local agency constructing the project to the extent permitted by federal law or regulation.

Appropriation

A sum of money equal to the amount (of the appropriation heretofore made by this act, augmented by the appropriation made by Chapter 1 of the Fifty-sixth (Second Extraordinary) Session) which reverted to the General Fund on or about April 6, 1947, is hereby appropriated out of moneys in the State Treasury not otherwise appropriated, in augmentation of the appropriation heretofore made by this act, to carry out the provisions of this act. Any portion of the moneys hereby or heretofore appropriated for allocation to local agencies which is not obligated for expenditure by the State or for which application is not made on or before December 31, 1949, shall revert to the General Fund in the State Treasury; provided, however, that encumbrances made against said money during its period of availability may be paid at any time until December 31, 1951. Any money appropriated by this act for support of the director and for support of the director and the department shall be available for expenditure until December 31, 1951; provided, however, that encumbrances made against said money during its period of availability may be paid at any time until December 31, 1952.

Laws applicable

Sections 13320-13324, inclusive, 13920 and 16003 of the Government Code, and Sections 3714-3714.26, inclusive, of the Political Code do not apply to the expenditure of allocations to local agencies made under this act. The provisions of Part 7 of Division 2 of the Labor Code are applicable to public works or projects constructed from funds allocated under this act.

SEC. 6. Section 9 of the act cited in the title hereof is amended to read:

Sec. 9. Notwithstanding any provision of this act to the contrary, the State, its agents or employees, or any local agency, is hereby authorized in doing any act permitted or directed by this act, to comply with and conform to all applicable provisions of federal laws and of regulations and orders issued under the authority thereof. Federal laws, etc

SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows: Urgency

There continues to exist an extreme shortage of housing in the State. Many veterans and other persons are unable to find housing for themselves or their families and by reason thereof are being compelled to live in unsafe, insanitary and congested dwellings. The immediate adoption of this act will enable the State and local agencies to provide suitable housing facilities for such persons and will enable many veterans and their families to resume their place in the community and conduct their employment without worry as to the health, sanitary conditions and welfare of their families. It is imperative that temporary and emergency housing facilities for veterans be acquired and erected with the greatest of dispatch in order to alleviate hardship and suffering, and that such housing projects already in existence be continued. Under existing law no new commitments for the acquisition of housing facilities may be entered into after the ninetieth day following the convening of the Regular Session of the Fifty-seventh Legislature, and the availability of appropriations and the period for filing applications for funds in connection with the establishing of housing facilities will soon expire. In order that the period of availability of funds for the acquisition, erection and establishment of housing facilities, heretofore appropriated, be extended and the functioning of such housing facilities be continued without interruption, it is necessary that this act take effect immediately.

# CHAPTER 31

*An act to amend Sections 509, 661, 677, 689 of, and to add Section 707.5 to, the Agricultural Code, relating to dairy and milk products licenses and inspection fees.*

In effect June 26, 1948

[Approved by Governor April 27, 1948. Filed with Secretary of State April 27, 1948.]

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

SECTION 1. Section 509 of the Agricultural Code is amended to read:

Milk inspection fees

509. Every person engaged in the production, sale or distribution of market milk shall pay an inspection fee to the director; provided, however, no fee shall be paid to the director on any market milk which is bottled or processed under the jurisdiction of any approved milk inspection service nor on any market milk produced for delivery to a milk product plant under the jurisdiction of any approved milk inspection service. Said inspection fee shall be payable during the first week of January, April, July and October of each year. Said inspection fee is hereby fixed at:

(a) For producers who sell market milk at wholesale to be sold as graded market milk, three mills ($0.003) for each gallon of graded market milk sold during the quarter-year period preceding the date such inspection fee becomes due and payable;

(b) For distributors who purchase market milk from producers to be sold as graded market milk or who distribute their own graded market milk, three mills ($0.003) for each gallon of graded market milk received or produced during the quarter-year period preceding the date such inspection fee becomes due and payable;

(c) For producers who sell market milk at wholesale, two mills ($0.002) for each gallon of ungraded market milk sold during the quarter-year period preceding the date such inspection fee becomes due and payable;

(d) For distributors who purchase market milk from producers or who distribute their own market milk, two mills ($0.002) for each gallon of ungraded market milk received or produced during the quarter-year period preceding the date such inspection fee becomes due and payable.

SEC. 2. Section 661 of the Agricultural Code is amended to read:

License fee for frozen products

661. (a) Every person, except hospitals and sanitariums, engaged in the business of dealing in, receiving, manufacturing, freezing, or processing ice cream, imitation ice cream, ice milk, imitation ice milk, sherbet, and all similar frozen products shall pay a license fee of twenty-five dollars ($25) for the calendar year for which such license is issued, and for the renewal thereof shall pay twenty-five dollars ($25), plus one dollar ($1) for each

additional 10,000 gallons or fraction thereof over and above 50,000 gallons manufactured during the preceding year, ending the thirty-first day of December.

(b) The fee for a license for all other products for which a license is required is ten dollars ($10) for the calendar year for which such license is issued and for the renewal thereof is ten dollars ($10), plus one dollar ($1) for each 100,000 pounds, or part thereof, over and above the first 100,000 pounds of milk fat purchased or received during the preceding year, ending the thirty-first day of December.

(c) The director at least once each month shall report to the State Controller the total amount of moneys collected under the provisions of paragraph (a) of this section and at the same time shall pay into the State Treasury the entire amount of such receipts which shall be credited to the Department of Agriculture Fund and expended in carrying out the provisions of this division relating to ice cream, ice milk, and any similar frozen products.

(d) The director shall, within 30 days prior to each regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the current biennium, including a complete statement of receipts and expenditures during the period.

SEC. 3. Section 677 of the Agricultural Code is amended to read:

Butter. Cutting and wrapping permit

677. (a) Every person, before engaging in the business of cutting and wrapping butter, in addition to the factory license, shall obtain and hold a butter cutting and wrapping permit and all persons distributing butter received in packaged form direct from out-of-state points shall obtain a butter distributors permit from the director for each plant or place of business. Every permittee engaging in the business of cutting and wrapping butter shall pay a fee amounting to one dollar ($1), plus twenty cents ($0.20) for each 1,000 pounds, or part thereof, over and above the first 5,000 pounds of butter cut and wrapped during each of the three month periods ending February 28th, May 31st, August 31st, and November 30th, and such fees shall be paid to the director during the first week of March, June, September, and December, respectively.

Distributor's fee

Every permittee engaged in the business of distributing butter in accordance with the provisions of this section shall pay a fee amounting to one dollar ($1), plus twenty cents ($0.20) for each 1,000 pounds, or part thereof, over and above the first 5,000 pounds of butter distributed during each of the three month periods ending February 28th, May 31st, August 31st, and November 30th, and such fees shall be paid to the director during the first week of March, June, September, and December, respectively.

Grader's license

(b) Persons in charge of cutting, wrapping, packaging, or distributing butter, or supervisors thereof who shall be responsible for the grading of butter shall obtain and hold a butter grader's license. Application for such license shall be made to

the director who shall examine each applicant as to his qualifications and knowledge of butter grades and of the law applicable to him. The fee for a butter grader's license shall be one dollar ($1) and must accompany the application. All such licenses expire on the thirty-first day of December and may be renewed by payment of a renewal fee of one dollar ($1).

SEC. 4. Section 689 of the Agricultural Code is amended to read:

Babcock testing fee

689. A fee of two dollars ($2) shall be paid by the owner of said glassware to the department for every dozen pieces of Babcock glassware examined. The department shall charge fees for examining glassware and apparatus used in methods of testing other than the Babcock test, sufficient to cover the actual cost of such examination. All moneys received under this section shall be paid into the Department of Agriculture Fund.

SEC. 5. Section 707.5 is added to Chapter 10 of Division 4 of the Agricultural Code, to read:

Penalties

Ag C., Division 4, Chapters 1 to 10

707.5. A penalty of 50 percent of the amount of the fee shall accrue and be added to the fee for renewal of any license required by any provision of the Milk and Milk Products Act of 1947, if application for renewal, accompanied by the proper fee, is not made within 30 days after expiration of the pre-existing license.

To the amount of any fee, other than a license fee, required under the provisions of the Milk and Milk Products Act of 1947, unpaid when due, there shall accrue and be added a penalty of 25 percent of the amount of such fee for each month or fraction thereof until the fee and penalty is paid.

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## CHAPTER 32

*An act making an appropriation in augmentation of the appropriation in Item 81 of the Budget Act of 1947, for Vocational Rehabilitation, Department of Education, removing restriction for matching of state and federal funds under said item, and declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 27, 1948. Filed with Secretary of State April 27, 1948.]

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

Appropriation: Vocational Rehabilitation

Stats 1947, p 1390

SECTION 1. Out of any money in the State Treasury not otherwise appropriated the sum of one hundred seven thousand dollars ($107,000) is hereby appropriated in augmentation of Item 81 of the Budget Act of 1947 for Vocational Rehabilitation, Department of Education.

Availability of appropriation

SEC. 2. Any money appropriated under either this chapter or Item 81 of the Budget Act of 1947 shall, notwithstanding any provisions to the contrary contained therein be available

for expenditure without regard to the matching requirements of the federal act or acts relating to vocational rehabilitation.

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

Due to a reduction in federal funds allocated to California for vocational rehabilitation in the current year, additional state funds are necessary in order to provide the essential rehabilitation services to disabled persons who might otherwise become public charges. Due to lack of funds, persons now in training or in the process of physical restoration would be unable to complete such training or restoration, and the funds already expended for such partial rehabilitation would be lost. It is therefore necessary that this act take effect immediately so that the orderly and continuing rehabilitation and care of these disabled persons be not disrupted.

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## CHAPTER 33

*An act to amend Section 8 of the Corporate Securities Act, relating to the division of corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities; declaring the urgency hereof and to provide that this act shall take effect immediately.* Stats 1917, p 673, amended

[Approved by Governor April 27, 1948 Filed with Secretary of State April 27, 1948 ] In effect immediately

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

SECTION 1. Section 8 of the act cited in the title hereof is amended to read:

SEC. 8. (a) Every installment purchase contract involving the sale of a security proposed to be used by any broker in the regular course of business shall be upon a form which shall have been submitted to and approved by the commissioner, and shall contain clauses specifying: Security installment purchase contract Form

(i) The time within which the purchase of such security is to be made by such broker.

(ii) The time within which delivery of such security shall be made.

(iii) The conditions, if any, under which calls for additional payment may be made.

(iv) Any other provision which the commissioner may deem necessary for the protection of the parties to the purchase of such security.

"Installment purchase contract"

(b) An "installment purchase contract" as referred to in this section shall be deemed to be any contract for the purchase of a security used by a broker in which the purchaser agrees to pay for the securities in designated periodical installments on specified dates.

"Margin," etc., contract

(c) A "margin" contract, "when issued" contract or "when distributed" contract, as generally known in brokerage practice or securities business, or any contract involving the purchase or sale of securities used by a broker, shall not be deemed to be an "installment purchase contract" within the meaning of this section merely because such contract involves a deposit or down payment and an implied or express agreement for the payment of the balance or any part thereof upon demand by the broker when the security purchased for or sold to the customer becomes ready for delivery, or when the deposit or down payment of the customer, in the judgment of the broker, becomes impaired or insufficient.

(d) Any contract referred to in subdivision (c) of this section need not be submitted to or approved by the commissioner, unless, in the discretion of the commissioner, he shall require the filing of any form of contract referred to in subdivision (c) of this section and in which event no use thereof shall be made unless and until the commissioner shall have approved said use thereof.

Interpretation

(e) The term "installment purchase contract" has had and does have the meaning provided for in this section, but the amendment of this section in 1948 shall not affect any transaction or other matter which is being contested or inquired into in any legal proceeding pending and undetermined at the time such amendment takes effect.

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 the State of California, and as such shall take effect immediately. The facts constituting such necessity are as follows: Due to a controversy as to the meaning of Section 8 of the Corporate Securities Act litigation has been instituted and is threatened in such amounts as to peril the stability of thousands of transactions executed through the stock exchanges of this State and elsewhere and to endanger long established conduct of business in security transactions. It is necessary that this threat should be removed immediately. These matters are of vital state concern.

# CHAPTER 34

*An act to amend Section 14634 of the Education Code, relating to the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.*

[Approved by Governor April 27, 1948. Filed with Secretary of State April 27, 1948.]

In effect immediately

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

SECTION 1. Section 14634 of the Education Code is amended to read:

Local teachers' retirement system

14634. For the purpose of computing benefits from the Retirement Annuity Fund, there shall be excluded from the service with which a member is credited under Article 7 of this chapter any service for which the member is entitled to receive retirement benefits from a local retirement system. In the computation of service for which the member is entitled to receive retirement benefits from a local retirement system, there shall be excluded any service rendered prior to the date upon which members' contributions first were required under the local retirement system, which is in excess of the service required when applied according to the formula used under such system in calculating retirement allowances on the basis of service rendered prior to such date, to produce the maximum retirement allowance provided under the system on account of such prior service. Retirement allowances, excluding annuities under the Annuity Deposit Fund, being paid on the day next preceding the effective date hereof, to persons whose retirement is effective prior thereto, shall be changed as of said date and on the basis of the ages of, and service credited to the respective persons at the effective dates of their retirement, to retirement allowances which are the sum of amounts calculated under the Permanent and Retirement Annuity Funds respectively, on the basis of current interest rate and mortality tables, and in the manner prescribed herein for the calculation of retirement allowances of members whose retirement is effective after said date.

Operative date

SEC. 2. This act shall become operative June 1, 1948.

Urgency

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

At its 1947 session this Legislature amended certain sections of the Education Code to provide more adequate retirement salaries for teachers in the public schools. Included in such amendments were provisions intended to prevent discrimination between teachers in districts maintaining district retirement systems and those in districts not maintaining such systems. It now appears that such amendments inadvertently have caused certain discriminations among teachers in districts maintaining

such systems which have resulted in great and justifiable dissatisfaction and resentment among the teachers in such districts. Such dissatisfaction and resentment are likely to affect the quality of their teaching, to the serious detriment to the public schools.

The maintenance of the public schools at the highest possible standards is a matter of vital public concern, and it therefore is necessary that the discriminations now permitted by law be prevented by immediate passage of this act.

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## CHAPTER 35

"Validating Act of 1948"

*An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.*

In effect immediately

[Approved by Governor April 29, 1948. Filed with Secretary of State April 29, 1948.]

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

SECTION 1. The following terms shall have the following meanings herein:

"Public body"

(a) The term "public body" means counties, cities and counties, cities, public districts of any kind or class including, without limiting the generality thereof, the following, to wit: School districts of any kind or class, junior college districts, irrigation districts, irrigation district improvement districts, reclamation districts, drainage districts, levee districts, public utility districts, municipal utility districts, municipal improvement districts, sanitary districts, sanitation districts, metropolitan water districts, county water districts, county water works districts, water districts, water storage districts, municipal water districts of any kind, water conservation districts, mosquito abatement districts, county fire protection districts, bridge and highway districts, joint highway districts, highway districts, highway lighting districts, permanent road divisions, road districts, cemetery districts, port districts, river port districts, harbor districts, flood control districts, storm water districts, library districts, fire protection districts, county maintenance districts, assessment districts, park recreation and parkway districts, recreation park and parkway districts, regional park districts, public cemetery districts, local hospital districts, veterans' memorial districts, citrus pest control districts, county water authorities, zones of flood control districts, and the California Toll Bridge Authority.

"Bonds"

(b) The term "bonds" means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, and all instruments evidencing the borrowing of money in anticipation of taxes, revenues or other income

of such body, and all instruments payable from revenues or special funds of such public bodies, and all instruments funding or refunding any thereof or any indebtedness.

Validations. Public bodies

SEC. 2. All public bodies heretofore organized or existing under, or under color of, any law are hereby declared to have been legally organized and to be legally functioning as such public body. Every such public body shall have all the rights, powers, and privileges, and be subject to all the duties and obligations of such a public body regularly formed pursuant to law.

Boundaries

SEC. 3. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

Officers, etc

SEC. 4. The members of the governing board or the officers of every public body heretofore elected or appointed and acting as such, are hereby declared the legally appointed or elected, qualified and acting officers or members of such governing board.

Bonds

SEC. 5. All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for the authorization, issuance, sale, or exchange of bonds of any such public body for any public purpose are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the authorization, issuance, sale, or exchange of such bonds.

All such bonds heretofore issued, or heretofore authorized to be issued when hereafter issued in substantially the form contemplated in such authorization, shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body.

Annexation of territory

SEC. 6. All acts and proceedings heretofore taken by any public body under any law, or under color of any law, for the annexation or inclusion of territory into any such public body are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of such public body and of any person, public officer, board or agency heretofore done or taken upon the question of the annexation or inclusion of such territory.

Ordinances

SEC. 7. Any ordinance heretofore submitted to the electors of any municipality and heretofore adopted by the voters is hereby confirmed, validated, and declared legally adopted, notwithstanding any failure to mail copies of such ordinance to the voters at least 10 days prior to the election if such ordinance was published or if (a) such copies were mailed to the voters not less than three days prior to such election, and (b) a synopsis of such measure was published as required by Section 9755 of the Elections Code, and (c) all other applicable provisions of law were complied with.

Limitations

SEC. 8. (a) This act shall be limited to the correction of defects, irregularities, omissions, and ministerial errors in carrying out statutory provisions which the Legislature originally

could have omitted from the law under which such acts or proceedings were taken, provided that this act shall also operate to supply such legislative authorization as may be necessary to validate any such proceedings heretofore taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken.

(b) This act shall be limited to the validation of acts and proceedings to the extent to which the same can be effectuated under the State and Federal Constitutions.

(c) Nothing contained herein shall be construed to render the creation of any city or district, or any change in the boundaries of any city or district, effective for purposes of assessment or taxation unless the statement, together with the map or plat, required to be filed under Section 3720 of the Political Code, is filed within the time and substantially in the manner required by said section.

(d) This act shall not operate to confirm, validate, or legalize any act, proceeding, or other matter the legality of which is being contested or inquired into in any legal proceeding now pending and undetermined.

Bonds of unified school district

SEC. 9. Wherever bonds of any unified school district governed by the provisions of Chapter 14 of Division 2 of the Education Code of the State of California have heretofore been issued and sold and the notice of the election at which such bonds were authorized did not specify what portion, if any, of said bonds were to be issued for elementary school purposes, what portion, if any, for high school purposes, and what portion, if any, for junior college purposes, and the governing board of such unified school district has heretofore adopted and entered on its minutes a resolution determining what portion, if any, of such bonds were in fact issued and sold, and the proceeds therefrom used, for elementary school purposes, what portion, if any, of such bonds were in fact issued and sold, and the proceeds therefrom used, for high school purposes, and what portion, if any, of such bonds were in fact issued and sold, and the proceeds therefrom used, for junior college purposes, the action of such governing board making such determination is hereby confirmed, validated, and declared legally effective for the purpose of determining or applying the limitations on bonded debt set forth in Section 4714 of the Education Code of the State of California.

Short title

SEC. 10. This act may be cited as the Validating Act of 1948.

Urgency

SEC. 11. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The peace, health and safety of the citizens of the State require the orderly and unhampered functioning of public bodies and such functioning depends upon the validity of the organization, boundaries, and governing officers or boards of public bodies, and upon the validity of acts, proceedings, and

bonds of public bodies, and it is therefore imperative and essential that such matters be validated so that during the period before this act would otherwise become effective and also during the period before a similar act adopted at the next regular session of the Legislature would become effective:

(1) Citizens of the State can be afforded the protection of the police, fire, safety, sanitary and other regulations and protections provided by public bodies;

(2) Public works and construction by public bodies can be commenced and continued without delay or restriction, to provide sewers, water works, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, fire houses and facilities, police stations and facilities, streets, hospitals, and other works, structures, improvements, and facilities required for the public peace, health, and safety, and immediately needed to provide for an increased population;

(3) Public bodies can issue and sell bonds heretofore authorized for the purpose of providing sewers, water works, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, fire houses and facilities, police stations and facilities, streets, hospitals, and other works, structures, improvements, and facilities required for the public peace, health and safety and immediately needed to provide for an increased population, which cannot now be sold because of defects in the organization or boundaries of some public body or in the authorization of such bonds, which defects will be cured by this act.

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## CHAPTER 36

*An act to amend Section 7305 of the Revenue and Taxation Code, defining distribution of motor vehicle fuel for license tax purposes, declaring the intent thereof, and providing that this act shall take effect immediately.*

[Approved by Governor April 29, 1948. Filed with Secretary of State April 29, 1948.] In effect immediately

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

SECTION 1. Section 7305 of the Revenue and Taxation Code is amended to read:

7305. "Distribution" includes any of the following: "Distribution"

(a) The refining, manufacturing, producing, blending, or compounding of motor vehicle fuel in this State, and the sale, donation, consignment for sale, barter, or use of the fuel in this State.

(b) The refining, manufacturing, producing, blending, or compounding of motor vehicle fuel in this State from petroleum products owned by another and the delivery of the fuel in this State to the owner thereof or to any person on his order.

(c) The importing of motor vehicle fuel into this State, and the sale, donation, consignment for sale, barter, or use of the fuel in this State unless the State is prohibited by the Constitution or laws of the United States from imposing a tax with respect to such sale, donation, consignment for sale, barter or use.

(d) The receiving in this State of motor vehicle fuel with respect to which there has been no prior taxable distribution and the sale, donation, consignment for sale, barter, or use of the fuel in this State.

(e) The withdrawal of motor vehicle fuel from storage in this State for the purpose of the sale, donation, consignment for sale, barter or use of the fuel in this State if the consummation of such purpose does not otherwise constitute a distribution taxable under this part, in which event the license tax with respect to the fuel withdrawn from storage is measured by the gallonage thereof thus sold, donated, consigned for sale, bartered or used.

Legislative intent

SEC. 2. Section 1 of this act is hereby declared to be the positive expression of a continuing legislative intent with respect to the construction of the Motor Vehicle Fuel License Tax Law ever since the enactment of that part of the Revenue and Taxation Code. The revision in the language of Section 7305 of the Revenue and Taxation Code made by this act is, accordingly, a clarification of the law and not a change therein.

Tax levy

SEC. 3. This act, inasmuch as it provides for a tax levy, shall, under the provisions of Section 1, Article IV of the Constitution, take effect immediately.

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## CHAPTER 37

*An act relating to the employment of prisoners confined in the California State Prison at San Quentin, and declaring the urgency thereof, to take effect immediately.*

In effect immediately

[Approved by Governor April 29, 1948. Filed with Secretary of State April 29, 1948.]

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

Prison labor on Federal contracts

SECTION 1. Notwithstanding the provisions of Section 2701 of the Penal Code, until June 30, 1949, the Department of Corrections may cause the prisoners confined in the California State Prison at San Quentin to be employed in rendering such services or producing and manufacturing such articles, materials, and supplies as are now, or may hereafter be, needed for use by the Federal Government or any department, agency or corporation thereof. The Department of Corrections may enter into contracts for the purposes of this act.

Duration

SEC. 2. This act shall continue in force until June 30, 1949, and thereafter shall have no force or effect.

Urgency

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall

go into immediate effect. The facts constituting such necessity are:

At the Fifty-sixth Session of the Legislature of California the Legislature found that due to the necessities of the war then in progress, the demands of the United States Army and Navy and of defense industry had resulted in a manpower shortage and that said shortage made it necessary that prisoners be employed in the manufacture and production of goods and the performance of services for the Federal Government and its agencies Accordingly, the Legislature authorized the Department of Corrections to so employ prisoners until April 15, 1947. The Legislature at its Fifty-seventh Session, extended this authority until June 30, 1948 deeming it necessary for the preservation of the public health and safety.

The United States Navy desires to extend its present contracts with the Department of Corrections until at least June 30, 1949 for the reason that the unsettled world conditions dictate that the military services be in a state of readiness to meet any and all emergencies.

Further, with the expiration of the present contract on June 30, 1948, the State will suffer the loss of revenue and useful employment essential to the rehabilitation of prisoners.

Therefore, for the preservation of the peace, health and safety of the citizens of this State and of the Nation, it is necessary that this act take effect immediately.

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## CHAPTER 38

*An act to add Section 532.5 to the Revenue and Taxation Code, relating to assessments for property taxation, cancellations thereof, and refunds in connection therewith, declaring the urgency thereof and providing that this act shall take effect immediately.*

[Approved by Governor April 29, 1948. Filed with Secretary of State April 29, 1948.] In effect immediately

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

SECTION 1. Section 532.5 is added to the Revenue and Taxation Code, to read:

532.5. The assessor shall not assess for years of escaped assessment occurring in whole or part prior to January 1, 1947, real or personal property owned by a district which is a municipal corporation within the meaning of Section 1 of Article XIII of the Constitution. If any such assessments have been or are made they shall be canceled pursuant to Chapter 4 of Part 9 of this division as if levied or charged illegally and refunds in connection therewith, if any, shall be made pursuant to Chapter 5 of said Part 9 as if illegally collected. Statute of Limitations Escaped assessments

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

peace, health or 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:

A recent Supreme Court decision overruled a previous decision which had stood for 25 years, holding that property of districts was not subject to property taxes. As a result and because there is no statute of limitations on such taxation, districts now are faced with a debt for back taxes for all the escaped years on the property now ruled to be subject to tax. The liability for the payment of the back taxes by districts will impose thereon a burden impairing the ability of each and every district to function effectively and of some districts to function at all. The continued effective functioning of each and every district is essential to the continued public peace, health, and safety in this State and will benefit the State as a whole and each and every taxing agency and revenue district therein to the extent affected by this act.

# CONCURRENT AND JOINT RESOLUTIONS
AND
# CONSTITUTIONAL AMENDMENTS
REGULAR SESSION
1948

# CONCURRENT AND JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

## Adopted at the 1948 Regular Session of the Legislature

### CHAPTER 1

*Senate Concurrent Resolution No. 1—Approving amendments to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at the general municipal election held therein on Tuesday, October 14, 1947.*

[Filed with Secretary of State March 3, 1948.]

City of Stockton Charter amendments

WHEREAS, The City of Stockton in the County of San Joaquin, State of California, contains a population of over fifty thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States, and has been ever since July 2, 1923, and now is, organized and acting under a freeholders charter adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which charter was duly ratified by a majority of the electors of said city at a special election held for that purpose on the twenty-eighth day of November, 1922, and approved by the Senate of the State of California on January 22, 1923, and by the Assembly of the State of California on January 24, 1923, and filed with the Secretary of State on January 29, 1923, which said freeholders charter is printed in full in Chapter 7 of concurrent and joint resolutions and constitutional amendments passed at the regular session of the Forty-fifth Legislature of the State of California and found in Statutes of 1923 at page 1321 and following; and

WHEREAS, Proceedings have been had for the adoption and ratification of 15 amendments to the charter of the City of Stockton as set out in the certificate of the Mayor and City Clerk of the City of Stockton, to wit:

CERTIFICATE OF THE ADOPTION BY THE QUALIFIED ELECTORS OF THE CITY OF STOCKTON AT A GENERAL MUNICIPAL ELECTION HELD THEREIN ON THE 14TH DAY OF OCTOBER, 1947, OF CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF STOCKTON, STATE OF CALIFORNIA.

STATE OF CALIFORNIA,<br>
COUNTY OF SAN JOAQUIN, } ss.<br>
CITY OF STOCKTON,

Certificate

We, Jerry Keithley, Mayor of the city of Stockton, and B. L. Trahern, city clerk of the city of Stockton, do hereby certify as follows:

That the said city of Stockton in the County of San Joaquin, State of California, is now and at all of the times mentioned herein was a city containing a population of more than fifty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the congress of the United States; and

That said city of Stockton is now and at all of the times herein mentioned was organized and existing under a freeholders charter adopted pursuant to the provisions of section 8, article XI of the constitution of the State of California, which charter was duly ratified by a majority of the electors of said city at a special election held therein on the twenty-eighth day of November, 1922, and approved by the Legislature of the State of California on the twenty-fourth day of January, 1923 (Stat. 1923, page 1321), and filed with the secretary of state of the State of California on January 29, 1923; and

That pursuant to section 8 of article XI of the constitution of the State of California, the legislative body of said city, i.e., the city council of said city, did on its own motion and pursuant to the provisions of said article and section of the constitution of the State of California duly propose to the electors of the city of Stockton certain proposals for the amendment of the charter of said city to be voted upon by said qualified electors at a certain general municipal election held on October 14th, 1947, which said proposals were designated as Proposed Charter Amendments numbered 1 to 15, inclusive; and

That said proposed charter amendments were, on the 23rd day of August, 1947, duly published in each issue of the Stockton Daily Record, a daily newspaper published and circulated in the city of Stockton and the official newspaper of said city, said paper having been designated for said purpose by the said city council; and

That said city council did, by Resolution No. 15,626, adopted on September 19th, 1947, fix October 14th, 1947, the date of the general municipal election in Stockton, as the date of the election on said proposed charter amendments.

That said proposed charter amendments were printed in convenient pamphlet form and in type of not less than ten-point, and that the clerk of the city of Stockton caused copies of said proposed charter amendments to be mailed, postage prepaid, to each of the qualified electors of the city of Stockton, said mailing having been commenced not more than forty nor less than fifteen days before the day fixed for election, to-wit, October 14th, 1947, and said mailing having been completed at least ten whole days before said election.

That the city clerk of the city of Stockton did, commencing August 23rd, 1947, and continuing through October 14th, 1947, the date of the election, advertise in the Stockton Daily Record, a newspaper of general circulation in said city, and the official newspaper for said city, a notice that copies of said proposed charter amendments might be had upon application at the office of the said city clerk.

That said general municipal election was held in the said city of Stockton on the fourteenth day of October, 1947, which said day was not less than forty, nor more than sixty days after the completion of the advertising of said proposed charter amendments in the Stockton Daily Record, the official newspaper of the city of Stockton, as hereinabove stated.

That at such general municipal election held as aforesaid on said fourteenth day of October, 1947, a majority of the qualified voters of said city of Stockton voting thereon voted in favor of said proposed charter amendments and duly ratified the same;

That the city council of said city of Stockton after duly and regularly canvassing the returns of said municipal election at the time and in the manner and form prescribed by law duly found, determined and declared that a majority of the qualified voters of the city of Stockton voting thereon had voted for and ratified the amendments to the charter of the city of Stockton, as hereinafter set forth;

That the said proposed amendments to the charter of the city of Stockton ratified by the electors of said city, as aforesaid, are in words and figures as follows, to-wit:

CHARTER AMENDMENT No. 1.

Recall ballots

That Article XXVIII of the Charter of the City of Stockton be, and the same is hereby amended by adding a new section thereto, to be designated Section 6½, which said section reads as follows:

The ballot at said election shall provide the opportunity for each voter to vote "Yes" or "No" on the proposition whether the officer involved should be recalled.

The ballot shall also contain a list of any candidates who may have qualified and one of whom will be elected to fill the vacancy in case of the recall of the incumbent.

In case the majority of the votes cast on the proposition of recalling the officer involved are "Yes" the officer shall be deemed recalled and his right to hold the office shall terminate upon the declaration by the canvassing board that a majority have voted in favor of the recall of the particular officer.

In the event of the recall of the officer the candidate receiving the highest number of votes shall be declared to be elected to the office which became vacant by virtue of the recall of the incumbent. The one elected at the recall election, who could be the recalled officer, shall be entitled to the office immediately upon the declaration of the canvassing board declaring his election to the office and he shall hold the office for the unexpired term to which the recalled officer was elected.

CHARTER AMENDMENT No. 2.

Police and Fire Department Pension and Retirement System

That Article XXXI of the Charter of the City of Stockton be, and the same is hereby amended by adding a new section thereto, to be designated Section 2¾, which said section reads as follows:

(a) The City Council of the City of Stockton shall maintain a Pension and Retirement System to provide for retirement and disability pensions and relief for members of the Stockton Police and Fire Departments and their dependents. Any new System established pursuant to this section shall take over the assets of the existing Pension Fund for policemen and firemen, and shall continue at least the present benefits. It may also provide death benefits.

The City Council shall have power to fix and from time to time change the requirements and conditions for retirement and death benefits, which shall include a minimum contribution of funds by such members of the Stockton Police and Fire Departments, and such other conditions as the said City Council may prescribe. The requirements and conditions, however, once fixed shall not be changed except by a $\frac{2}{3}$ vote of all members of the City Council.

(b) The payment of the benefits to members of the Stockton Police and Fire Departments and their dependents under the System, may be made either directly by the City of Stockton, or the City of Stockton may participate in the State Employees' Retirement System, making the aforesaid members of the Stockton Police and Fire Departments members thereof, and the Council of the City of Stockton, on behalf of said city, shall have power and is hereby authorized and empowered to enter into a contract with the Board of Administration of the State Employees' Retirement System for the purpose of such participation. Said participation shall be subject to and in accordance with the provisions of the "State Employees Retirement Act" of the State of California, and any amendments thereto.

(c) The City Council may provide for the investment of any part of the assets of the said Pension and Retirement System, in such securities as shall be legal investments for savings banks in California, and for that purpose may sell or exchange said securities or reinvest any part of said assets in securities, as shall be legal investments for savings banks in California, as may be necessary or for the best interests of said funds.

(d) The City Council of the City of Stockton may appoint a Board of Trustees for the administration of the Retirement System for members of the Stockton Police and Fire Departments. If a Board of Trustees is appointed by said City Council, for the administration of said Retirement System, the judgment of said Board of Trustees, regarding any application for retirement or other benefits hereunder, shall be final, unless in determining said application, said Board of Trustees commit a clear abuse of discretion.

(e) The provisions of Sections 1 and 2 of Article XXXI of the Charter shall not apply to members of the Stockton Police and Fire Departments included in the provisions of Subdivision (a) of this section.

## CHARTER AMENDMENT No. 3

That Section 14 of Article IV be amended to read as follows:

(a) No action authorizing any specific improvement, unless the cost of such improvement be less than three thousand dollars ($3000.00) or involving or authorizing the appropriation or expenditure of public money, except in sums less than three thousand dollars ($3000.00), shall be taken otherwise than at a regular meeting or adjourned regular meeting of the council, nor unless as many as five full days shall have intervened after the day upon which the authorizing resolution or ordinance shall have been introduced for passage or adoption and before the day of the passage or adoption of such resolution or ordinance; provided, however, that in the presence of a great public calamity or distress, such as extraordinary fire, flood, epidemic, disease, or any other similar public calamity or distress, relief measures within the powers of the council may be taken forthwith. City contracts

(b) and that Section 37 of Article V be amended to read as follows:

To make and execute on behalf of the city all contracts involving the expenditure of three thousand dollars ($3000.00) or more, except as may be otherwise provided by this charter.

(c) and that Section 2 of Article IX be amended to read, as follows:

The city manager shall be responsible to the council for the efficient administration of all the affairs of the city under his supervision, direction, and control. He shall have the power, and it shall be his duty: Powers of city manager

(a) Except as otherwise provided in this charter, to appoint all heads or directors of departments and subordinate officers and employees of the city. However, no appointment shall be made from his business associates, and nepotism shall not be permitted in said appointments excepting in some cases when it may be for the interest of the city that nepotism be suspended and then only by the consent of at least six members of the council.

(b) He shall have power to discipline and remove any officer or employee so appointed, except as herein otherwise provided.

(c) To exercise supervision and control over all departments and divisions created herein, except as herein otherwise provided.

(d) Except when the council is considering his removal, to attend all regular meetings of the council and its committees, with the right to take part in the discussions, but without power to vote He shall receive notice of all special meetings.

(e) To recommend to the council for adoption such measures and ordinances as he may deem necessary or expedient.

(f) To see that all terms and conditions imposed in favor of the city or its inhabitants, in any public utility franchise, permit, or privilege, are faithfully kept and performed; and, upon knowledge of any violation thereof, to call the same to the

attention of the city council and to the city attorney whose duty it shall be to take such steps as are necessary to enforce said terms and conditions.

(g) To exercise general supervision over all privately owned public utilities operating within the city so far as the same are subject to municipal control.

(h) To make and execute, on behalf of the city, all contracts involving the expenditures of less than three thousand ($3000.00) dollars.

(i) To cause, without notice, the affairs of any department under his supervision, direction, and control, or the conduct of any officer or employee thereof, to be examined. And any person or persons appointed by the city manager to examine the affairs of any department, or the conduct of any officer or employee, shall have the same power to compel the attendance of witnesses and the production of books and papers and other evidence, and to cause witnesses to be punished for contempt as is conferred upon the city council by this charter.

(j) To prepare and submit to the council the annual budget.

(k) To keep the council at all times fully advised as to the financial condition and needs of the city.

(l) To perform such other duties as may be prescribed by this charter or be required of him by ordinance or resolution of the council.

(m) To appoint such advisory boards as he may deem necessary or desirable to advise and assist him in his work; provided, that the members of such boards shall not receive any compensation.

(d) and that Section I of Article XXIII be amended to read as follows:

Public works

The erection, improvement, and repair of all public buildings and works, all street and sewer work (not payable by special assessment on the private property benefited) and all work in or about streams or water fronts, or in or about embankments or other works for protection against overflow or erosion, and the furnishing of supplies and materials for the same, or for any other use by the city, or the purchase of any supplies to be used by the city, when the expenditures required for the same equals or exceeds the sum of three thousand dollars ($3000.00) shall be done by contract in writing and shall be let to the lowest responsible bidder after advertising for five consecutive days in the official newspaper for sealed proposals for the work contemplated or supplies to be furnished, except in cases of emergency as in this charter provided. Such notice shall distinctly and specifically state the work contemplated or supplies to be furnished; provided, however, the council may reject any and all bids, and in that event, or in the event that no bids are made, may re-advertise for bids, or provide for the work to be done by the city, or for the supplies to be purchased in the open market, but in no case shall supplies be bought at a price as high as the lowest bid received from a responsible bidder.

(e) and that Section 5 of Article XXIII be amended to read as follows:

No contract made, the performance of which is not provided by law or ordinance to be paid by assessment upon the property benefitting thereby, shall be binding or of any force, unless the auditor shall endorse thereon his certificate that there remains unexpended and unapplied as herein provided, a balance of the appropriation for and applicable thereto, sufficient to pay the estimated expense of fulfilling such contract, or that adequate provision therefor has been made in the tax levy. This provision shall not apply to work done, or supplies furnished involving expenditures of less than three thousand ($3000.00) dollars, unless the same is required by law to be done by contract at public letting. The auditor shall make such endorsement upon every contract so presented to him if there remains unapplied and unexpended such amount, or if adequate provision therefor has been made in the tax levy, and thereafter such sum shall be held and retained to pay expenses incurred until the contract shall be fully performed. Auditor's duties

CHARTER AMENDMENT No. 4.

That Section 1 of Article XXVII be amended to read as follows:

If at any time within thirty days from and after final passage of an ordinance a petition signed by qualified electors of the city equal in number to at least twenty per centum of the entire votes cast at the last preceding general municipal election, protesting against the passage of such ordinance, be presented to the council, such ordinance shall thereupon be suspended from going into effect or operation and it shall be the duty of the council to reconsider such ordinance, and if upon such reconsideration the ordinance be not entirely repealed, the council shall submit the ordinance, as provided in Article XXVI of this charter to the vote of the electors of the city, either at the next general municipal election or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. The provisions of Sections 1 to 4 inclusive of Article XXVI, respecting the forms and conditions of the said petition and the mode of verification and filing shall be substantially followed, with such modifications as the nature of the case requires. Referendum

CHARTER AMENDMENT No. 5.

That Section 2 of Article VI be amended to read as follows:

The Council shall consist of nine members who shall be elected on a general ticket, one from each of the nine districts of the City of Stockton, as hereinbefore specified, or, in the event the City Council shall hereafter re-district the city, one from each of the nine districts so established by the City Council. Councilmen: Election

Each member of the City Council shall be elected by the electors of the entire city and shall hold office for a term of four years beginning November 1st next after his election and until his successor is elected and qualified. On the second Tuesday in October, 1949, four councilmen shall be elected to replace those councilmen whose terms were scheduled to expire under the present section prior to this amendment on December 31st, 1949, and shall take office on November 1st, 1949; on the second Tuesday in October, 1951, five councilmen shall be elected to replace those councilmen whose terms were scheduled to expire under the present section prior to this amendment on December 31st, 1951, and shall take office November 1st, 1951.

At each subsequent general election the number of councilmen to be elected shall be equal to the number of terms to expire, under the aforesaid provisions on the ensuing 31st day of October, to-wit: alternately four or five.

Qualifications

Each member of the City Council must have been a resident and qualified elector of the City of Stockton, or territory legally annexed thereto, for a period of not less than five (5) years, and a resident and qualified elector in the district from which he is nominated for a period of not less than six (6) months, next preceding the day of his election or the date of his appointment.

Interest in contracts

No member of the City Council shall be interested in the profits or emoluments of any contract, job, work, or service for the municipality. Any member who shall cease to possess any of the qualifications herein required, shall forthwith forfeit his office, and any such contract in which any member is or may become interested, may be declared void by the Council.

Forfeiture of office

Any member of the Council moving from his district during his term, shall automatically forfeit his office, the same to be refilled by the Council from the electors of that district. Absence from five consecutive regular meetings, unless excused by resolution of the Council, shall operate to vacate the seat of any member so absent.

Vacancy

If a vacancy shall occur in the office of councilman, the Council shall appoint a person to fill such vacancy. Such vacancy in the Council shall be filled by the Council from the electors of the district in which the vacancy occurs. If at any municipal election held under the provisions of this charter, a councilman be not elected from each district by reason of a tie vote among any of the candidates therefor, then the Council, after the qualifications of the persons elected to the office of councilman at such election, shall select by lot one of the persons receiving such tie vote to fill such office. In each case, the person so appointed shall hold office, until the next general municipal election.

## Charter Amendment No. 6.

That Section 6 of Article XXIII be amended to read as follows:

Bidding on contracts

All proposals shall be made upon printed forms to be prepared by the city and furnished gratuitously upon application,

with the form for the affidavit hereinafter provided for, printed thereon. Each bid shall have thereon the affidavit of the bidder that such a bid is genuine and not sham or collusive, or made in the interest or behalf of any person named therein, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid or any person, firm, or corporation to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure to himself an advantage over any other bidder. Any bids made without such affidavit or in violation thereof, and also any contract let thereunder shall be absolutely void. All bids shall be clearly and distinctly written without erasure or interlineation and no bids containing any erasure or interlineation shall be received or considered by the council. Every bid offered shall be accompanied by cash or a cashier's check of a responsible bank or a check certified by a responsible bank, payable to the order of the city auditor for an amount not less than ten percent of the aggregate of the proposal, or a bidder's bond executed as surety by some corporation authorized to issue surety bonds in the State of California, made out in favor of the city for an amount not less than ten percent of the aggregate of the proposal, and no proposal shall be considered unless accompanied by such check or bidder's bond.

## Charter Amendment No. 7.

That Section 4 of Article XXIII be amended to read as follows:

Progressive payments

Any contract may provide for progressive payments if, in the ordinance or resolution authorizing or ordering the work, permission is given for such payments. But no progressive payments can be provided for or made at any time which, with prior payments, if there have been such, shall exceed in amount at that time eighty-five per cent of the value of the labor done and the materials used up to that time, and no contract shall provide for, or authorize, or permit the payment of more than eighty-five per cent of the contract price before the completion of the work done under said contract and the acceptance thereof by the proper officer.

## Charter Amendment No. 8.

That Section 8 of Article XXIII be amended to read as follows:

Awarding contracts

On the day and at or before the hour specified in said notice inviting sealed proposals, all bids must be filed with the city clerk who shall not open or tamper with them or permit the same to be opened or tampered with, or inspected by any person whatsoever, or permit the same to leave his possession, or give any information whatsoever relative thereto until the same shall be opened and read to the council, as hereinafter provided. No bid not so delivered to the city clerk shall be considered. Each

bid as it is received shall be numbered and marked "filed" by the city clerk, and authenticated by his signature. During the meeting on said date, the council shall, in open session, open, examine, and publicly declare the bids, and an abstract of each bid shall be recorded in the minutes of the council by the city clerk. The council shall at any time within twenty-one days thereafter award the contract to the lowest and best regular responsible bidder, unless otherwise in this charter provided. The council may reject the bid of any party who has been delinquent or unfaithful in any former contract with the city, and all bids other than the lowest and best regular bid, and on accepting such lowest and best bid, shall thereupon return to the proper party the checks, cash, or bidder's bond accompanying the bids so rejected. If all the bids are rejected, the council shall return all the checks, cash or bidder's bond to the proper parties and may again invite sealed proposals as in the first instance. The check accompanying the accepted bid shall be delivered by the city clerk to the city auditor who shall immediately cash the same and pay the proceeds thereof into the special deposit fund of the city. When the contract for doing said work or furnishing said supplies has been duly entered into and the bond accompanying the same has been duly approved and filed, the city clerk shall certify said facts by voucher, to the city auditor who shall draw his warrant upon the special deposit fund for the return to the contractor of the proceeds of said check. If the bidder fails or refuses to enter into the contract to do said work or furnish said supplies or to furnish the required bond, within ten days after the award shall have become final, then the cash, cashier's check or certified check shall be forfeited to the city as liquidated damages and shall be transferred to the general fund or the obligation of the bidder's bond shall be enforced and the proceeds placed in the general fund. The council shall not have the power to relieve from or to remit such forfeiture.

CHARTER AMENDMENT No. 9.

That Section 40 of Article V be amended to read as follows:

Entertainment, etc., fund

(a) To appropriate annually to the mayor a fund not exceeding twelve hundred ($1200.00) dollars a year, to be expended under the direction of the mayor.

(b) and that Section 21 of Article XXII be amended to read as follows:

The council shall appropriate annually to the mayor for purposes of entertainment and sundry expense, the sum of twelve hundred ($1200.00) dollars, for which he need furnish no vouchers.

CHARTER AMENDMENT No. 10.

That Section 5 of Article VII be amended to read as follows:

Suspension of employees

The appointing power shall have authority to suspend without pay for a period not exceeding thirty days, or fine in

any amount not exceeding one month's pay, any employee of such department for any violation of the rules of the department or for insubordination or for wilful neglect of duty, with the exception of employees heretofore or hereafter placed in the classified service; provided that the city manager shall not be subject to any disciplinary action and can be dismissed only as elsewhere provided in this charter.

CHARTER AMENDMENT No. 11.

That Sections 6 and 7 of Article VII shall be repealed. Said Sections proposed to be repealed read as follows, to-wit:

Dismissal of police and fire department employees

SEC. 6. The city manager may, with the approval of at least six members of the city council, dismiss any subordinate officer, or member of the police or fire department without a trial or hearing. If at least six members do not approve of the dismissal of such officer or member, the city manager may prepare, or cause to be prepared, written charges, against such officer or member, which shall be filed with the city council.

Copies of all such charges shall be furnished to the accused, who shall have not less than ten days after such service within which to prepare his defense thereto. The accused may, at the hearing of such charges, be represented by counsel and shall have the right to compel the attendance of such witnesses as he may desire to testify in his behalf.

SEC. 7. The city council shall act as a trial board for the purpose of hearing and determining charges so made against any member or employee of the police department or fire department, other than the respective chiefs of said departments. The verdict and judgment of at least five members of the council may dismiss him from the service of the city or inflict such other punishment upon him as in the judgment of the council shall be adequate.

CHARTER AMENDMENT No. 12.

Repeals

That Sections 1, 2, 3, 4, 5, 6, 7, 8 and 10 of Article XII shall be repealed. Said Sections proposed to be repealed read as follows, to-wit:

SEC. 1. The fire department shall consist of a chief of the department, an assistant chief, firemen, extra men and such other officers, clerks, and employees and attaches as the city council may from time to time prescribe.

SEC. 2. Every appointee to the department must possess such qualifications as may be prescribed by the city manager.

SEC. 3. The chief of the fire department shall be appointed by the city manager, and shall hold office at his pleasure; provided, however, that should a member of the regular fire department of the city be appointed chief of the fire department, his dismissal by the city manager from such office shall not automatically result in his dismissal from the department, but he shall be assigned to such rank in the department as may be determined by the city manager.

SEC. 4. The assistant chief of the fire department shall be appointed by the city manager and shall hold office at his pleasure; provided, however, that should a member of the regular fire department of the city be appointed assistant chief of the fire department, his dismissal by the city manager from such office shall not automatically result in his dismissal from the department, but he shall be assigned to such rank in the department as may be determined by the city manager. In case of absence or disability of the chief, the assistant chief shall assume charge of the department. In case of resignation or death of the chief, the assistant chief shall assume charge of the department until such time as a successor has been appointed and qualified.

All other officers and members of the fire department hereafter appointed shall be appointed by the city manager, provided, however, that the city manager may require any appointee, before becoming a regular member of the department, to serve a period of probation, not to exceed one year. During such period of probation, the city manager shall have the right to remove at pleasure the person so appointed.

SEC. 5. All regular officers and members of the fire department, other than the chief of said department, at the time of this charter takes effect, shall continue to hold and exercise their respective offices and employments until removed in the manner provided in this charter.

SEC. 6. The city manager shall have control, management and direction of all members of the department in the lawful exercise of his functions with full power to detail any of them to such public service as he may direct.

SEC. 7. The city manager may promote any officer or member of the department, and may likewise demote any such officer or member. He may dismiss any officer or member, subordinate to the chief, as hereinbefore in Article VII provided.

SEC. 8. When a vacancy arises in the fire department above the grade of fireman, the chief of the fire department may, with the consent of the city manager, assign a member of the department from the next lower rank to fill such position until such time as the absent member shall return or the vacancy filled by appointment.

SEC. 10. No member of the fire department shall be allowed to accept any money, gratuity, or compensation for any service he may render as fireman. The members of the fire department shall not follow any other profession, calling, or business, but shall devote their entire time to the performance of their duties.

CHARTER AMENDMENT No. 13.

Repeal. Sections 1, 2, 3, 4 and 5 of Article XI shall be repealed. Said Sections proposed to be repealed read as follows, to-wit:

SEC. 1. The police department shall consist of a chief of police and all such other officers, clerks, employees, and attaches as the city council may, from time to time, prescribe.

SEC. 2. Every appointee to the department must possess such qualifications as may be prescribed by the city manager.

SEC. 3. The chief of police shall be appointed by the city manager and shall hold office at his pleasure; provided, however, that should a member of the regular police force of the city be appointed chief of police, his dismissal by the city manager from the office of chief of police shall not automatically result in his dismissal from the department, but he shall be assigned to such rank and grade as may be determined by the city manager. In case of the absence or disability of the chief, the captain of police shall assume charge of the department. In case of resignation or death of the chief, the captain of police shall assume charge of the department until such time as a successor has been appointed and qualified. All officers and members of the police department hereafter appointed, shall be appointed by the city manager; provided, however, that the city manager may require any appointee, before becoming a regular member of the department, to serve a period of probation not to exceed one year. During such period of probation, the city manager shall have the right to remove at pleasure the person so appointed.

SEC. 4. The city manager shall have control, management, and direction of all members of the department in the lawful exercise of his functions with full power to detail any of them to such public service as he may direct. He may promote any officer or member of the department and may likewise demote any such officer or member; he may dismiss any officer or member subordinate to the chief, as hereinbefore in Article VII provided.

SEC. 5. When a vacancy arises in the police department above the grade of patrolman by reason of absence or disability, the city manager may assign a member of the department from the next lower rank to fill the position until such time as the absent member shall return or the vacancy be filled by appointment.

## CHARTER AMENDMENT No. 14.

Section 11 of Article XI shall be amended to read as follows:

Duty of policemen

It shall be the duty of each member of the police force to acquaint himself with the provisions of this charter, with all ordinances of the city, and with all laws of the state defining public offenses and regulating criminal proceedings.

## CHARTER AMENDMENT No. 15.

That Article 32 under the Charter of the City of Stockton be, and the same is hereby amended by adding a new section thereto, to be designated Section 32-32.5, which said section reads as follows:

Chief of police Vacancy

In the event of the death, resignation, absence, or disability of the chief of police the captain of police designated by the

city manager, shall assume charge of the department until the chief returns or until his successor is appointed.

We further certify that we have compared the text of the foregoing amendments with the original proposals submitting the same to the electors of said city and find that the foregoing are full, true, correct, complete and exact copies thereof, and of each of them.

That as to all said amendments this certificate shall be taken as a full and complete certification of the regularity of all proceedings had and done in connection therewith.

IN WITNESS WHEREOF, Jerry Keithley, Mayor of the City of Stockton, and B. L. Trahern, City Clerk, as aforesaid, have hereunto set their hands and caused the corporate seal of the City of Stockton to be thereunto affixed on this 13th day of January, 1948.

(SEAL)

JERRY KEITHLEY, Mayor of the City of Stockton
B. L. TRAHERN, City Clerk of the City of Stockton

WHEREAS, Said proposed amendments to the Charter of the City of Stockton ratified by the electors of said city, as aforesaid, have been, and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole without 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 Senate of the State of California, the Assembly concurring,* A majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the Charter of the City of Stockton ratified by the electors of said city as aforesaid after being presented to, adopted and ratified by the qualified electors of said City of Stockton as hereinbefore fully set forth be and the same are hereby approved as a whole without amendment or alteration as amendments to and a part of the charter of the City of Stockton.

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## CHAPTER 2

*Senate Concurrent Resolution No. 3—Relative to the adjournment of the Legislature in honor of Senator Charles H. Deuel.*

[Filed with Secretary of State March 3, 1948.]

Death of Charles H. Deuel

WHEREAS, Members of the Legislature were shocked and grieved to learn of the death on July 22, 1947, of Senator Charles H. Deuel; and

WHEREAS, Senator Deuel was born at Forbestown, California, February 8, 1868, son of a pioneer of 1849, was educated in the public schools in the State of California and later learned the printers trade, serving as reporter, city editor, and publisher, and becoming copublisher of the Chico Record in 1897 in which capacity he served until 1946; and

WHEREAS, Senator Deuel was a man of unusual public spirit, serving his community in numerous civic capacities in addition to achieving a distinguished record as a legislator. He was elected to the Assembly in 1924 and reelected in 1926 and again in 1928, elected to the Senate in 1930 and continuously reelected until 1946, being an active and diligent Member of the Senate at the time of his death; and

WHEREAS, Senator Deuel was a man of unusual scholarly attainments and possessed of a classical sense of humor and an unusual gift of the ability to see the humorous side of many trying and irritating situations; and

WHEREAS, Senator Deuel was possessed of a keen analytical mind, was an aggressive champion of civic righteousness and devoted untold hours and unmeasured effort to such causes as appeared to him to be worthy; and

WHEREAS, Greater than his brilliant mind, more to be remembered than his fine public-spirited achievements and more compelling of affection from his fellow legislators than any of the foregoing was his gentle and kindly spirit and his manifest friendliness and concern for the welfare of his fellow men; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Members of this Legislature sincerely mourn the passing of this fine and lovable spirit and desire by this resolution to convey their sympathy to the members of the bereaved family; and be it further

*Resolved,* That the Secretary of the Senate be, and he is, hereby directed to prepare and present suitably engrossed copies of this resolution to the members of Senator Deuel's family; and be it further

*Resolved,* That when the Legislature shall close from its duties this first day of March, 1948, it shall adjourn in honor of the Honorable Charles H. Deuel.

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## CHAPTER 3

*Assembly Concurrent Resolution No. 1—Relative to adjournment in respect to the memory of Assemblyman James E. Thorp.*

[Filed with Secretary of State March 5, 1948]

WHEREAS, Assemblyman James E. Thorp, of the Twelfth Assembly District, a Member of this Assembly since 1932, died at his home in Lockeford, on January 27, 1948; and

Death of James E. Thorp

WHEREAS, Assemblyman Thorp was a native of California, having been born near Santa Rosa March 1, 1879, and would, therefore, were he here, be this day enjoying his sixty-ninth birthday; and

WHEREAS, James E. Thorp, had long been a leader in the agricultural life of this State, an active participant in the civic

affairs of his community, and an able and respected Member of the Assembly of California where he has been for two sessions Chairman of the Assembly Committee on Livestock and Dairies, a member of the Assembly Committee on Agriculture and Public Morals, and a member of the Assembly Interim Committees on Fairs and Expositions, Interstate Cooperation, and Public Morals; and

WHEREAS, James E. Thorp is survived by his widow, Mrs. Theresa Locke Thorp, daughter of the pioneer California family from which Lockeford takes its name, and by a son, John Willard Thorp of Burbank and a daughter, Mrs. Marcella Thorp Emerick of Harrisburg, Pennsylvania; and

WHEREAS, The Members of this Legislature, desire by this resolution to express their personal grief and sorrow at the loss of a good friend and fellow member of this Legislature, their appreciation and esteem for James E. Thorp, and their regret for the loss of an able public servant and legislator which his death has occasioned to the people of his district and of the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution as an expression of esteem and sympathy by the Members of this Legislature to the family of Assemblyman James E. Thorp; and be it further

*Resolved,* That when this Legislature this day adjourns, it do so out of respect to the memory of a good friend and able legislator, Assemblyman James E. Thorp.

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## CHAPTER 4

*Assembly Concurrent Resolution No. 2—Relative to adjournment in respect to the memory of Richard E. Collins.*

[Filed with Secretary of State March 5, 1948.]

Death of Richard E. Collins

WHEREAS, On February 15, 1948, death brought to an end the long life and distinguished political career of Richard E. Collins; and

WHEREAS, Richard E. Collins was born in Weaverville, Trinity County, March 28, 1873, and as a young man engaged in mining enterprises in that historic region, later moved to Redding, and in 1902 was elected assessor of Shasta County; and

WHEREAS, In 1906, Richard E. Collins was elected to the State Board of Equalization, from the Third Equalization District, and was reelected for 10 consecutive terms, in 1915 becoming chairman of the board; and

WHEREAS, During his more than 25 years as chairman of the State Board of Equalization, Richard E. Collins saw the magnificent development of California reflected in the emergence of the board from a small tax equalization body with but

one employee to one of the largest agencies of the State Government, with over 1,700 employees and far reaching powers and responsibilities; and

WHEREAS, As dean of elective officers in California, Richard E. Collins became well known throughout the State, beloved by his political associates for his warm human qualities and enduring friendship, counting his friends throughout the State in thousands; and

WHEREAS, Although suffering keenly the loss of his wife, Agnes Simpson Collins, in 1941, Richard E. Collins continued to fulfill his office until increasing ill health forced his retirement on January 1, 1947, after 45 years of public service to the people of the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Members of this Legislature by this resolution express a final and farewell tribute to Richard E. Collins; and be it further

*Resolved,* That when this Legislature this day adjourns it do so out of respect to the memory of Richard E. Collins.

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## CHAPTER 5

*Assembly Concurrent Resolution No. 3—Relative to the selection of the Legislative Counsel of California.*

[Filed with Secretary of State March 5, 1948.]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That pursuant to Section 10201 of the Government Code, Fred B. Wood is selected Legislative Counsel of California. Legislative Counsel

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## CHAPTER 6

*Assembly Concurrent Resolution No. 4—Relative to approving amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the fourth day of November, 1947.*

[Filed with Secretary of State March 8, 1948.]

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, as hereinafter set out in the certificate of the mayor and city clerk of the said city as follows, to wit: City of Sacramento: Charter amendments

## CERTIFICATE OF RATIFICATION OF ELECTORS OF THE CITY OF SACRAMENTO OF CERTAIN CHARTER AMENDMENTS

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO } ss:
CITY OF SACRAMENTO

Certificate

We, the undersigned, Belle Cooledge, Mayor of the City of Sacramento, State of California, and H. G. Denton, City Clerk of said city, hereby certify and declare as follows:

That the City of Sacramento, a municipal corporation of the County of Sacramento, State of California, now is, and at all times herein mentioned, was a city containing a population of more than 50,000 inhabitants and has been ever since the year 1921, and now is organized, existing and acting under a freeholders' charter, adopted under and by virtue of Section Eight of Article Eleven of the Constitution of the State of California, which charter was duly ratified by the majority of the qualified electors of said city at a special election held for that purpose on the 30th day of November, 1920, and approved by the Legislature of the State of California on the 24th day of January 1921, (Statutes of 1921, page 1919).

That, in accordance with the provisions of Section Eight of Article Eleven of the Constitution of the State of California, the City Council of said City of Sacramento, being the legislative body thereof, on its own motion by Resolution No. 429, adopted on the 5th day of September, 1947, duly proposed to the qualified electors of the City of Sacramento certain amendments to the Charter of said city to be submitted to said qualified electors at a regular municipal election to be held in said city on the 4th day of November, 1947, which said amendments were and are in the words and figures as follows:

### PROPOSAL NO. 1

To amend Section 71 of the Charter of the City of Sacramento to read as follows:

### SALARIES

Salaries

"Sec. 71. Each member of the City Council shall receive the sum of Twenty Dollars ($20.00) for each council meeting attended; provided that the total compensation of each member shall not exceed One Hundred Dollars ($100.00) in any one month. The City Council shall fix the salaries of all officers and employees of the City other than their own. The salaries of the City Manager, the Police Judge, heads of departments, and all members of the Police and Fire Departments shall be fixed by ordinance. The remuneration and method of payment of all other employees may be prescribed by resolution. In determining the salaries of persons in the employ of the City, the City Council shall take into consideration the time of service of said persons and shall grant increases in salaries to such persons at

the end of five, ten and fifteen years of continuous service. All salaries shall be paid semi-monthly and shall be in full compensation for all duties and services performed by such officers or employees for the City."

## PROPOSAL NO. 2

To amend Section 98 of the Charter of the City of Sacramento to read as follows:

### QUALIFICATIONS

"Sec. 98. Every appointee to the department shall be not less than twenty-one, nor more than thirty-five years of age, must possess the physical qualifications prescribed by the Civil Service Board (which shall not in any case be inferior to those required for recruits of the United States Army), and before his appointment, must pass a satisfactory examination under such rules and regulations as may be prescribed by the Civil Service Board." Qualifications

## PROPOSAL NO. 3

To amend Sections 30 and 258 of the Charter of the City of Sacramento to read as follows:

### RECORDING AND PUBLICATION OF ORDINANCES

"Sec. 30. Every ordinance or resolution, upon its final passage, shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the presiding officer and the City Clerk. All ordinances shall be in effect from and after thirty days from the date of their passage, except as otherwise provided in this charter. Ordinances of a general nature or providing for public improvements shall, upon passage, be published once within ten days after final passage. Ordinances, proclamations, notices, advertisements for bids and other matters required by this charter or by law to be published shall be published in the official newspaper of the city, as herein provided. Publication of said matter shall be made for the following number of times: Notices of sale of bonds and notices required by law in reference to the proceedings relating to improvements, the cost of which is to be paid in part by special assessments, at least one time; advertisements for bids for work, and advertisements for sale or lease of real estate or for sale of personal property, daily for four days; proclamations of elections, such number of times as is provided by law; and all other matters once. For the publication of such ordinances, proclamations, notices, advertisements for bids and other matters referred to herein, no newspaper shall be paid any higher price than its maximum bona fide commercial rate. At least once in every two years, the City Clerk shall cause the publication, in pamphlet form, of all amendments to the charter and all ordinances and amendments thereto which shall have been Recording and publication of ordinances

adopted or enacted since the last similar publication. Said publication shall also include all franchises and contracts for the use of City property by public utilities privately owned, or the part thereof then in force."

## BIDDING FOR AND AWARDING OF CONTRACTS

Bidding for and awarding of contracts

"Sec. 258. On the day and within the time specified in said notice inviting sealed proposals, all bids must be filed with the City Clerk, who shall not open or tamper with them, or permit the same to be opened or tampered with or inspected by any person whatsoever, or permit the same to leave his possession, or give any information whatsoever relative thereto until the same shall be opened and read to the Council, as hereinafter provided. No bid not so delivered to the City Clerk shall be considered. Each bid as it is received shall be numbered and marked "Filed" by the City Clerk, and authenticated by his signature. During the meeting on said date, the Council shall, in open session, open, examine, and publicly declare the bids, and an abstract of each bid shall be recorded in the minutes of the Council by the City Clerk.

"At any time after being received and before acceptance, the Council may authorize the City Manager in his discretion to order the return of all bid deposits, except two, on any one bidding proposition. The Council shall at any time within twenty-one days thereafter award the contract to the lowest and best regular responsible bidder, unless otherwise in this charter provided. Notice of such award shall forthwith be posted conspicuously for five days by the City Clerk on a bulletin board at or near the assembly room of the Council. The Council may reject the bid of any party who has been delinquent or unfaithful in any former contract with the City, and all bids other than the lowest and best regular bid, and, on accepting such lowest and best bid, shall thereupon return to the proper party the checks accompanying the bids so rejected. If all the bids are rejected, the Council shall return all the checks to the proper parties and may again invite sealed proposals as in the first instance. The check accompanying the accepted bid shall be delivered by the City Clerk to the City Controller, who shall immediately cash the same and pay the proceeds thereof into the Special Deposit Fund of the City.

"When the contract for doing said work or furnishing said supplies has been duly entered into and the bond accompanying the same has been duly approved and filed, the City Clerk shall certify said facts by voucher to the City Controller who shall draw his warrant upon the Special Deposit Fund for the return to the contractor of the proceeds of said check. If the bidder fails or refuses to enter into the contract to do said work or furnish said supplies or to furnish the required bond, then the proceeds of said certified check shall be forfeited to the City and shall be thereupon transferred from said Special Deposit Fund to the General Fund. The Council shall not have the power to relieve from or to remit such forfeiture."

That said proposed amendments were on the 29th day of September, 1947, published and advertised in accordance with the provisions of Section Eight, Article Eleven of the Constitution of the State of California in the "Sacramento Union," a daily newspaper of general circulation published in said City of Sacramento and the official newspaper of said City of Sacramento, and in each edition of said "Sacramento Union" of September 29, 1947.

That copies of said proposed amendments were printed in convenient pamphlet form and in type of not less than ten point and copies thereof were mailed to each of the qualified electors of said City of Sacramento; that, until the date fixed for the election hereinafter described, an advertisement was published in said "Sacramento Union" that such copies could be had upon application therefor at the office of the City Clerk of said City of Sacramento.

That such copies could be had upon application therefor at the office of said City Clerk until the date fixed for the election hereinafter described.

That, in accordance with the provisions of the Charter of the City of Sacramento and a Resolution of the legislative body thereof, there was duly held in the City of Sacramento, on the 4th day of November, 1947, a regular municipal election and that the said proposed charter amendments were duly and regularly submitted to the qualified electors of said City for their ratification at said election and that at the said election the majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify the said proposed amendments to the Charter of said City hereinabove set out.

That the results of said election were duly and regularly canvassed and certified to and it was duly found and determined and declared by the proper officers of said City that a majority of the qualified electors of said City voting thereon had voted for and ratified said proposed amendments.

That we have compared the foregoing amendments with the original proposal submitting the same to the electors of said City and find that the foregoing is a full, true, correct and exact copy thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of said City of Sacramento to be affixed hereto this 6th day of February, 1948.

BELLE COOLEDGE
Mayor of the City of Sacramento

H. G. DENTON
(SEAL) City Clerk of the City of Sacramento

Subscribed and sworn to before me this 6th day of February, 1948.

JOHN CASALI
Notary Public in and for the County of Sacramento, State of California.

and,

WHEREAS, The said proposed amendments as ratified as hereinbefore set forth, have been and now are presented and submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration; 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 amendments to the charter of the City of Sacramento as presented to, and adopted and ratified by the electors of the said city and as hereinbefore fully set forth, be and the same are hereby approved as a whole, without amendment or alteration, for and as amendments to and as a part of the charter of said City of Sacramento.

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## CHAPTER 7

*Assembly Concurrent Resolution No. 5—Approving amendments to the Charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the fourth day of November, 1947.*

[Filed with Secretary of State March 8, 1948.]

City and County of San Francisco: Charter amendments

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 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 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 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 nineteen (19) amendments; and

WHEREAS, Said legislative authority, in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, did cause said nineteen (19) proposed amendments 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 Chronicle," 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 amendments 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 amendments, advertised in said the "San Francisco Chronicle," a newspaper of general circulation in the City and County of San Francisco, a notice that copies of said charter amendments 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 election to be held in the City and County of San Francisco on the fourth day of November, 1947, the said nineteen (19) several proposals to amend the charter of the City and County of San Francisco; and

WHEREAS, Said general election was held in said City and County of San Francisco on the fourth day of November, 1947, which day was more than 40 days and less than 60 days from the completion of the publication of said proposed charter amendments for one day in said the "San Francisco Chronicle" 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 general election held on the fourth day of November, 1947, 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 general election held on the fourth day of November, 1947, 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, Thereafter, to wit, on the eighth day of December, 1947, said board of supervisors duly approved the "official statement" of votes cast at the general election held in the City and County of San Francisco, State of California, on Tuesday, the fourth day of November, 1947; and

WHEREAS, At said general election so held on the fourth day of November, 1947, seventeen (17) of said proposed amendments were ratified by a majority of the electors of said city and county voting thereon, to wit, charter amendments designated as Propositions Numbers seven, eight, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four and twenty-five, and two other charter amendments submitted at said general election, to wit, charter amendments designated as Propositions Numbers nine and nineteen, received less than a majority of the votes of the electors voting thereon and were not ratified; and

WHEREAS, The said charter amendments so ratified by the electors of the City and County of San Francisco are 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 of Article XI of the Constitution of the State of California, and are in words and figures as follows:

## PROPOSITION NO. 7

Funding debt of Market Street Railway

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 adding thereto Section 119.2 authorizing the payment of the balance due Market Street Railway Company out of the proceeds of the sale of bonds.

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 the general election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by adding thereto Section 119.2, relating to the funding of the indebtedness due the Market Street Railway Company, which shall read as follows:

Section 119.2. Notwithstanding anything contained in Section 119.1 of the charter, or any other provision thereof, the City and County of San Francisco may fund, refinance and pay the entire balance due Market Street Railway Company for the cost of the acquisition of the operative properties of Market Street Railway Company out of current revenues or the proceeds of the sale of any bonds of the City and County of San Francisco which may be authorized for that purpose.

Bonds of the city and county issued to fund or refinance such unpaid balance due Market Street Railway Company may be issued substantially in the form and manner and under the procedure provided by law for the refunding of any outstanding bonded indebtedness of municipalities.

## PROPOSITION NO. 8

Retirement: Miscellaneous officers and employees

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 165.2 thereof, relating to retirement provisions applicable to present and future miscellaneous officers and employees.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county, at an election to be held therein on the 4th day of November, 1947, a proposal to amend the Charter of said city and county by amending Section 165.2 thereof so that the same shall read as follows:

### Retirement—Miscellaneous Officers and Employees

Section 165.2. Miscellaneous officers and employees, as defined in this section, who are members of the retirement system under section 165 of the charter on the effective date hereof, hereby designated as the first day of July, 1947, and persons who

become miscellaneous officers and employees after said effective date, shall be members of the retirement system on and after said date, subject to the following provisions of this section, in addition to the provisions contained in sections 158 to 161, both inclusive, of this charter notwithstanding the provisions of any other section of the charter, provided that the retirement system shall be applied to persons employed on a part-time, temporary or substitute basis only as the board of supervisors shall determine by ordinance enacted by three-fourths vote of all members of the board Miscellaneous officers and employees of the said departments who are members of the retirement system under section 165 of the charter on said effective date, however, shall have the option to be exercised in writing on a form furnished by the retirement system and to be filed at the office of said system not later than ninety days after the effective date hereof, of being members of the system under section 165 instead of this section, the election under said option to be effective on said effective date, provided, that members who are absent by reason of service in the armed forces of the United States or by reason of any other service included in section 161 of the charter, on the effective date of the amendment, shall have the same option of electing to be members under section 165 instead, of this section, until ninety days after their return to service. On and after said date, the persons who affirmatively exercise said option, shall continue to be members of the system under section 165 and shall not be subject to any of the provisions of this section.

(A) The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning: **Definitions**

"Retirement allowance," or "allowance," shall mean equal monthly payments, beginning to accrue upon the date of retirement, and continuing for life unless a different term of payment is definitely provided by the context.

"Compensation," as distinguished from benefits under the workmen's compensation laws of the State of California, shall mean all remuneration whether in cash or by other allowances made by the city and county, for service qualifying for credit under this section, excluding that part of such remuneration which exceeds $500.00 per month, unless the board of supervisors shall otherwise provide by ordinance enacted by three-fourths vote of all members of the board.

"Compensation earnable" shall mean the compensation as determined by the retirement board, which would have been earned by the member had he worked, throughout the period under consideration, the average number of days ordinarily worked by persons in the same grade or class of positions as the positions held by him during such period and at the rate of pay attached to such positions, it being assumed that during any absence, he was in the position held by him at the beginning of the absence, and that prior to entering city-service he was in the position first held by him in city-service.

"Benefit" shall include "allowance," "retirement allowance," and "death benefit."

"Average final compensation" shall mean the average monthly compensation earned by a member during any five consecutive years of credited service in the retirement system in which his average final compensation is the highest, excluding that part of such remuneration which exceeds $500.00 per month, unless the board of supervisors shall otherwise provide by ordinance enacted by three-fourths vote of all members of the board.

For the purpose of the retirement system and of this section, the terms "miscellaneous officer or employee," or "member," as used in this section shall mean any officer or employee who is not a member of the fire or police departments as defined in the charter for the purpose of the retirement system, under section 165 of the charter.

"Retirement system" or "system" shall mean San Francisco City and County Employees' Retirement System as created in section 158 of the charter.

"Retirement board" shall mean "retirement board" as created in section 159 of the charter.

"Charter" shall mean the charter of the City and County of San Francisco.

Words used in the masculine gender shall include the feminine and neuter genders, and singular numbers shall include the plural and the plural the singular.

"Interest" shall mean interest at the rate adopted by the retirement board.

Optional retirement

(B) Any member who completes at least twenty years of service in the aggregate credited in the retirement system and attains the age of fifty-five years, or at least ten years of service in the aggregate credited in the retirement system, and attains the age of sixty years, said service to be computed under subsection (G) hereof, may retire for service at his option. Members shall be retired on the first day of the month next following the attainment by them of the age of seventy years during the twelve months ending June 30, 1948; the age of sixty-nine years during the twelve months ending June 30, 1949; the age of sixty-eight years during the twelve months ending June 30, 1950; the age of sixty-seven years during the twelve months ending June 30, 1951; the age of sixty-six years during the twelve months ending June 30, 1952; and thereafter, following the attainment of the age of sixty-five years. A member retired after reaching the age of sixty years shall receive a service retirement allowance at the rate of $1\frac{2}{3}$ per cent of said average final compensation, for each year of service. The service retirement allowance of any member retiring prior to attaining the age of sixty years, after rendering twenty years or more of such service and having attained the age of fifty-five years, computed under subsection (G), shall be such as can be provided at the age of retirement by the actuarial value, at the age of retirement, of the retirement allowance to which he would be

entitled upon retirement at age sixty and with the service credited at the date of actual retirement. Before the first payment of a retirement allowance is made, a member retired under this subsection or subsection (C) of this section, may elect to receive the actuarial equivalent of his allowance, partly in an allowance to be received by him throughout his life, and partly in other benefits payable after his death to another person or persons, provided that such election shall be subject to all the conditions prescribed by the board of supervisors to govern similar elections by other members of the retirement system, including the character and amount of such other benefits. The portion of service retirement allowance provided by the city and county's contributions shall be not less than $50 per month upon retirement after thirty years of service and after attaining the age of sixty years, and provided further that as to any member with fifteen years or more of service at the compulsory retirement age of sixty-five, the portion of the service retirement allowance provided by the city and county's contribution shall be such that the total retirement allowance shall be not less than $50 per month. In the calculation under this subsection of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate retirement allowances shall be calculated, in the manner prescribed, for each class of service, the average final compensation in each case being that for the respective class of service; provided that the aggregate retirement allowance shall be taken into account in applying the provisions of this subsection providing for a minimum retirement allowance. Part time service and compensation shall be reduced to full time service and compensation in the manner prescribed by the board of supervisors, and when so reduced shall be applied on full time service and compensation in the calculation of retirement allowances.

Retirement for disability

(C) Any member who becomes incapacitated for performance of duty because of disability determined by the retirement board to be of extended and uncertain duration, and who shall have completed at least ten years of service credited in the retirement system in the aggregate, computed as provided in subsection (G) hereof, shall be retired upon an allowance of one and one-half per cent of the average final compensation of said member, as defined in subsection (A) hereof for each year of credited service, if such retirement allowance exceeds one-third ($\frac{1}{3}$) of his average final compensation; otherwise one and one-half ($1\frac{1}{2}$) per cent of his average final compensation multiplied by the number of years of city-service which would be creditable to him were such city-service to continue until attainment by him of age sixty, but such retirement allowance shall not exceed one-third ($\frac{1}{3}$) of such average final compensation. In the calculation under this subsection of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate

retirement allowances shall be calculated, in the manner prescribed, for each class of service, the average final compensation in each case being that for the respective class of service; provided that the average final compensation upon which the minimum total retirement allowance is calculated in such case shall be based on the compensation earnable by the member in the classes of service rendered by him during the five (5) years immediately preceding his retirement. Part time service and compensation shall be reduced to full time service and compensation in the manner prescribed by the board of supervisors, and when so reduced shall be applied as full time service and compensation in the calculation of retirement allowances. The question of retiring a member under this subsection may be brought before the retirement board on said board's own motion, by recommendation of any commission or board, or by said member or his guardian. If his disability shall cease, his retirement allowance shall cease, and he shall be restored to service in the position or classification he occupied at the time of his retirement.

(D) No modification of benefits provided in this section shall be made because of any amounts payable to or on account of any member under workmen's compensation laws of the State of California.

Deceased member

(E) If a member shall die, before retirement, regardless of cause, a death benefit shall be paid to his estate or designated beneficiary consisting of the compensation earnable by him during the six months immediately preceding death, plus his contributions and interest credited thereon. Upon the death of a member after retirement and regardless of the cause of death, a death benefit shall be paid to his estate or designated beneficiary in the manner and subject to the conditions prescribed by the board of supervisors for the payment of a similar benefit upon the death of other retired members.

Cessation of employment

(F) Should any miscellaneous member cease to be employed as such a member, through any cause other than death or retirement, all of his contributions, with interest credited thereon, shall be refunded to him subject to the conditions prescribed by the board of supervisors to cover similar terminations of employment and re-employment with and without redeposits of withdrawn accumulated contributions of other members of the retirement system, provided that if such member is entitled to be credited with at least ten years of service, he shall have the right to elect, without right of revocation and within 90 days after said termination of service, or if the termination was by lay-off, 90 days after the retirement board determines the termination to be permanent, whether to allow his accumulated contributions to remain in the retirement fund and to receive benefits only as provided in this paragraph. Failure to make such election shall be deemed an irrevocable election to withdraw his accumulated contributions. Upon the qualification of such member for retirement by reason of service and age, he shall be entitled to receive a retirement allowance which shall

be the actuarial equivalent of his accumulated contributions and an equal amount of the contributions of the city and county, plus $1\frac{2}{3}$ per cent of his average final compensation for each year of service credited to him as rendered prior to his first membership in the retirement system. Upon the death of such member prior to retirement, his contributions with interest credited thereon shall be paid his estate or designated beneficiary.

Computation of service

(G) The following time and service shall be included in the computation of the service to be credited to a member for the purpose of determining whether such member qualifies for retirement and calculating benefits:

(1) Time during which said member is a member of the retirement system and during and for which said member is entitled to receive compensation because of services as a miscellaneous officer or employee.

(2) Service in the fire and police departments which is not credited as service of a member under this section shall count under this section upon transfer of a member of either of such departments to employment entitling him to membership in the retirement system under this section, provided that the accumulated contribution standing to the credit of such member shall be adjusted by refund to the member or by payment by the member to bring the account at the time of such transfer to the amount which would have been credited to it had the member been a miscellaneous employee throughout the period of his service in either of such departments at the compensation he received in such departments.

(3) Time during which said member is absent from a status included in paragraphs (1) or (2) next preceding which is not deemed absence from service under the provisions of section 161 of the charter and for which such member is entitled to receive credit as service for the city and county by virtue of contributions made in accordance with the provisions of such section.

(4) Prior service determined and credited as prescribed by the board of supervisors for persons who are members under section 165.

Funds for payments

(H) All payments provided under this section shall be made from funds derived from the following sources, plus interest earned on said funds:

(1) The rate of contribution of each member under this section shall be based on his nearest age at the effective date of his membership in the retirement system. The normal rate of contribution of each such member, to be effective from the effective date of membership under this section, shall be such as, on the average for such member, will provide, assuming service without interruption, under subsection (B) of this section, one-half of that portion of the service retirement allowance to which he would be entitled if retired at age sixty or higher age after rendering ten years of service for retirement under that subsection. No adjustment shall be included in said rates because

of time during which members have contributed at different rates. Members' rates of contributions shall be changed only in the manner prescribed by the board of supervisors for changing contribution rates of other members.

(2) There shall be deducted from each payment of compensation made to a member under this section, a sum determined by applying the member's rate of contribution to such compensation. Amounts which would have been deducted in the absence of the limit on such deductions according to service credited, shall be paid to the retirement system following the removal of such limit, in manners and at times approved by the retirement board. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, under this section or shall be paid to said member or his estate or beneficiary as provided in subsections (E) and (F) of this section, provided that the portion of the salaries of the teachers as provided in section 165, paragraph (a), as a basis for fixing the contributions to be made, and the benefits to be received, by the teachers under the retirement system shall be determined by the method provided in section 165 paragraph (a) and shall not be less than eighty per cent of the total salary received by the teachers, excluding that part of such portion which exceeds $500.00 per month, unless the board of supervisors shall otherwise provide by ordinance enacted by three-fourths vote of all members of the board.

(3) Contributions based on time included in paragraphs (1) and (3) of subsection (G), and deducted prior to the effective date hereof, from compensation of persons who become members under this section, and standing with interest thereon, to the credit of such members on the records of the retirement system on said date, shall continue to be credited to the individual accounts of said members and shall be combined with and administered in the same manner as the contributions deducted after said date.

(4) The total contributions, with interest thereon, made by or charged against the city and county and standing to its credit, on the effective date hereof, in the accounts of the retirement system, on account of persons who become members under this section, shall be applied to provide the benefits under this section.

(5) The city and county shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in the preceding paragraphs of this subsection (H), to provide the benefits payable under this section. Such contributions of the city and county to provide the portion

of the benefits hereunder which shall be based on service rendered by each member prior to the date upon which his rate of contribution is determined in paragraph (1), subsection (H), shall not be less during any fiscal year than the amount of such benefits paid during said year. Such contributions of the city and county to provide the portion of the benefits hereunder which shall be based on service rendered by respective members on and after the date stated in the next preceding sentence, shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total salaries paid during said year, to persons who are members under this section, said percentage to be the ratio of the value of the effective date hereof, or at the later date of a periodical actuarial valuation and investigation into the experience under the system as provided by the board of supervisors, of the benefits thereafter to be paid under this section, from contributions of the city and county, less the amount of such contributions, and plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective member after the date stated in the sentence next preceding, to the value at said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system.

(6) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the city and county held by the system to provide the benefits under this section, shall be a part of the fund in which all other assets of said system are included. Nothing in this section shall affect the obligations of the city and county to pay to the retirement system any amounts which may or shall become due under the provisions of the charter prior to the effective date hereof, and which are represented on said effective date, in the accounts of said system by debits against the city and county.

Right of retirement

(I) Upon the completion of the years of service set forth in subsection (B) of this section as requisite to retirement, a member shall be entitled to retire at any time thereafter in accordance with the provisions of said subsection (B), and nothing shall deprive said member of said right.

Service after retirement

(J) No person retired under this section, for service or disability and entitled to receive a retirement allowance under the retirement system shall serve in any elective or appointive position in the city and county service, including membership on boards and commissions, nor shall such persons receive any

payment for service rendered to the city and county after retirement, provided that service as an election officer or juror shall not be affected by this section.

Should any such retired person engage in gainful occupation prior to attaining the age of sixty years, the retirement board shall reduce that part of his monthly pension or retirement allowance which is provided by contributions of the city and county, to an amount which, when added to the amount earned monthly by him in such occupation, shall not exceed his compensation at the time of his retirement.

(K) Any section or part of any section in this charter, insofar as it should conflict with this section, or with any part thereof, shall be superseded by the contents of this section. In the event that any word, phrase, clause or subsection of this section shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

## PROPOSITION NO. 10

Operation of cable cars

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said city and county by adding Section 119.3 thereto, relating to the present and future conduct of the cable car system owned and operated by the Municipal Railway.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at the general election to be held on the 4th day of November, 1947, a proposal to amend the Charter of said city and county by adding thereto a new section to be designated as Section 119.3, as follows:

### Operation of Cable Cars

Section 119.3. In the conduct of the Municipal Railway the Public Utilities Commission shall maintain and operate the present and existing cable car system now operated by the Municipal Railway, in the interest of public safety and convenience and as a link with San Francisco's historic past.

This section shall have precedence over Section 121 of the Charter of said city and county and any other section deemed in conflict herewith.

## PROPOSITION NO. 11

Fire and Police Departments

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 36 thereof, relating to the Fire Department and Sections 35.5 and 35.5½ thereof, relating to the Police Department.

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, 1947, a proposal to amend the Charter of said City and County by amending Section 36 thereof, relating to the Fire Department and Sections 35.5 and 35.5½ thereof, relating to the Police Department, so that the same shall read as follows:

FIRE DEPARTMENT

Section 36. The fire department shall be under the management of a fire commission, consisting of three members, who shall be appointed by the mayor and each of whom shall receive an annual compensation of twelve hundred dollars ($1,200). The term of each commissioner shall be four years, commencing at twelve o'clock noon on the 15th day of January in the years 1944, 1945 and 1946, respectively.

The fire commission shall appoint a chief of department, a secretary and a department physician who shall hold office at its pleasure.

The fire commissioners shall be successors in office of the fire commissioners holding office in the city and county at the time this charter shall go into effect, and shall have all the powers and duties thereof, except as in this charter otherwise provided. The commissioners shall have power, upon recommendation of the chief of department, to send fire boats, apparatus and men outside the City and County of San Francisco for firefighting purposes.

Officers and employees

Positions of officers and employees of the fire department legally authorized shall continue, and the incumbents therein legally appointed thereto shall continue as the officers and employees of the department under the conditions governing their respective appointments, and except as in this charter otherwise provided.

Compensation

The annual compensation for the several ranks in the fire department shall be as follows: chief of department, $10,680; first assistant and second assistant chiefs of department, $7,200; battalion chiefs, $6,180; captains, $4,800; lieutenants, $4,440; engineers, $4,140; Chief's operators, $4,140; drivers, stokers, tillermen, truckmen and hosemen, for first year of service, $3,420; for second year of service, $3,540; for third year of service, $3,660; for fourth year of service and thereafter, $3,780; pilots of fire boats and marine engineers of fire boats, $4,800; firemen of fire boats, $3,840.

Hours of duty

Except as to members of marine crews of fire boats, each period of twenty-four hours shall be divided into two tours of duty, to wit: from eight o'clock a.m. to six o'clock p.m., and from six o'clock p.m. to eight o'clock a.m. The uniformed force of the fire department shall be divided into two platoons, the officers and members assigned to which shall alternate on the tours of duty at intervals of not more than one week. No officer or member, including pilots, marine engineers and firemen of fire boats, shall be required to work more than one hundred and thirty (130) hours in any fifteen-day period, nor shall any

officer or member be required to work more than fourteen consecutive hours except in case of a conflagration requiring the services of more than one-half of the force of the department. Officers and members may exchange watches with permission of the chief of department and time worked on such exchange of watches shall not be construed as time in violation of the limitation of 130 hours in any fifteen day period. Each officer and each member shall be entitled to at least one (1) day off duty during each week.

Awards

On the recommendation of the chief of department, the commission may reward any member of the department for heroic or meritorious conduct, the form or amount of said award to be discretionary with the fire commission, but not to exceed one month's salary in any one instance.

Removal, etc., of buildings

The chief of department, or in his absence any assistant chief of department, or in their absence any battalion chief in charge, may, during a conflagration, cause to be cut down or otherwise removed any buildings or structures for the purpose of checking the progress of such conflagration.

In determining years of service necessary for a driver, stoker, tillerman, truckman and hoseman to receive the annual compensation sum of $3,540, $3,660, and $3,780, respectively, as provided for herein, service rendered prior to the effective date of this amendment shall be given full credit and allowed.

Military absence

The absence of any officer or member of the fire department on military leave of absence, as defined by section 153 of this charter, shall be reckoned a part of his service under the city and county, for the purpose of computing years of service in gaining added compensation as provided for herein.

This section shall become effective on the 1st day of July, 1948, provided the same is ratified prior to said date by the Legislature of the State of California. If not ratified prior to said date, this section shall become effective on the 1st day of the month immediately following the date of ratification.

## POLICE DEPARTMENT

Compensation

Section 35.5. The police force of the city and county shall not exceed one police officer for each five hundred inhabitants thereof. The annual compensations for the several ranks in the department shall be as follows: chief of police, $10,680; deputy chief of police, $8,940; captain of inspectors, $7,920; supervising captain of districts and department secretary, $7,200; captain of traffic, $6,540; director of bureau of personnel and director of bureau of criminal information, $6,180; captains and criminologist, $6,060; lieutenants and director of bureau of special services, $4,800; inspectors, $4,440; sergeants, $4,320; photographer, $4,140; police surgeon, $3,780; police officers, police patrol drivers and women protective officers, for first year of service, $3,420; for second year of service, $3,540; for third year of service, $3,660; for fourth year of service and thereafter, $3,780.

In determining years of service necessary for a police officer, woman protective officer and police patrol driver to receive the annual compensations as provided for herein, service rendered prior to the effective date of this amendment shall be given full credit and allowed.

Military leave

The absence of any police officer, woman protective officer, or police patrol driver on military leave, as defined by section 153 of this charter, shall be reckoned a part of his service under the city and county, for the purpose of computing years of service in gaining added compensation as provided for herein.

Any member assigned to two-wheel motorcycle traffic duty shall receive $15 per month in addition to the compensation to which he would otherwise be entitled.

This section shall become effective on the 1st day of July, 1948, provided the same is ratified prior to said date by the Legislature of the State of California. If not ratified prior to said date, this section shall become effective on the 1st day of the month immediately following the date of ratification.

Definitions

Section 35.5½ (a) The word "member" or "members" as used in this section shall mean the members of the several ranks in the police department set forth in section 35.5 of this charter.

Basic week

(b) The basic week of service for each member shall be not more than forty-four (44) hours and the annual compensation set forth in section 35.5 of this charter shall be based upon said basic week of service.

(c) Each member shall be entitled to at least one (1) day off during each week, except as hereinafter provided.

(d) Whenever in the judgment of the police commission public interest requires the services of any member to serve in excess of the basic week of service during any week, the said police commission may authorize the chief of police to permit said service, and said member shall be compensated therefor or shall receive equivalent time credited to him in lieu thereof in accordance with this subsection. For service performed in excess of the basic week, members shall be compensated on the basis of straight time in accordance with the ratio which said excess service bears to the basic week of service and the annual compensation provided therefor in section 35.5, or in lieu thereof equivalent time off duty with pay.

Vacations

(e) Nothing contained in this section shall be deemed to interfere with a vacation, as provided for in section 151 of this charter, or the normal day off per week; provided, however, that when in the judgment of the police commission public necessity requires the services of any member to serve on his vacation, or part thereof, or normal day off, the said commission may authorize the chief of police to permit said member to serve during said vacation, or part thereof, or normal day off, and he shall receive additional compensation for the period so served. Said additional compensation shall be computed on the basis of straight time in accordance with the ratio which said extra

service performed bears to the basic week of service and the annual compensations provided therefor in section 35.5.

Overtime

(f) The police commission is hereby authorized to require a member or members to work more than forty-four (44) hours per week in any week when public necessity requires such services, and the member or members so serving more than forty-four (44) hours shall be granted added compensation or time off with pay for said extra service performed.

(g) Nothing in this section shall abridge or limit in any way the provisions of Section 301, Part I, of the San Francisco Municipal Code, approving rule 32 of the civil service commission, insofar as sick leave and disability leaves for members are concerned.

(h) Whenever in the judgment of the police commission the efficient performance of police duty requires that one or more members of the police department should report for roll call, orders, and assignments, prior to going on duty, the said commission may designate a period not to exceed fifteen (15) minutes in any one day for said reporting, and the said periods of fifteen (15) minutes need not be compensated for in money or in time off with pay.

(i) Notwithstanding the provisions of any of the foregoing subsections, the police commission is empowered to designate certain legal holidays as additional days off with pay for members of the police department and members required to perform police service in said department on said days shall be compensated on the basis of straight time as herein computed or shall be granted equivalent time off duty with pay in the judgment of said commission.

(j) This section shall become effective on the 1st day of July, 1948, provided the same is ratified prior to said date by the Legislature of the State of California. If not ratified prior to said date, this section shall become effective on the 1st day of the month immediately following the date of ratification.

## PROPOSITION NO. 12

Assistant chief, etc

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 adding Section 36.1½ thereto, relating to the ranks of first assistant chief of the fire department and secretary to the chief of department.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by adding Section 36.1½ thereto, reading as follows:

Section 36.1½. Subject to the provisions of section 20 of the charter governing the appointment and removal of non-civil service officers, assistants and employees, and without competitive examination, the chief of the fire department shall have power to appoint, from among the members of the department having the rank of first or second assistant chief of

department, a deputy chief of department and, from among the members of the department having the rank of battalion chief, a secretary to the chief of department. The annual compensation of the rank of deputy chief of department shall be $8,940.00 and that of the rank of secretary shall be $6,980.00.

This section shall become effective on the first day of the month following that in which the joint legislative resolution approving the same is filed with the secretary of state.

## PROPOSITION NO. 13

M. H. de Young Memorial Museum

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 51 thereof relating to the Board of Trustees of the M. H. de Young Memorial Museum.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the said City and County, at the General Municipal Election to be held on the 4th day of November, 1947, a proposal to amend the Charter of the said City and County by amending Section 51 thereof so that the same shall read as follows:

### M. H. de Young Memorial Museum

Section 51. The M. H. de Young Memorial Museum shall be known as such in perpetuity. The museum and the grounds set aside therefor shall be under the management, superintendence, and operation of a board consisting of eleven trustees, of which the mayor and the president of the park commission shall be ex-officio members. All vacancies occurring in said board shall be filled by the vote of a majority of the remaining members thereof. The number of trustees may be increased from time to time as needed, provided that at no time shall the total number of trustees exceed seventeen. The trustees in office at the time, shall, in their discretion, determine the need for additional trustees. Upon making such determination, the additional trustees shall be elected by the vote of the majority of the board then in office. None of said trustees shall receive any compensation for his or her services.

The board shall have exclusive charge of the said memorial museum, the lands set aside therefor, and its affairs, and of all real and personal property thereunder belonging, or which may be acquired by loan, purchase, gift, devise, bequest, or otherwise, when not inconsistent with the terms and conditions of the loan, gift, devise, or bequest. The trustees shall have power to insure loan exhibits against any risk. The park commission shall maintain and care for the grounds of this memorial museum, and shall furnish the moneys for the necessary repair and embellishment of the grounds and unoccupied parts.

The board of trustees shall have the power to maintain, repair or reconstruct existing buildings and construct new

buildings and to make and enter into contracts relating thereto, subject, however, to the budget and annual appropriation ordinance. The supervisors, subject to the budget provisions of this charter, shall, for the purpose of maintaining said memorial museum, include in each annual budget of city and county expenditures an amount sufficient for the maintenance, operation and superintendence thereof, not less than forty thousand dollars ($40,000) in each annual budget, and such additional amount as is necessary to take care of the increased demand for help, buildings, repairs, and care of said memorial museum. Such amount shall be credited to and deposited in the fund in the treasury of the city and county to be known as the "M. H. de Young Memorial Museum Fund." The board shall meet for its purposes at least once in three months, and at such other times as the president or any three members thereof may appoint, in a place to be provided for the purpose. It shall appoint a director, curators and a secretary who shall hold office at its pleasure. It shall appoint such other assistants and employees as may be necessary, who shall be subject to the civil service and salary standardization provisions of this charter; provided that all such assistants and employees who are actually employed, or who may be on military leave of absence from employment on the effective date of this amendment and who have been continuously employed for one year immediately preceding such date of such military leave of absence shall be continued in their respective positions as if appointed thereto after examination and certification from a civil service list of eligibles and thereafter shall be governed by and subject to the civil service provisions of this charter. The secretary shall keep a full account of all property, money, receipts and expenditures and a record of all its proceedings, and shall file annually a report with the controller.

It is the intention that the administration and control of the M. H. de Young Memorial Museum shall be continued with the powers granted and under the conditions imposed by the terms of the donations and accepted by the city and county.

## PROPOSITION NO. 14

Budget estimates, etc

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 Sections 69, 72, 77, 115, 116, 117 and 118 thereof and by adding thereto new sections to be designated 69.1, 116.1, 117.1, 117.2 and 117.3 relating to City Planning and Procedure as to Budget, Appropriation and Transfer of Funds in relation thereto.

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 the next election, either general or special, to be held therein, a proposal to amend the Charter of said city and county by amending Sections 69, 72, 77, 115, 116, 117 and 118 thereof, and by adding thereto new sections to be

designated 69.1, 116.1, 117.1, 117.2 and 117.3, which shall read as follows:

BUDGET ESTIMATES

Section 69. The fiscal year for the city and county shall begin on the 1st day of July of each year.

The budget estimate for every department and office of the city and county, whether under an elective or an appointive officer or a board or commission, and separately for each utility under the control of the public utilities commission, shall be filed by the executive of such department with, and shall be acted upon by, such board or commission. All budget estimates shall be compiled in such detail as shall be required on uniform blanks furnished by the controller. The public utilities commission and the board of education must hold public hearings on their respective budget proposals. Each such elective and appointive officer, board or commission shall, not later than the 1st day of February of each year, file with the controller for check as to form and completeness two copies of the budget estimate as approved.

The chief administrative officer shall obtain in ample time to pass thereon budget estimates from the heads of departments or offices subject to his control, and, after adjusting or revising the same, not later than the 1st day of February he shall transmit such budget estimates to the controller.

The controller shall check such estimates and shall upon his request, be furnished with any additional data or information. Not later than the 1st day of March of each year he shall consolidate such budget estimates and transmit the same to the mayor.

He shall at the same time transmit to the mayor a summary and recapitulation of such budget estimates, segregated by separate departments or offices and units thereof, or by purposes for non-departmental expenditures, and arrange according to classification of objects of expenditure, as required by the controller, to show the amount of proposed expenditures and estimated revenues in comparison with the current and previous fiscal year's expenditures and revenues.

He shall submit at the same time (1) statements showing revenues and other receipts, including the estimated unencumbered surplus in any item or fund at the beginning of the ensuing fiscal year, segregated according to specific or general purposes to which such revenues or receipts are legally applicable, for the last complete fiscal year and for the first six months of the current fiscal year, with estimates thereof for the last six months of the current fiscal year, together with estimates of such revenues and receipts for the ensuing fiscal year; (2) statements of the amounts required for interest on, and sinking fund or redemption of, each outstanding bond issue, and for tax judgments, and other fixed charges, together with estimates of interest required on bonds proposed to be sold during the ensuing fiscal year, and statements of the city's authorized

debt, and judgments outstanding at the time the budget estimates are submitted.

The mayor shall hold such public hearings on these budget estimates as he may deem necessary and may increase, decrease or reject any item contained in the estimates, excepting that he shall not increase any amount nor add any new item for personal services, materials, supplies or contractual services, but may add to the requested appropriations for any public improvement or capital expenditure; but he shall add to requested appropriations for any public improvement or capital expenditure only after such items have first been referred to the Department of City Planning and a report has been rendered thereon regarding conformity with the master plan. It shall be the duty of the Department of City Planning to render its reports in writing within thirty days after said referral. Failure of the Department of City Planning to render any such report in such time shall be deemed equivalent to a report. The budget estimates of expenditures for any utility, within the estimated revenues of such utility, shall not be increased by the mayor.

### Capital Improvement Projects Budget

Capital improvement project budget

Section 69.1. Each officer, board, and commission shall annually, on or before the 30th day of November, file with the department of city planning a schedule describing all capital improvement projects which are proposed for inclusion in the budget for the ensuing fiscal year, together with a schedule of all capital improvement projects which in the opinion of such officer, board, or commission should be undertaken in the five succeeding years.

The department of city planning shall prepare and submit to the mayor, the board of supervisors, the controller, and each officer, board, or commission concerned, on or before the 20th of January, a report recommending a program of capital improvements based on the projects submitted for inclusion in the budget for the ensuing year, segregating in such report those projects which do not affect the master plan.

The report shall state whether each of the proposed capital improvement projects conforms to the master plan and if conformity does not exist the report shall give the particulars of the differences between the proposed capital improvement projects and the master plan; provided, however, that if any such capital improvement project does not conform, it shall be the duty of the department of city planning, prior to the submission of its related report, to confer with the officer, board, or commission concerned for the purpose of modifying either the project plan or the master plan in an endeavor to eliminate conflict as far as may be possible.

The report shall also include the recommendations of the department of city planning for additional capital improvement projects and for the advance planning and acquisition of land necessary for the development of all capital improvement projects.

Requests for supplemental appropriations for capital improvement projects, which projects have not been previously submitted to the department of city planning, shall be subject to all of the provisions herein contained except time, and the department of city planning shall report on each such proposal within thirty days from the date that each such proposal is filed with it.

The board of supervisors shall not appropriate any money for any capital improvement project which has not been referred to and reported on by the department of city planning in accordance with the provisions of this section.

Failure of the department of city planning to report within the time limits herein established shall constitute its concurrence.

### Adoption of the Budget and the Appropriation Ordinance

Section 72. Not later than the 15th day of April in each year, the mayor shall transmit to the board of supervisors the consolidated budget estimates for all departments and offices of, and the proposed budget for, the city and county for the ensuing fiscal year, including a detailed estimate of all revenues of each department and an estimate of the amount required to meet bond interest, redemption and other fixed charges of the city and county, and the revenues applicable thereto. He shall, by message accompanying such proposed budget, comment upon the financial program incorporated therein, the important changes as compared with the previous budget, and bond issues, if any, as recommended by him. Adoption of budget

The mayor shall submit to the board of supervisors, at the time that he submits said budget estimates and said proposed budget, a draft of the annual appropriation ordinance for the ensuing fiscal year, which shall be prepared by the controller. This shall be based on the proposed budget and shall be drafted to contain such provisions and detail as to furnish an adequate basis for fiscal and accounting control by the controller of each revenue and expenditure appropriation item for the ensuing fiscal year. Upon submission it shall be deemed to have been regularly introduced, and together with the proposed budget, shall be published as required for ordinances. Appropriation ordinance

The detail of the proposed budget to be published shall be as follows:

1. Total cost for conducting each department, bureau, office, board or commission for the ensuing fiscal year, segregated according to basic objects of expenditure for each.

2. A detail schedule of positions and compensations, showing any increases or decreases in any department or office.

3. A detail schedule of items for capital outlay.

4. The aforementioned consolidated estimates and schedules shall also include by items contained therein the following information:

(a) Expenditures for the last complete fiscal year.

(b) Estimated expenditures for the current fiscal year.

(c) Proposed increases or decreases as compared with the budget allowances for the current fiscal year.

Copies

The board of supervisors shall provide printed copies of the mayor's budget message and proposed budget thus prepared, including comparative expenditures and revenues for the current and preceding fiscal years and other information transmitted therewith, for official use and public demand as requested.

Hearings

The board of supervisors shall fix the date or dates, not less than five days after publication as in this section provided, for consideration of and public hearings on the proposed budget and proposed appropriation ordinance.

Item changes

The board of supervisors may decrease or reject any item contained in the proposed budget, but shall not increase any amount or add any new item for personal services or materials, supplies, or contractual services, for any department, unless requested in writing so to do by the mayor, on the recommendation of the chief administrative officer, board, commission or elective officer, in charge of such department.

The board of supervisors may increase or insert appropriations for capital expenditures and public improvements, but shall do so only after such items have first been referred to the department of city planning and a report has been rendered thereon regarding conformity with the master plan. It shall be the duty of the department of city planning to render its reports in writing within thirty days after said referral. Failure of the department of city planning to render any such report in such time shall be deemed equivalent to a report.

The budget estimates of expenditures for any utility, within the estimated revenues of such utility, shall not be increased by the board of supervisors.

Adoption

After public hearing, and not earlier than the 15th day of May, nor later than the 1st day of June, the board shall adopt the proposed budget as submitted or as amended and shall pass the necessary appropriation ordinance. If the appropriation ordinance as submitted by the mayor is amended by the supervisors, the appropriation ordinance shall be readvertised prior to final reading or passage, in the manner required for ordinances.

Veto

Any item in such appropriation ordinance except for bond interest, redemption or other fixed charges, may be vetoed in whole or in part by the mayor within ten days of receipt by him from the clerk of the board of supervisors of the ordinance as passed by the board, and the board of supervisors shall act on such veto not later than the 20th of June.

Schedule of allotments

The several items of expenditure appropriated in each annual appropriation ordinance, being based on estimated receipts, income or revenues which may not be fully realized, it shall be incumbent upon the controller to establish a schedule of allotments, monthly or quarterly as he may determine, under

which the sums appropriated to the several departments shall be expended. The controller shall revise such revenue estimates monthly. If such revised estimates indicate a shortage the controller shall hold in reserve an equivalent amount of the corresponding expenditure appropriations set forth in any said annual appropriation ordinance until the collection of the amount as originally estimated is assured, and in all cases where it is provided by this charter that a specified or minimum tax shall be levied for any department the amount of the appropriation in any annual appropriation ordinance derived from taxes shall not exceed the amount actually produced by the levy made for said department. The controller in issuing warrants or in certifying contracts or purchase orders or other encumbrances, pursuant to section 86 of this charter, shall consider only the allotted portions of appropriation items to be available for encumbrance or expenditure and shall not approve the incurring of liability under any allotment in excess of the amount of such allotment. In case of emergency or unusual circumstance which could not be anticipated at the time of apportionment, an additional allotment for a period may be made on the recommendation of the department head and that of the chief administrative officer, board or commission and the approval of the controller. After the allotment schedule has been established or fixed, as heretofore provided, it shall be unlawful for any department or officer to expend or cause to be expended a sum greater than the amount set forth for the particular activity in the said allotment schedule so established unless an additional allotment is made, as herein provided.

Appropriation

Subject to the restrictions hereinbefore in this section included, the several amounts of estimated revenue and proposed expenditures contained in the annual appropriation ordinance as adopted by the board of supervisors shall be and become appropriated for the ensuing fiscal year to and for the several departments, bureaus, offices, utilities, boards or commissions, and for the purposes specified, and each department for which an expenditure appropriation has been made shall be authorized to use the money so appropriated for the purposes specified in the appropriation ordinance, and within the limits of the appropriation. The appropriation ordinance shall constitute the authority for the controller to set up the required revenue and expenditure accounts. Appropriation items for bond interest, bond redemption, fixed charges and other purposes not appropriated to a specific department shall be subject to the administration of and expenditure by the chief administrative officer for the respective purposes for which such appropriations are made.

TRANSFERS

Transfers

Section 77. Upon written recommendation of the chief administrative officer, or a board or commission for the use of which funds have been appropriated, and the approval of the mayor, the board of supervisors may transfer an unencumbered

balance, or part thereof, of an appropriation made for the use of one department, to another. No such transfer shall be made of utility, bond, school, pension or trust funds, except by way of loans as in this charter provided. On request of a department head and approval by the chief administrative officer, board or commission, respectively, and on the authorization of the controller, funds appropriated for a specific purpose of such department which become surplus may be transferred and used for another specific purpose within the department; provided, however, that such surplus shall not be transferred to a capital improvement project unless such project shall have been previously approved in accordance with the provisions of Sections 69, 69.1, 72 or 116.1 of this charter. The controller shall prescribe the method to be used in making payments for inter-departmental services.

### City Planning Department Established

City planning department

Section 115. There is hereby established a department of city planning which shall consist of a planning commission, a director of planning and such employees as may be necessary to carry out the functions and duties of said department. The city planning commission shall consist of seven members, five of whom shall be appointed by the mayor. The chief administrative officer and the manager of utilities, or their designated deputies, shall be members ex officio.

### Terms of Members

Terms of members

The terms of appointive members of the commission shall expire one each at twelve o'clock noon on the 15th day of January in the years 1949, 1950, and 1951, and two at said time in the year 1948. Thereafter, the term of each appointive member shall be four years. Present appointees shall continue in office without change of incumbency for the existing terms thereof. The mayor shall fill all vacancies in office of appointive members of the commission occurring either during or at the expiration of terms.

### Present Commission Continued

Present commission continued

Neither the foregoing provision for addition of members to the commission, nor the addition thereof, nor any change herein provided in the powers and duties of the commission shall be deemed to affect the continuity of the existence of the commission as such or the status of any matter pending before it. All recorded actions of the commission shall remain in force and effect unless and until changed by ordinance or by other legal means.

### Compensation

Compensation

Ex officio members of the commission shall serve as such without compensation. The compensation of appointive mem-

bers of said commission shall be fifteen dollars ($15) for each meeting of the commission actually attended by said members, provided that the aggregate amount paid all the members shall not exceed five thousand dollars ($5,000) per year.

### Director of Planning

Section 116. The planning commission shall appoint a director of planning who shall hold office at its pleasure and who shall be a person of adequate technical training and administrative experience in city planning. The director of planning shall be the administrative head and appointing officer of the department of city planning. The position of director of planning shall not be subject to any provisions of this charter prescribing a residence qualification for officers or appointees, provided, however, that during his incumbency the appointee to the position shall reside in the city and county. The commission may also appoint a secretary, which appointment shall not be subject to the civil service provisions of this charter. Subject to the provisions of section 86 of this charter, the commission may also contract with architects, city planners, engineers, or other consultants for such services as it may require. Director of planning

### The Master Plan

It shall be the function and duty of the commission to adopt and maintain, including necessary changes therein, a comprehensive, long-term, general plan for the improvement and future development of the city and county, to be known as the master plan. The master plan shall include maps, plans, charts, exhibits, and descriptive, interpretive, and analytical matter, based on physical, social, economic, and financial data, which together present a broad and general guide and pattern constituting the recommendations of the commission for the coordinated and harmonious development, in accordance with present and future needs, of the city and county and of any land outside the boundaries thereof which in the opinion of the commission bears a relation thereto. Master plan:

### Scope of the Master Plan

The master plan shall show the general location, character, and extent of existing and proposed street railway, bus, railroad, air, water, and other transportation routes and terminals, public ways, grounds, and open spaces, and the general location of major buildings, structures, and facilities constructed thereon or proposed, and shall include a land use plan showing the proposed general distribution and the general location and extent of housing, business, industry, recreation, education, and other categories of public and private uses of land, and recommended standards of population density and building intensity, with estimates of population growth and a general description of the amount and general classes of industrial, business and Scope

other economic activities for which the commission deems that space should be supplied within the territory covered by the plan, all correlated with the land-use plan. It shall include proposals for the acquisition, extension, widening, narrowing, removal, relocation, vacation, abandonment, sale, or change in the use of any of the foregoing public ways, routes, grounds, open spaces, buildings, or structures.

### Preparation of the Master Plan

Preparation

In the preparation of the master plan or any amendment thereto, the department of city planning is authorized to make or cause to be made such investigations, studies, maps, charts, exhibits, and reports as it may deem to be required.

### Procedure for Amendment

Amendment

The master plan may be amended to include at any time modifications and extensions thereof. Before the commission may adopt any substantial extensions of the master plan adopted prior to the passage of this amendment or any substantial amendment or addition thereto which in the judgment of the commission constitutes a major alteration in the plan, it shall hold at least one public hearing thereon, notice of the time and place of which shall be given by at least one publication in the official newspaper of the city and county not less than twenty days before the day of hearing. Adoption of the master plan or portions thereof or amendments, extensions or additions thereto shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the commission. Such resolutions shall refer expressly to the reports, plans, or descriptive and other matter intended to form the whole or part of the plan, and the action taken shall be recorded on such documents and an attested copy thereof shall be certified to the mayor and the board of supervisors.

### Additional Powers and Duties

Additional powers and duties

The department of city planning may make such reports and recommendations to the mayor, the board of supervisors, and other officers and agencies as it may deem necessary to secure understanding and a systematic effectuation of the recommendations of the master plan. The department shall have the power to promote public interest in and understanding of the master plan and may publish and distribute copies of the plan or any portion thereof or of any report and may employ such other means of publicity and education as it may deem to be in the public interest.

The department shall act in an advisory capacity to the board of supervisors and other departments, commissions and agencies of the city and county in any matter affecting the physical improvement and development of the city and county.

All public officials shall upon request furnish to the department of city planning such information as it may require for its work and the department of city planning shall furnish to all departments and officials of the city and county such information as said departments and officials may require concerning the master plan. In general, the department shall have such powers as may be necessary to enable it to fulfill its functions.

### Capital Improvement Program

Capital improvements

The department of city planning shall be governed by the provisions of Section 69.1 of this charter pertaining to capital improvement projects.

### Legal Effect—Referral

Legal effect, referral

Section 116.1. No ordinance or resolution which deals with the acquisition, extension, widening, narrowing, removal, relocation, vacation, abandonment, sale, or change in the use of any public way, transportation route, ground, open space, building, or structure, the subject matter of which has not been previously reported on by the department of city planning in accordance with the provisions of sections 69, 69.1, 72 or 116.1 of this charter, shall be adopted by the board of supervisors unless and until such ordinance or resolution shall have first been referred to the department of city planning and a report rendered thereon regarding conformity of the matter involved to the master plan. If conformity does not exist the report shall give the particulars of the difference between the proposal and the master plan.

It shall be the duty of the department of city planning to render its report in writing upon any ordinance or resolution to the board of supervisors and to the controller within thirty days after the date of such referral unless a longer period is granted by the board of supervisors. Failure of the department of city planning to render any such report in such time shall be deemed equivalent to a report.

### Zoning—Present Provisions to Apply Pending Ordinance Revision

Present zoning ordinances

Section 117. Until such time as the board of supervisors shall have enacted a new comprehensive zoning ordinance for the city and county based on a land use plan and providing for variances, and until the effective date of such ordinance, this section of the charter shall continue in force, and until such time, Sections 117.1, 117.2, and 117.3, shall be inoperative. Upon the enactment and effective date of such an ordinance this section of the charter shall become inoperative for any purpose, and Sections 117.1, 117.2, and 117.3, shall become operative.

## Zone Changes

Zoning changes

The city planning commission, from time to time, shall consider and hold hearings on proposed changes in the classification of the use to which property in the city and county may be put, and the establishment or changing of building set-back lines, in either case, on its own motion or on the application of an interested property owner.

## Hearings, Etc.

Hearings, etc.

The board of supervisors, by ordinance, shall establish procedure for action on such matters, which ordinance must provide, among other things, that the commission shall give notice of time, place and date of hearing by posting throughout the area and by publication not less than twenty days prior thereto; that the commission shall notify, in writing, not less than ten days prior to said hearing, applicants for proposed changes, and all persons whose names and addresses are shown on the assessment roll as owners of property within three hundred feet of all exterior boundaries of the area affected by the proposed changes of the time and place of hearing, which names, addresses and other information shall be furnished by the applicant in the form required by the commission; that the commission, after hearing shall, by resolution, approve or disapprove the proposed change which, if approved, shall not become effective for thirty days; that appeal may be taken from the ruling of the commission by filing written protest with the board of supervisors, and if such protest is subscribed by the owners of twenty per cent of the property affected, the supervisors shall fix a time and a place for hearing such objections which shall be not less than ten nor more than thirty days after such filing, and must decide thereon within ten days of the start of such hearing; that the supervisors, by not less than two-thirds vote, may disapprove the action of the commission, provided, however, that any change in zoning, classification or building set-back lines made by the commission on its own motion shall require approval of the supervisors by a two-thirds vote; that in case of disapproval by the commission or by the supervisors on appeal of a proposed change, such proposed change may not be resubmitted to or reconsidered by the commission for at least one year.

## Legislative Referral

Legislative referral

No ordinance shall be considered by the supervisors, the purpose or intent of which is the classification, regulation or control of the height, area, bulk, location or use of any building or buildings, or premise or premises, and classifying any property into any district or zone for such purposes, or establishing a set-back line or lines along any street or portion thereof in the city and county without being first submitted to the city planning commission for report and recommendation. If the commission disapproves any such ordinance, the supervisors may

adopt the same only by an affirmative vote of at least two-thirds of its entire membership. The failure of the commission to act within sixty days from and after the date of official submission of any proposed zoning classification or set-back line by the board of supervisors shall be deemed to be approval of such classification or proposed set-back line by the commission.

NEW PROVISIONS FOR ZONE CHANGES

Section 117.1. The city planning commission shall consider and hold hearings on proposed changes in the zoning ordinance which classifies the uses to which property in the city and county may be put, and on the establishment or changing of building set-back lines, either on its own motion, or on the application of interested property owners or their authorized agents. The board of supervisors, by ordinance, shall establish procedure for action on such matters. The city planning commission shall give notice of time and place of such hearings and shall act upon such applications for change within thirty days from the date of filing. If approved, such applications, together with the approval of the commission, shall be presented to the board of supervisors, which may adopt such changes by a majority vote. If disapproved, the action of the city planning commission shall be final, except that appeal may be taken from the ruling of the commission by filing written protest with the board of supervisors within a period of thirty days after the action of the city planning commission, and if such protest is subscribed by the owners of twenty per cent of the property affected. The board of supervisors or the clerk thereof shall set a time and place for hearing such appeal, which shall be not less than ten nor more than thirty days after such filing. The board must decide such appeal within ten days of the time so set for such hearing or the action of the commission shall be deemed to be approved by the board. The supervisors may disapprove the action of the commission on such appeal by a vote of not less than two-thirds of all members of the board and adopt such change in said ordinance. Any action of the commission so appealed shall not become effective unless and until approved by the board within the time aforesaid. In case of disapproval by the commission or by the supervisors on appeal of a proposed change, such proposed change may not be resubmitted to or reconsidered by the commission for at least one year.

New provisions

Action Pending to Be Completed Under Section 117

All matters of the type referred to in this section which may be pending on the effective date hereof before the city planning commission or the board of supervisors shall not be affected by any of the provisions hereof, and in regard to all such pending matters, the city planning commission and the board of supervisors shall continue until the final determination

Pending actions

thereof before both the commission and the board to exercise the powers and duties provided by both the charter and ordinances immediately prior to the effective date hereof.

NEW PROVISIONS FOR ZONING ADMINISTRATION

Zoning administrator

Section 117.2. There shall be in the department of city planning a zoning administrator appointed subject to the civil service provisions of this charter who shall administer and enforce the zoning and set-back ordinances. He shall receive and investigate all applications for proposed amendments thereto and shall submit his report and recommendations thereon to the director of planning prior to the hearing by the commission thereon.

VARIANCES

Variances

Section 117.3. The zoning administrator shall receive, investigate, hear and determine all applications for variances from the strict application of the provisions of the aforesaid ordinances. The board of supervisors shall establish by ordinance the procedure for action on such matters, including the manner by which notice of time and place of hearings shall be given. The zoning administrator shall have power to grant only such variances as may be in harmony with the general purpose and intent of said ordinances and in accordance with the general and specific rules therein contained, subject to such conditions and safeguards as he may impose. He shall have authority to grant such variances only when the strict and literal interpretation and enforcement of the provisions of said ordinances would result in practical difficulties, unnecessary hardships or results inconsistent with the general purposes of the zoning regulations. Before any such variance may be granted, there shall appear, and the zoning administrator shall specify in his findings, the facts in each case which shall establish:

(1) That there are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same district or zone;

(2) That such variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner, possessed by other property in the same zone and vicinity; and

(3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or district in which the property is located.

Variance Appeals

Variance appeals

The determination of the zoning administrator shall be final except that appeals therefrom may be taken, as hereinafter provided, to the board of permit appeals, exclusively and notwithstanding any other provision of this charter, by any

person aggrieved or by an officer, board, or commission of the city and county. Any appeal from a determination of the zoning administrator shall be filed within ten days from the date of such determination with the board of permit appeals. Upon making a ruling or determination upon any matter under his jurisdiction, the zoning administrator shall thereupon furnish a copy thereof to the applicant and to the director of planning. No variance granted by the zoning administrator shall become effective until ten days thereafter. An appeal shall stay all proceedings in furtherance of the action appealed from.

Board of Permit Appeals—Power to Act on Variances

Board of permit appeals

The board of permit appeals shall have and exercise the following powers:

(a) To hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision or determination made by the zoning administrator in the enforcement of the provisions of any ordinance adopted by the board of supervisors creating zoning districts or regulating the use of property in the city and county.

(b) To hear and determine appeals from the rulings, decisions and determinations of the zoning administrator granting or denying applications for variances from any rule, regulation, restriction or requirement of the zoning or set-back ordinances, or any section thereof. Upon the hearing of such appeals said board may affirm, change, or modify the ruling, decision or determination appealed from, or, in lieu thereof, make such other additional determination as it shall deem proper in the premises, subject to the same limitations as are placed upon the zoning administrator by this charter or by ordinance.

SUBDIVISIONS

Subdivisions

Section 118. All plats or replats of subdivisions of land laid out in building lots, and the project plans for public and private housing, slum clearance and the rehabilitation and redevelopment of blighted areas, including the streets, alleys or other lands intended to be dedicated to public use or for the use of lessees, purchasers, or owners of lots fronting thereon or adjacent thereto, and located within the city and county limits, shall be submitted in tentative form to the department of city planning and the city planning commission shall report its recommendations thereon in writing to the agency responsible therefor, as provided by ordinance. Should major changes occur after acceptance of the tentative map, the final plat shall be submitted for further report thereon to the department of city planning.

## PROPOSITION NO. 15

Clerk of board of supervisors

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 12 thereof, relating to the clerk of the board of supervisors.

The board of supervisors of the city and county of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by amending Section 12 thereof, "CLERK OF THE BOARD OF SUPERVISORS," so that the same shall read as follows:

### Clerk of the Board of Supervisors

Section 12. Subject to the civil service provisions of this charter the board of supervisors shall appoint a clerk, who shall be designated as clerk of the board of supervisors, provided, however, that any person who has performed the duties of clerk of the board of supervisors continuously for one year prior to the date of approval of this amendment by the electorate and who on said date shall be performing said duties, is hereby confirmed in said position and thereafter shall hold the same pursuant to said civil service provisions of this charter. The clerk shall, ex officio, be clerk of the board of equalization. The clerk shall have charge of the office and records of the board and its committees, and the personnel employed to handle the business, affairs and operations of the board, its committees and members when engaged in official duty. The clerk shall be the appointing officer for such personnel, subject to the civil service provisions of this charter. The clerk shall keep a journal of proceedings of the board and files of all ordinances and resolutions and properly index the same. He shall be responsible for the publication, as required by law, of ordinances, resolutions and other matters acted on by the board for which publication is specified. He shall have such other duties and responsibilities as the board shall prescribe.

## PROPOSITION NO. 16

Chief administrative officer

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 60 thereof, relating to the appointment by the chief administrative officer of the recorder to occupy the office of registrar of voters ex officio.

The board of supervisors of the city and county of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by amending Section 60 thereof so that the same shall read as follows:

### Powers and Duties of Chief Administrative Officer

Section 60. The chief administrative officer shall be responsible to the mayor and to the board of supervisors for the

administration of all affairs of the city and county that are placed in his charge by the provisions of this charter and by ordinance, and to that end he shall have power and it shall be his duty to exercise supervision and control over all administrative departments which are under his jurisdiction; to appoint the heads of departments under his control and the members of advisory and other boards provided by this charter or by ordinance to be appointed by the chief administrative officer; to prescribe general rules and regulations for the administrative service under his control; to have a voice but no vote in the board of supervisors, with the right to report on or to discuss any matter before the said board concerning the affairs of the departments in his charge; to make such recommendations and propose such measures to the mayor, the board of supervisors, or committees thereof, concerning the affairs of the city and county in his charge as he may deem necessary; to coordinate the functioning of the several departments of the city and county charged with powers and duties relating to control of traffic; and to provide for the budgeting and control of publicity and advertising expenditures of the city and county.

The chief administrative officer may designate an officer or an employee in any department under his jurisdiction to exercise the powers and perform the duties of any county office not specifically designated by this charter.

The chief administrative officer may designate the recorder to exercise the powers and perform the duties of the registrar of voters and to occupy the offices of registrar of voters and recorder, receiving a single salary therefor to be fixed in accordance with the salary standardization provisions of this charter.

## PROPOSITION NO. 17

Mayor

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 25 thereof relating to the Mayor.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by amending Section 25 thereof so that the same shall read as follows:

### The Mayor

Section 25. The mayor shall be the chief executive officer of the city and county upon whom process issued by authority of law shall be served. He shall be an elective officer and his compensation shall be fixed in accordance with the salary standardization provisions of this charter. He shall furnish an official bond in the sum of twenty-five thousand dollars ($25,000). He shall appoint, and at his pleasure may remove, an executive secretary and one confidential secretary, and one stenographer. The board of supervisors may annually appropriate additional

sums to be expended by the mayor for purposes and duties incidental to the administration of the office of mayor, which shall be subject to the provisions of this charter relative to appropriations and the payment of claims. He shall, at the first meeting of the board of supervisors in October of each year, communicate by message to the supervisors a general statement of the condition of the affairs of the city and county, and recommend the adoption of such measures as he may deem expedient and proper.

The mayor shall be responsible for the enforcement of all laws relating to the municipality and for the review and submission of the annual executive budget; he shall supervise the administration of all departments under boards and commissions appointed by him; he shall receive and examine, without delay, all complaints relating to the administration of the affairs of the city and county, and immediately inform the complainant of findings and actions thereon; and he shall coordinate and enforce cooperation between all departments of the city and county. The mayor shall have power to postpone final action on any franchise that may be passed by the supervisors until such proposed franchise shall have been voted on at the next election.

The mayor shall appoint such members of boards or commissions and other officers as provided by this charter. He shall appoint for the unexpired term of the office vacated, a qualified person to fill any vacancy occurring in any elective office.

The mayor shall have a seat but no vote in the board of supervisors and in any board or commission appointed by him, with the right to report on or discuss any matter before such board or commission concerning the departments or affairs in his charge. He shall have power to designate a member of the board of supervisors to act as mayor in his absence. Should he fail, neglect or refuse so to do, the supervisors shall elect one of their number to act as mayor during his absence. When a vacancy occurs in the office of mayor, it shall be filled for the unexpired portion of the term by the supervisors. Every person who has served as mayor of the city and county, so long as he remains a resident thereof, shall have a seat in the board of supervisors and may participate in its debates, but shall not be entitled to a vote or to compensation.

In case of a public emergency involving or threatening the lives, property or welfare of the citizens, or the property of the city and county, the mayor shall have the power, and it shall be his duty, to summon, organize and direct the forces of any department in the city and county in any needed service; to summon, marshal, deputize or otherwise employ other persons, or to do whatever else he may deem necessary for the purpose of meeting the emergency. The mayor may make such studies and surveys as he may deem advisable in anticipation of any such emergency.

## PROPOSITION NO. 18

Attorney: Bureau of Delinquent Revenue Collection

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 adding thereto Section 26.1, relating to appointment of an attorney for the Bureau of Delinquent Revenue Collection, Tax Collector's Office.

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, 1947, a proposal to amend the charter of said city and county by adding thereto Section 26.1, relating to appointment of an attorney for the Bureau of Delinquent Revenue Collection, Tax Collector's Office.

ATTORNEY FOR BUREAU OF DELINQUENT REVENUE COLLECTION, TAX COLLECTOR'S OFFICE.

Section 26.1. The duties of the City Attorney in connection with the Bureau of Delinquent Revenue Collection shall be transferred to and be performed by the attorney for said bureau who shall be subject to the civil service provisions of this charter, and any person who has performed the duties of attorney for said Bureau continuously for ten years immediately prior to the effective date of this amendment and who on said date shall be performing said duties, is hereby confirmed in said position and thereafter shall hold the same pursuant to said civil service provisions of this charter and shall be entitled to all the benefits and privileges thereof.

## PROPOSITION NO. 20

Police department inspectors

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 35.3 thereof, relating to the appointment and removal of inspectors of the police department.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by amending Section 35.3 thereof so that the same shall read as follows:

Section 35.3. The chief of police may detail from time to time members of the department for performance of duty in the bureau of inspectors who shall be known as assistant inspectors, and who may be removed from such detail by order of the chief of police. An appointment as inspector shall not be subject to competitive examination, but in case of vacancy in said rank of inspector, the appointment shall be made by the chief of police from among those assistant inspectors who have been detailed to, and who have actually served with the bureau of inspectors for at least two years prior to such appointment. Inspectors and

assistant inspectors shall have the same rights as other members of the department to take competitive examinations from their respective civil service ranks. An inspector guilty of any offense or violation of the rules and regulations of the police department shall be subject to punishment as provided in section 155 of this charter; provided, however, that in addition to the punishments set forth in section 155, an inspector may be demoted to his civil service rank for any offense or violation set forth in said section and after trial and hearing before the police commission as set forth therein. The chief of police, in addition to the inspectors above provided for, shall detail any member of the department to serve as inspector of school traffic patrols who shall have the rank and pay of inspector, subject to the provisions of this section.

## PROPOSITION NO. 21

Civil service

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 145 thereof, relating to civil service qualifications and tests.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter by amending Section 145 thereof so that the same shall read as follows:

### Qualifications and Tests

Qualifications and tests

Section 145. All applicants for places in the classified service shall submit to tests which shall be competitive, provided, however, that no test in either entrance or promotional examinations shall be deemed to be competitive unless two or more persons shall participate, except that any such examination may be held for one qualified applicant on recommendation of the Civil Service Commission and approval by resolution of the Board of Supervisors, after a finding by the Board that reasonable publicity of the proposed examination has been given by the Civil Service Commission. Such tests shall be without charge to the applicants. The Commission shall control all examinations and may employ suitable persons in or out of the public service to act as examiners. The tests may be written, oral, mechanical or physical, or any combination of them, practical in character and related to matters fairly to test the relative capacity of the applicants for the positions to be filled. The commission shall be the sole judge of the adequacy of the tests to rate the capacity of the applicants to perform service for the City and County. The Commission may, for each examination, establish a passing mark or may determine the total number of persons who shall constitute the list of eligibles. The commission shall prepare from the returns of the examiners the list of eligibles, arranged in order of relative excellence. No question submitted to applicants shall refer to political or religious opinions or fraternal affiliations.

Applicants for entrance positions in the uniformed forces of the fire and the police departments shall be not less than twenty-one years of age, nor more than thirty-five years of age at the time of appointment and shall have the physical qualifications required for enlistment in the United States Army, Navy and Marine Corps. Policemen, etc.

Applicants for positions in the mechanical trades and occupations may, in the discretion of the commission, be rated solely on experience and physical qualifications which may be demonstrated by such evidence and in such manner as the commission may direct, and such applicants may be submitted to such further tests as the commission may require. Examinations of laborers shall relate only to physical qualifications and experience, and laborers establishing their fitness shall rank upon the register in order of priority of application. Mechanical trades

The commission may remove all names from the list of eligibles after they have remained thereon for more than two years and all names thereon shall be removed at the expiration of four years. The commission may, however, provide in the scope-circular of any examination that the list of eligibles secured thereby shall automatically expire at a date not less than two or more than four years after the adoption of such list. Removal from list

Veterans with thirty days or more actual service, and widows of such veterans, who become eligible for appointment by attaining the passing mark in any entrance examination, shall be allowed an additional credit of five per cent in making up the list of eligibles secured by such examination. The term "veteran" as used in this section shall be taken to mean any person who has been mustered into, or served in, the Army, or enlisted in, or served in, the Navy or Marine Corps, of the United States, in time of war and received an honorable discharge or certificate of honorable active service. In the case of promotive examinations, when the passing mark has been attained, a credit of three per cent shall be allowed to veterans or to widows of such veterans when requested by such veterans or widows. When an eligible has secured a permanent appointment from a list of eligibles derived from an entrance examination in which he has been allowed additional credits of five per cent as herein provided, and has served the full probationary period therein as provided in this charter, such other additional credits of five per cent that have been allowed him on lists of eligibles derived from other entrance examinations shall be automatically cancelled, and his rank on such other list or lists revised to accord with his relative standing before such additional credits were added, and he shall not be allowed such additional credits in any other entrance examinations. If he has received a permanent appointment from a list of eligibles derived from a promotive examination in which he has requested and been allowed the additional credits of three per cent as herein provided, and has served the full probationary period therein as provided in this charter, such additional credits of three per cent that have been allowed him on lists of eligibles Veterans' credit

derived from other promotive examinations shall be automatically cancelled, and his rank on such other list or lists revised to accord with his relative standing before such additional credits were added, and he shall not be allowed such additional credits in any other promotive examinations. The civil service commission may, for services or employment specified by the commission, allow general or individual preference, but not less than ten per cent, for entrance appointment of veterans who have suffered permanent disability in line of duty, provided that such disability would not prevent the proper performance of the duties required under such service, or employment, and provided that such disability is of record in the United States Veterans' Bureau.

## PROPOSITION NO. 22

Substitute promotional examinations

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 146.1 thereof, relating to substitute promotional examinations for employees who did not participate in examinations when absent in Armed Forces or Maritime Service.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by amending Section 146.1 thereof so that the same shall read as follows:

### Substitute Promotional Examinations for Persons Returning From Service in Armed Forces or Maritime Service

Section 146.1. Employees under permanent civil service appointment who, because of absence on duly authorized military leave, did not participate in a promotional examination held between September 16, 1940 and July 7, 1947, in which examination the employee would have been otherwise eligible to compete had the war not intervened, and which examination is hereinafter referred to as the original promotional examination, shall after abridgment of military leave, have the right to participate in a similar promotional examination. The provisions of this section shall not apply to employees whose military leave extends beyond July 7, 1947. Provided further, that persons and employees who were on entrance or promotive eligible lists, shall, for the purpose of this amendment, be deemed to be permanent appointees in their classifications from the time their names were reached for certification while in the military service.

In order to qualify for participation in a similar promotional examination under the provisions of this section, such employee who desires to participate therein must have made

application in writing to the Civil Service Commission within thirty days after the abridgment of his military leave, or within thirty days after January 7, 1947. Failure to file such written request to participate in a similar promotional examination as herein provided shall be deemed a waiver of all rights of the employee to participate in such similar promotional examination.

The Civil Service Commission shall arrange to hold such similar promotional examination within a reasonable time after all such employees eligible to request participation in any such similar promotional examination under the provisions of this section have indicated their desire to so participate, or have waived their right to participate, as herein provided.

The Civil Service Commission shall be the sole judge of the adequacy of such similar promotional examination. If the employee obtains in the similar promotional examination a score rating equal to or more than the minimum passing mark established by the Civil Service Commission for inclusion on the list of eligibles resulting from the original promotional examination, his name shall thereupon be entered on the eligible list resulting from the original promotional examination in accordance with the relative excellence obtained by all the qualified participants in the original and similar promotional examinations. Such employees shall be eligible for appointment from such list of eligibles in accordance with civil service rules to any vacancy thereafter occurring, and subject to satisfactory completion of a probationary period as provided in section 148 of this charter for a period of four years after the proclamation of peace or the termination of the emergency, and before eligibles procuring standing through examinations held subsequent to the original promotional examination.

If it is determined by the Civil Service Commission that the name of such person would have been reached for permanent appointment from the list of eligibles established as a result of the original promotional examination during his term of military service had the name of such person appeared thereon, then such employee, upon appointment to a permanent position as herein provided, shall be granted seniority in such appointment from the date his name would have been reached had his name appeared thereon, but such seniority shall be used only for the purpose of determining salary increments and calculating city and county service credits in other promotional examinations held subsequent to the similar promotional examination herein authorized. For all other purposes, seniority of service shall date from the date of appointment as a result of qualifying in the similar promotional examination as herein authorized.

Such employees who qualify for appointment as a result of a similar promotional examination as herein provided, and who are appointed to permanent positions, as herein provided, shall be permitted to participate in other promotional examinations for which they are otherwise eligible, while serving under probationary appointment in the position to which appointed as a

result of the similar promotional examination, provided that certification from lists of eligibles established from such other examinations shall not be made until the employee has satisfactorily completed the aforesaid probationary appointment.

The Civil Service Commission shall adopt rules to govern the administration of similar promotional examinations herein authorized, and appointments and other matters resulting therefrom.

## PROPOSITION NO. 23

Suspension and dismissal for cause

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 154 thereof, relating to suspension and dismissal for cause.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by amending Section 154 thereof so that the same shall read as follows:

### SUSPENSION AND DISMISSAL FOR CAUSE

Section 154. No person employed under the civil service provisions of this charter, exclusive of members of the police and fire departments as provided under section 155, hereof, in a position defined by the commission as "permanent" shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Pending such hearing, the appointing officer may suspend the person so accused; but such suspension shall not be valid for more than thirty days, unless hearing upon the charge shall be delayed beyond such time by the act of the accused person. When charges are made, the appointing officer shall, in writing, notify the person accused of the time and place when the charges will be heard, by mailing such statement to his last known address. The appointing officer shall publicly hear and determine the charges, and may exonerate, suspend or dismiss the accused. If the employee is exonerated the appointing officer may, at his discretion, remit the suspension and may order payment of salary to the employee for the time under suspension, and the report of such suspension shall thereupon be expunged from the record of service of such employee. The civil service commission shall immediately be notified of the charges when made, of the hearing, and of the finding thereon. The finding of the appointing officer shall be final, unless within thirty days therefrom the dismissed employee appeals to the civil service commission. The appeal and all proceedings shall be in writing and shall briefly state the grounds therefor. The civil service commission shall examine into the case and may require the appointing officer to furnish a record of the hearing and may require in writing any additional evidence it deems material, and may, thereupon, make such decision as it deems just. The order or decision of the commission upon such appeal shall be final and shall forthwith be

enforced by the appointing officer. If the civil service commission shall reverse or alter the finding of the appointing officer it may, in its discretion, order that the employee affected be paid salary from the time of his discharge or suspension.

The civil service commission may hear and determine any charge filed by a citizen or by the authorized agents of the commission when the appointing officer neglects or refuses to act. Removal or discharge may be made for any of the following causes: incompetence, habitual intemperance, immoral conduct, insubordination, discourteous treatment of the public, dishonesty, inattention to duties, or engaging in prohibited political activities.

Nothing in this section shall limit or restrict rules adopted by the commission governing lay-offs or reduction in force. Lay-offs

The appointing officer may, for disciplinary purposes, suspend a subordinate for a period not exceeding thirty days; and suspension shall carry with it the loss of salary for the period of suspension. The suspended employee shall be notified in writing of the reason for such suspension, and if the suspension be for more than five days the employee shall, at his request, be given a hearing by the appointing officer. The decision of the appointing officer in all cases of suspension for disciplinary purposes shall be final.

## PROPOSITION NO. 24

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 adding thereto a new section to be designated Section 166.1, prescribing salary base, for retirement purposes, of former rank of corporal of police. Retirement salary base: Corporal of police

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 4, 1947, a proposal to amend the charter of said city and county by adding Section 166.1 thereto, reading as follows:

### Salary Base, for Retirement Purposes, of Former Rank of Corporal of Police

Section 166.1. For all purposes of the retirement system, and notwithstanding any other provision of the charter, the monthly salary attached to the former rank of corporal, heretofore held by a member of the police department, shall henceforth be deemed to be an amount equal to the maximum monthly salary attached to the rank of police officer, plus three-fourths of the difference between such amount and the monthly salary attached to the rank of sergeant.

## PROPOSITION NO. 25

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the California Academy of Sciences

Charter of the said City and County of San Francisco by amending Section 52 thereof relating to the Steinhart Aquarium, by prescribing the management, superintendence and operation by California Academy of Sciences of all buildings and other improvements heretofore or hereafter erected by it in Golden Gate Park or on other property owned or controlled by the City and County, including the existing Steinhart Aquarium, original Natural History Museum and Simson African Hall and the proposed Alexander F. Morrison Planetarium and a proposed auditorium, if and when erected by said California Academy of Sciences; authorizing the Park Commission, subject to approval by the Board of Supervisors, to set apart such portions of property under its control as may be required for such buildings and improvements, with the limitation that such buildings and improvements shall be and become the property of the City and County; further prescribing the authorization of the Board of Supervisors to furnish funds to said California Academy of Sciences for the maintenance, operation and continuance of such buildings and improvements; and further providing that all positions in said buildings, for which positions funds are furnished by said city and county, with the exception of the Director, Secretary of the Board of Trustees of the California Academy of Sciences, the Curators and other scientific and professional personnel and part-time positions for which a compensation of less than $80.00 a month is provided, inclusive of allowance for maintenance and other incidental benefits, shall be held by employees of the said city and county subject to the Civil Service and Salary Standardization provisions applicable to city and county employment, that occupants of such positions and persons on military leave therefrom, for one year prior to the effective date of this amendment, who are citizens of the United States for said period, shall be continued in said positions as if appointed thereto after civil service examination and certification from a list of eligibles and shall be governed thereafter by the Civil Service provisions of this Charter; and further providing that the Chief Administrative Officer shall be the appointing officer as provided in this Charter.

The Board of Supervisors of the City and County of San Francisco hereby submit to the qualified electors of said city and county at the general election to be held on November 4, 1947, a proposal to amend the Charter of the said city and county by amending Section 52 thereof, Employees of Steinhart Aquarium, so that the same shall read as follows:

CALIFORNIA ACADEMY OF SCIENCES

Section 52. The management, superintendence, and operation of all buildings and other improvements heretofore or hereafter erected by or under the authority of the California Academy of Sciences, a nonprofit corporation organized under the laws of the State of California for the promotion of science, on any property owned or controlled by the Park Commission

of the City and County of San Francisco, shall be in charge and under the direction of said California Academy of Sciences. The buildings and improvements hereby referred to include, without limitation, the Steinhart Aquarium, the original Natural History Museum and the Simson African Hall, located in Golden Gate Park and heretofore erected by or under the authority of the California Academy of Sciences, together with the proposed additions thereto for the purpose of housing, among other things, the proposed Alexander F. Morrison Planetarium and a proposed auditorium, if and when erected by said California Academy of Sciences.

Buildings, improvements

In addition to all other approvals required by law, plans for all proposed buildings and improvements, including any additions, must be approved by the Park Commission and the Art Commission. The Park Commission, notwithstanding any provisions of the Charter to the contrary, is hereby authorized, subject to approval by the Board of Supervisors by ordinance, to set apart from time to time such portions of property under its control, as may be required for such buildings and improvements, sufficient grounds being allotted to secure the safety of the same from fire. The erection of buildings or additions to buildings shall not be started by the California Academy of Sciences until it shall have submitted a statement satisfactory to the Park Commission of its ability to finance the proposed work to completion. All buildings and improvements heretofore or hereafter erected by or under the authority of said California Academy of Sciences in or on property owned or controlled by the City and County of San Francisco are and shall become the property of the City and County of San Francisco, but said buildings and improvements and all persons employed therein or thereabout shall be used and controlled exclusively by the said California Academy of Sciences under such proper rules and regulations as it may prescribe, subject however to the charter provisions relating to civil service and salary standardization with respect to employees of the city and county. The Board of Supervisors shall, by ordinance, prescribe the insurance to be furnished by the California Academy of Sciences to save the City and County harmless from claims for damages to persons or property arising from the construction or use of any of said buildings. No fees shall be charged for admission to said buildings or improvements, except that reasonable and appropriate charges may be made by said California Academy of Sciences for admission to or use of the said proposed Alexander F. Morrison Planetarium and proposed auditorium. Particular buildings or improvements or portions thereof may be named in memory of persons designated by said California Academy of Sciences.

Annual statement

Not later than the first day of April in each year the California Academy of Sciences shall file with the Mayor and the Board of Supervisors a statement for the last fiscal year of its expenses and income in connection with the use and operation of each of the buildings included herein.

Maintenance funds

Funds necessary for the maintenance, operation, and continuance of said Steinhart Aquarium shall be furnished by the city and county to said California Academy of Sciences. The Board of Supervisors is empowered to furnish to said California Academy of Sciences such funds as the board shall deem proper for the maintenance, operation, and continuance of any or all other of said buildings and improvements heretofore or hereafter erected. Such funds shall be appropriated in accordance with the budget and fiscal provisions of this charter.

Employees

All positions in said buildings and improvements for which funds shall be furnished by the city and county, as aforesaid, shall be held by employees of the city and county, with the exception of the director, the secretary of the board of trustees of said California Academy of Sciences, the curators and other scientific and professional personnel, and occupants of part-time positions for which a total compensation of less than $80.00 per month is provided by the city and county, inclusive of allowance for maintenance and other incidental benefits. Any occupant of a position or employee on military leave from a position in any of said buildings or improvements, which position is not within the exceptions hereinabove, or was not heretofore subject to the civil service provisions of the charter, who shall on the effective date of this amendment, be a citizen of the United States, and have been employed in such position for one year immediately prior to said effective date, shall be continued in such position by said city and county on said date, in accordance with the civil service classification of positions as if appointed thereto after examination and certification from a list of eligibles, and shall be governed thereafter by the civil service provisions of the charter. Each such occupant or employee so employed and each such person on military leave shall, for purposes of civil service seniority be deemed to have been appointed to such position by the city and county upon the date of commencement of his occupancy thereof; provided that if such date is prior to January 16, 1945, the date of commencement of such occupancy shall for purposes of civil service seniority be deemed to be January 16, 1945. Positions held by employees of the city and county at said buildings and improvements shall be subject to the civil service provisions of this charter and the compensation thereof shall be subject to the salary standardization provisions of this charter, in like manner and extent in all respects as positions and compensations of employments in the city and county service generally, notwithstanding anything to the contrary contained in the charter or ordinances of said city and county. The Chief Administrative Officer shall be the appointing officer as provided in this charter.

Nothing herein contained shall abrogate any trust under and by which any property of said California Academy of Sciences has been or shall hereafter be accepted by the city and county or under and by which it is now or shall hereafter be held.

State of California
City and County of San Francisco } ss.

This is to certify that we, J. JOSEPH SULLIVAN, President of the Board of Supervisors of the City and County of San Francisco, and JOHN R. McGRATH, Clerk of the Board of Supervisors of said City and County have compared the foregoing proposed and ratified amendments to the Charter of the said City and County of San Francisco with the original proposals, 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-seven, 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 amendments to said Charter are true. Certificate

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 13th day of February, One Thousand Nine Hundred Forty-eight.

J. JOSEPH SULLIVAN
President of the Board of Supervisors
of the City and County of San Francisco

(SEAL)
JOHN R. McGRATH
Clerk of the Board of Supervisors of
the City and County of San Francisco

Now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* A majority of all the members elected to each house voting therefor and concurring therein, that said amendments 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 are hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the City and County of San Francisco. Approval

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## CHAPTER 8

*Senate Concurrent Resolution No. 5—Relative to the adjournment of the Legislature in respect to Senator Herbert W. Slater.*

[Filed with Secretary of State March 8, 1948.]

WHEREAS, An all wise Providence decreed that on August 13, 1947, one of the most beloved and respected of California legislators, the Honorable Herbert W. Slater, should be called from his earthly duties; and Death of Herbert W. Slater

WHEREAS, Senator Slater was born at Hereford, England, on August 20, 1874, the son of a clergyman, attended collegiate school and college in England, came to America and settled in California at an early age, residing for a brief period in Los Angeles, San Francisco and Vallejo before becoming a permanent resident of Santa Rosa, a city he loved and esteemed as his home; and

WHEREAS, Senator Slater was engaged in newspaper work, having advanced from a position as reporter to that of editor of the Santa Rosa Press-Democrat, a position which he held and in the pursuit of which he was actively engaged at the time of his death; and

WHEREAS, Senator Slater was elected to the Assembly of California in the years 1910 and 1912, serving as Assemblyman with such distinction that his constituents in 1914 elected him to the Senate, to which office he was continuously reelected for succeeding terms, having been last elected in 1946, thus establishing a record for length of service in the California Legislature, a total of approximately 37 years; and

WHEREAS, In addition to his outstanding legislative record and the service he rendered his profession, Senator Slater also faithfully served his community and the State in numerous other capacities, including membership on the Board of Managers of the Sonoma State Home and as chairman of the local draft board; and

WHEREAS, Senator Slater was one whose kindly spirit and ardent affection endeared him to all who were privileged to know him; deprived of the blessing of physical sight, he kept the light of Christian faith and love burning so brilliantly within his soul as to radiate brotherly affection to all with whom he came in contact; and

WHEREAS, In a kindly tribute paid to Senator Slater, Leland W. Cutler wrote the following words which appear in the Senate Journal of June 20, 1947:

"Although God took from Herbert one of His greatest gifts, He gave him back a compensating one. Herbert cannot see the color and the form of life, nor with his eyes watch men come and go, but compassed clear within his mind is the understanding of it all. As men take pictures home to contemplate when the day is done, so Herbert in his blindness muses clearly upon all the things he loves. God made him sensitive to fairness and to chivalry and to the quiet exchange of banter which only friends can give and only friends can take.

"We want Herbert Slater to live beyond life's day but never reach the dusk, and as he travels toward the shadow of the night may the clear bright light of friendship's star twinkle fair above the tranquil dawning of an everlasting day"; and

WHEREAS, In this beautiful tribute the Members of the California Legislature concur and deeply mourn the passing of their beloved member; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That when the Legislature shall

adjourn for this second day of March, 1948, it shall do so in honor of Senator Herbert W. Slater; and be it further

*Resolved*, That the Secretary of the Senate be, and he is, hereby directed to have prepared suitable engrossed copies of this resolution, and to present one to the sister and one to each of the surviving brothers of Senator Herbert W. Slater.

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## CHAPTER 9

*Assembly Concurrent Resolution No. 12—Relative to adjournment in respect to the memory of Honorable George W. Wear.*

[Filed with Secretary of State, March 9, 1948.]

Death of George W. Wear

WHEREAS, Almighty God in His infinite wisdom has seen fit to remove from our midst Honorable George W. Wear, who passed from this earth on the twenty-third day of February, 1948, age 95 years, 11 months and 23 days, having been born on February 28, 1852, at Black Hawk, in the State of Mississippi; and

WHEREAS, Mr. Wear represented the Counties of Kern and Ventura in the Assembly of the California Legislature in the Twenty-eighth Session (1889-1891); and, at the time of his death was the oldest living former member of the Legislature of this State in point of first service, and has since resided in the district so represented by him, at Oildale, near Bakersfield, Kern County; and

WHEREAS, He resided in California for more than 72 years, engaged in journalistic work in Tennessee for a short time, moved to Virginia City, Nevada, where he worked on the *Territorial Enterprise*, a paper made famous by Mark Twain, and, consistent with the custom of journeymen newspapermen, drifted to San Francisco, then one of the most colorful and spectacular cities on the West Coast; afterwards moving to Bakersfield, where he engaged in newspaper work, becoming editor of the Bakersfield *Californian* and published this newspaper until the year 1880, at which time he purchased the Kern County *Gazette*, a weekly publication, which he managed for 20 years, during which time it was his privilege to have witnessed, observed and experienced the great advancement of this State, its abundant resources developed, small villages grow into large and attractive cities, stretches of sagebrush-covered land transformed into productive orchards and vineyards second to none in the world; the jungles and wild growth of the mountains reclaimed into magnificent playgrounds visited by people from over the entire world—all this, and more, having been accomplished by the people of this great State during the period of residence in California of this sturdy pioneer; and

WHEREAS, Up to the very last, Mr. Wear was mentally alert, taking a keen interest in civic matters, freely and clearly expressing himself upon political questions, evincing at all times, by word and deed, a sincere desire to assist the people of his community, and of the County, State and Nation in matters affecting and benefiting their welfare and prosperity; and

WHEREAS, Mr. Wear through his kindly disposition and his enduring influence not only became highly esteemed by the Members of the Legislature during his term of office, and subsequently during his activities as a newspaperman of the State, but also, affectionately endeared himself to all who knew him; 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 sorrow and regret upon the passing of the Honorable George W. Wear, and loss to the State of California of one who has given to it so much public service, and request the Chief Clerk of the Assembly to transmit a suitably prepared copy of this resolution to Mrs. Bessie M. Putnam, daughter of George W. Wear, at Oildale, California, the only surviving member of the immediate family; and be it further

*Resolved,* That when this Legislature this day adjourns it do so out of respect to the memory of Honorable George W. Wear.

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## CHAPTER 10

*Senate Concurrent Resolution No. 2—Relative to Joint Rules of the Legislature.*

[Filed with Secretary of State March 10, 1948.]

Joint rules

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the following Rules be adopted as the Joint Rules of the Senate and Assembly for the 1948 Regular Session of the California Legislature.

## JOINT RULES OF THE SENATE AND ASSEMBLY COMMITTEES AND COMMITTEE MEETINGS

### Standing Committees

Standing committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

### Joint Committees

Joint committees

2. The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

## Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill. Joint meeting of committees

## Budget Session Joint Standing Committee

3.5. All bills, other than the Budget Bill, and revenue acts necessary therefor, introduced in either house at a budget session, after being printed, shall be referred to the Budget Session Joint Standing Committee. The committee shall consist of three Members of the Senate, appointed by the Senate Committee on Rules, and five Members of the Assembly, appointed by the Speaker. Budget Session Joint Standing Committee

If the bill is an urgency measure, the committee shall hold such hearings as are necessary to determine whether facts exist that require the enactment of the bill, to take effect immediately as necessary for the immediate preservation of the public peace, health, or safety, pursuant to Section 1 of Article IV of the Constitution. The committee shall also determine whether those facts are adequately and correctly set forth in the urgency section of the bill. The committee shall not recommend further consideration by the Legislature of any urgency measure unless it finds that such facts exist and that the urgent need is such that enactment of the bill cannot await the convening of the next regular session.

Any other bill referred to the committee shall be reported back promptly for further consideration if the committee determines that the bill may properly be considered by the Legislature at a budget session.

Any bill referred to the committee may be withdrawn from it by the house in which it was introduced after two days' notice of intention to move for such withdrawal and by a two-thirds vote of all the members elected to such house.

The Senate and Assembly Members of the committee shall vote separately in all proceedings of the committee, and it shall require an affirmative vote of two of the Senate Members and three of the Assembly Members to take any action.

The committee shall elect a chairman and vice chairman, and may adopt such rules governing its procedure as are deemed necessary. Except insofar as they are inconsistent with this rule or with the rules adopted by the committee, the pertinent provisions of the rules of the Senate and Assembly relating to standing committees are applicable to this committee. The committee shall meet at the call of the chairman or as may be provided by the committee.

This rule does not apply to constitutional amendments, concurrent and joint resolutions.

## BILLS AND RESOLUTIONS

### Definition of Word Bill

"Bill"

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

### Concurrent and Joint Resolutions

Resolutions: Concurrent, joint

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

### Resolutions Treated as Bills

Resolutions, etc., as bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, and except as provided in Rule 24. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

## PREPARATION AND INTRODUCTION OF BILLS

### Title of Bill

Title

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

### Division of Bill Into Sections

Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

### Restrictions as to Amendments

Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

## Changes in Existing Law to Be Marked by Author

"Strikeout" and italic type

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

## Printing of Amendments

Printing of amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

## Printing and Distribution of Bills—Manner of Printing Bills

Printing of bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

## Distribution of Legislative Publications

Legislative publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Each Member of the Senate and Assembly shall be permitted to submit a list of 10 libraries, chambers of commerce or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of twenty-five dollars ($25), nor shall more than two copies of bills or other legislative publications be distributed free to any person, office or organization except to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the toal number of each bill to be printed shall be not more than 2,500.

## OTHER LEGISLATIVE PRINTING

### Printing of the Daily Journal

Journals

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

### What Shall Be Printed in the Journal

Contents

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

### Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house. Daily File

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

### Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History. Histories

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

### Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order. Printing orders

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the Rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

## RECORD OF BILLS

### Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill. Registers of bills

### Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a Endorsement

statement of any action taken by the Senate or Assembly concerning such bill.

## ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

### After a Bill Has Been Passed by the Senate or Assembly

Bills from other house

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

### Messages to Be in Writing Under Proper Signatures

Messages

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

## PASSAGE AND ENROLLING OF BILLS

### Passage of Bills Preceding Final Adjournment

Passage preceding final adjournment

See also Resolution Ch 28

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 14 days prior to the adjournment sine die of the two houses of the Legislature at a regular session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

### Enrollment of Bill After Passage

Enrollment

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

## AMENDMENTS AND CONFERENCES

### Amendments to Amended Bills Must Be Attached

Amendments

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

### To Concur or Refuse to Concur in Amendments

Concurrence in amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

### Concurring in Amendments Adding Urgency Section

Same: Urgency section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

### When Senate or Assembly Refuse to Concur

Conference Committees

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or

the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairmen thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

### Report of Committee on Conference

Same Report

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

### When Conference Committee Report Is in Order

Same

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

## MISCELLANEOUS PROVISIONS

### Authority When Rules Do Not Govern

Mason's Manual

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

### Press Rules

Press rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 94 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily

newspapers or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privileges of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

## Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house

Dispensing with rules

Violation of rules

in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

## Opinions of Legislative Counsel

Legislative Counsel

34. Whenever the Legislative Counsel issues, to a person other than the author, an opinion as to the constitutionality, operation or effect of a pending bill, constitutional amendment, resolution or other legislative measure, he is hereby authorized and instructed to deliver a copy of the opinion to the author of such measure contemporaneously with the issuance and delivery of the original opinion.

## Expense of Members

Expenses of members

35. As provided in Section 23b of Article IV of the Constitution, each member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the Legislature (including any recess of three days or less) an allowance of ten dollars ($10) per day.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and a copy of the certificates shall be printed in Journals of the respective houses. Upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.

## Investigating Committees

Investigating committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every

kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

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

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

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or to accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of seven cents ($0.07) per mile each way incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of fifteen dollars ($15) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expedi-

tiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman. The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be entitled to receive the same expense allowances as if the committee were functioning within the State.

## Legislative Budget Committee

Legislative Budget Committee

37. In addition to any other committee provided for by these Rules, there shall be a Joint Committee to be known and called the Legislative Budget Committee.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro Tempore of the Senate and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker and four other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not reelected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and

may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee, or in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him

On and after the commencement of a succeeding regular session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Auditor for use and custody, available to the members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Auditor with the consent of the committee shall make available to such members or committees any records, documents, or other data under his control; but except as hereinabove provided, neither the Legislative Auditor nor any

employee of the committee shall reveal to any person not a member of, or employed by the committee, or a member or employee of a legislative committee in conjunction with which the Legislative Budget Committee is operating, the contents or nature of any matter, except under the express direction of the Legislative Budget Committee.

### Adjournment

Adjournment

38. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

### Designating Legislative Sessions

Designating legislative sessions

39. Hereafter all regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

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## CHAPTER 11

*Assembly Concurrent Resolution No. 7—Approving the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of December, 1947.*

[Filed with Secretary of State March 11, 1948.]

City of Compton. Charter

WHEREAS, the City of Compton, in the County of Los Angeles, State of California, contains a population in excess of Thirty-five Hundred inhabitants, and has been ever since the year One Thousand Nine Hundred Twenty-five, and now is organized and acting under a Free-holders Charter, adopted under and by virtue of Section Eight of Article Eleven of the Constitution of the State of California, which Charter was duly ratified by a majority of the qualified electors of said City, at a special election held for that purpose on the 9th day of December, 1924, and approved by the Legislature of the State of California (Statutes 1925, page 1212), and by resolution of said Legislature filed with the Secretary of State of the State of California, the 27th day of January, 1925, (Statutes 1925, page 1212); and

WHEREAS, proceedings have been had for the proposal, adoption and ratification of a new Charter of the City of Compton, as set out in the Certificate of the Mayor and the City Clerk of said City of Compton, to wit:

CERTIFICATE OF ADOPTION BY THE QUALIFIED ELECTORS OF THE CITY OF COMPTON AT A SPECIAL MUNICIPAL ELECTION HELD ON THE 3rd DAY OF DECEMBER, 1947, OF A CERTAIN

CHARTER OF THE CITY OF COMPTON, STATE OF CALIFORNIA.

State of California
County of Los Angeles } ss
City of Compton

We, HARRY LAUGHARN, Mayor of the City of Compton, and MRS. CLYDE J. HARLAN, City Clerk of the City of Compton, do hereby certify as follows: Certificate

That said City of Compton, in the County of Los Angeles, State of California, is now and was at all the times herein mentioned a City containing more than Thirty-five Hundred inhabitants and less than Fifty Thousand inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States; and

That said City of Compton is now and was at all the times herein mentioned organized and existing under a freeholder's Charter, adopted under the provisions of Section 8, of Article Eleven of the Constitution of the State of California, which Charter was duly ratified by a majority of the electors of said City at a special election held therein on the 9th day of December, 1924, and approved by the Legislature of the State of California (Statutes of 1925, page 1212), and by resolution of said Legislature filed with the Secretary of State of the State of California, on the 27th day of January, 1925 (Statutes of 1925, page 1212); and

That pursuant to the provisions of Section 8 of Article Eleven of the Constitution of the State of California, the Legislative body of said City, namely: The City Council of said City did on its own motion and pursuant to the provisions of Section 8, of Article Eleven of the Constitution of the State of California, duly frame a proposed Charter of the City of Compton, which said Charter was on the 14th day of October, 1947, filed in the office of the City Clerk of said City of Compton, and the City Council of said City did thereupon on the 14th day of October, 1947 order that said proposed Charter be submitted to said electors of said City at a special municipal election to be held in said City on the 3rd day of December, 1947.

That said proposed Charter was on the 23rd day of October, 1947, duly published in the "Herald American", a newspaper of general circulation, published and circulated in the City of Compton and the official newspaper of said City, and the newspaper designated by said City Council for that purpose, and in each edition thereof;

That said City Council did by ordinance designated as Ordinance No. 674, which was duly adopted on the 21st day of October, 1947, order the holding of a special municipal election in said City of Compton on the 3rd day of December, 1947, which date was more than Forty (40) days and less than Sixty (60) days after the completion of the publication of said proposed Charter of the City of Compton as aforesaid; and

That said special municipal election was held in said City of Compton on said 3rd day of December, 1947, which date was more than Forty (40) days and less than Sixty (60) days after said proposed Charter had been published in said Herald American, as aforesaid; and

That at the said special municipal election held as aforesaid, on the 3rd day of December, 1947, a majority of the voters voted in favor of said proposed Charter of the City of Compton, and duly ratified the same;

That the City Council of the City of Compton after duly canvassing the returns of said special municipal election at the time and in the manner and form prescribed by law, duly found, determined and declared that a majority of the qualified voters voting thereon, had voted in favor of and ratified said proposed Charter of the City of Compton. That said Charter so prepared, proposed, filed and ratified as herein set forth is in words and figures as follows, to wit:

We, the people of the City of Compton, State of California, do ordain and establish this Charter as the organic law of said City under the Constitution of said State.

## ARTICLE I

### Name of City

Name of city

Section 100. Name. The municipal corporation now existing and known as the "CITY OF COMPTON," shall remain and continue to exist as a body politic and corporate, as at present, in name, in fact and in law.

## ARTICLE II

### Boundaries

Boundaries

Section 200. Boundaries. The territory of the City shall be that contained within its present boundaries as now established, with the power and authority to change the same in the manner provided by law.

## ARTICLE III

### Succession

Succession

Section 300. Rights and Liabilities. The City of Compton, as successor in interest of the municipal corporation of the same name, heretofore created and existing, shall own, possess, control, and in every way succeed to and become the owner of rights and of property of every kind and nature by said existing municipal corporation owned, possessed or controlled, and shall be subject to all the debts, obligations, liabilities and duties of said existing corporation.

Section 301. Ordinances Continue in Effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, are hereby continued in force until the same shall have been duly repealed, amended, changed or superseded by proper authority.

Section 302. Rights of Officers and Employees Preserved. Nothing in this Charter contained, except as specifically provided, shall affect or impair the Civil Service rights or privileges of officers or employees of the City, or of any office, department or agency thereof, existing at the time this Charter takes effect.

Section 303. Continuance of Present Officers and Employees. The present officers and employees shall, without interruption, continue to perform the duties of their respective offices and employments for the compensation provided by the preceding Charter, or existing ordinances, resolutions, rules or laws, until the election, or appointment, and qualification of their successors under this Charter and subject to such removal and control as is herein provided.

Elected Officers: The elected officers of the City, in office at the time this Charter takes effect, shall continue in office until the expiration of their respective terms and until their successors are elected and qualified.

Section 304. Continuance of Contracts and Public Improvements. All contracts entered into by the City, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws or charter provisions existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws and charter provisions or may be continued or perfected hereunder.

Section 305. Pending Actions and Proceedings. No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained, but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any office, department or agency party thereto, by or under this Charter, may be assigned or transferred to another office, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Section 306. Effective Date of Charter. This Charter shall take effect upon its approval by the Legislature.

## ARTICLE IV

### POWERS OF CITY

Powers of city

Section 400. Powers of City. The City shall have the power to make and enforce all rules and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter, and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California. The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, this general grant of power.

Section 401. Procedures. The City shall have the power to act pursuant to procedure established by any law of the State, unless a different procedure is established by ordinance.

## ARTICLE V

### THE ELECTIVE OFFICERS

Elective officers

Section 500. Enumeration of and Term. The elective officers of the City shall consist of:

A City Council composed of five (5) members, one to be nominated from each of the four districts, the fifth to be nominated from the City at large and to be known as the Mayor;

A Board of Education composed of five (5) members;

A City Clerk;

A City Treasurer;

A City Attorney, and

A City Judge.

All of the elective officers, with the exception of the members of the Board of Education, shall serve for a term of four years. The terms of office of the present members of the City Council elected from districts two and three, and the terms of office of the Mayor, City Clerk, City Treasurer, City Attorney and City Judge shall expire in the year 1949. The terms of office of the present members of the City Council elected from districts one and four shall expire in the year 1951.

The terms of all elective officers other than members of the Board of Education shall commence on July first following their election and each shall serve until his successor is elected and qualified. Any ties in voting shall be settled by the casting of lots.

Districts

Section 501. Districts. The City shall be divided into four districts by Compton Boulevard from the East to the West city limits and by the Pacific Electric Railway from the North to the South city limits, as follows:

District One: All that territory, within the city limits, lying North of Compton Boulevard and West of the Pacific Electric Railway.

District Two: All that territory, within the city limits, lying North of Compton Boulevard and East of the Pacific Electric Railway.

District Three: All that territory, within the city limits, lying South of Compton Boulevard and West of the Pacific Electric Railway.

District Four: All that territory, within the city limits, lying South of Compton Boulevard and East of the Pacific Electric Railway.

Section 502. Redistricting. The City Council may change the boundaries of the four districts into which the City is divided by ordinance adopted by at least four affirmative votes whenever, in the opinion of the City Council, such is necessary to better equalize the population among the respective districts.

Section 503. Eligibility. No person shall be eligible to hold office as a member on the Board of Education unless he shall be a qualified elector of the territory comprising the School District and shall have been such qualified elector for at least one year next preceding the date of his nomination or appointment. Eligibility

No person shall be eligible to hold any other elective office of the City unless he shall be a qualified elector of the City and shall have been such qualified elector for at least one year next preceding the date of his nomination or appointment, and as to the offices on the City Council where nomination is by district, unless he shall have been a qualified elector of his district for at least one year next preceding the date of his nomination or appointment.

Section 504. Compensation of Members of the City Council. The members of the City Council shall receive no compensation for their services as such, but shall receive reimbursement for necessary traveling and other expenses when on official duty out of the City on order of the City Council and, in addition, shall each receive the sum of Seventy-five ($75.00) Dollars per month, which amount shall be deemed to be reimbursement for out-of-pocket expenditures and costs imposed upon them in serving as City Councilmen. Absence of a councilman from all regular and special meetings of the Council during any calendar month shall render such councilman ineligible to receive such sum for such calendar month. Compensation

Other Elective Officers. The other elective officers, excepting the members of the Board of Education, shall severally receive at stated times a compensation for their services in their respective capacities to be fixed by ordinance adopted by the City Council, which compensation for such services shall not be increased or diminished as to any such officer after his election or appointment and during his term of office, nor within thirty days prior to the date when nomination papers for the position may be filed.

Vacancies

Section 505. Vacancies. A vacancy in any elective office, from whatever cause arising, shall be filled by appointment by the City Council, such appointee to hold office until the first Tuesday following the next general school district election, as to a member of the Board of Education, and the next general municipal election, as to any other elective officer, and until his successor is elected and qualified. At the next general school district or general municipal election following any vacancies, such vacancies shall be filled by election and the person elected shall serve for the remainder of any unexpired term, and until his successor is elected and qualified.

If a member of the City Council or Board of Education absents himself from all regular meetings of his Council or Board for a period of sixty days consecutively from and after the last regular meeting attended by such member, unless by permission of the body expressed in its official minutes, or is convicted of a crime involving moral turpitude, or otherwise ceases to be eligible, his office shall become vacant and shall be so declared by the City Council, or Board of Education, respectively.

In the event the City Council shall fail to fill a vacancy by appointment within thirty days after such office shall have been declared vacant, it shall forthwith cause an election to be held to fill such vacancy.

## ARTICLE VI

### THE CITY COUNCIL

City Council:

Section 600. Presiding Officer. Mayor. The member of the City Council to be nominated from the City at large and to be known as the Mayor shall be the presiding officer of the City Council. The Mayor shall have a voice and vote in all its proceedings. He shall be the official head of the City for all ceremonial purposes and he shall perform such other duties as may be prescribed by this Charter or as may be imposed by the City Council consistent with his office.

Powers

Section 601. Powers Vested in City Council. All powers of the City shall be vested in the City Council, subject to the provisions of this Charter and to the Constitution of the State of California. It shall be the duty of the City Council to enforce the provisions of the Charter.

Interference in administrative service

Section 602. Interference in Administrative Service. Neither the City Council nor any of its members shall order or request, directly or indirectly, the appointment of any person to an office or employment, or his removal therefrom, by the City Manager, or by any of the elective officers or other department heads in the administrative service of the City. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative service under the City Manager solely through the City Manager, and neither the City Council nor any member shall give orders to any subordinates of the City Manager, either publicly or privately.

Section 603. Regular Meetings. The City Council shall hold at least four regular meetings each month, at such times as it shall fix by ordinance or resolution and may adjourn or re-adjourn any regular meeting to a date certain which shall be specified in the order of adjournment and when so adjourned each adjourned meeting shall be a regular meeting for all purposes. Regular meetings

Section 604. Special Meetings. Special meetings may be called at any time by the Mayor, or by three members of the City Council, by written notice delivered personally to each member at least three hours before the time specified for the proposed meeting. A special meeting shall also be validly called without the giving of such written notice if all members shall give their consent, in writing, to the holding of such meeting and such consent is on file in the office of the City Clerk at the time of holding such meeting. A telegraphic communication from a member consenting to the holding of a meeting shall be considered a consent in writing. At any special meeting only such matters may be acted upon as are referred to in such written notice or consent. Special meetings

Section 605. Place of Meetings. All meetings shall be held in the Council Chamber of the City Hall and shall be open to the public. No citizen shall be denied the right, personally or through counsel, to present grievances or offer suggestions for the betterment of municipal affairs. If by reason of fire, flood or other emergency it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Mayor or, if he should fail to act, by three members of the City Council. Place of meetings

Section 606. Quorum. Proceedings. Three members of the City Council shall constitute a quorum to do business, but a less number may adjourn from time to time. In the absence of all of the City Council from any regular meeting or adjourned regular meeting, the City Clerk may declare the same adjourned to a stated day and hour. Notice of such adjourned meeting shall be given or may be waived in the same manner as specified in this charter for the giving or waiving of notice of special meeting of the City Council. The City Council shall judge the qualifications of its members as set forth by the Charter and shall judge all election returns. It may establish rules for the conduct of its proceedings and punish any member or other person for disorderly conduct at any meetings. Each member of the City Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the City Council. The City Council shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoenas, or the refusal to testify (upon other than constitutional grounds), shall constitute a misdemeanor, and shall be punish- Quorum, etc

able in the same manner as violations of this Charter are punishable.

The City Council shall cause the City Clerk to keep a correct record of all its proceedings and at the demand of any member or upon the adoption of any ordinance, resolution, or order for the payment of money, the City Clerk shall call the roll and shall cause the ayes and noes taken on any question to be entered in the minutes of the meeting.

Adoption of ordinances and resolutions

Section 607. Adoption of Ordinances and Resolutions. With the sole exception of ordinances which take effect upon adoption, hereinafter referred to, no ordinance shall be adopted by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than at a regular or adjourned regular meeting. At the time of adoption of an ordinance or resolution it shall be read in full unless, after the reading of the title thereof, the further reading thereof is waived by motion of the City Council regularly made and approved by unanimous consent of the Councilmen present. In the event that any ordinance is materially altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting, held not less than five days after the date upon which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

No order for the payment of money shall be adopted or made at any other than a regular or adjourned regular meeting.

Unless a higher vote is required by other provisions of this Charter the affirmative votes of at least three members of the City Council shall be required for the enactment of any ordinance or resolution, or for the making or approving of any order for the payment of money.

Ordinances: Emergency

Emergency Ordinances. Any ordinance declared by the City Council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least four affirmative votes.

Enactment

Section 608. Ordinances. Enactment. In addition to such acts of the City Council as are required by this Charter to be by ordinance, every act of the City Council establishing a fine or other penalty, or granting a franchise, shall be by ordinance.

The enacting clause of all ordinances shall be substantially as follows: "The City Council of the City of Compton does ordain as follows:"

Publication

Section 609. Ordinances. Publication. The City Clerk shall cause each ordinance to be published at least once in the official newspaper within fifteen days after its adoption.

Codification

Section 610. Codification of Ordinances. Any or all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed and arranged as a comprehensive ordinance code and

such code may be adopted by reference by the passage of an ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed for use and examination by the public in the office of the City Clerk prior to the adoption thereof. Ordinances codified shall be repealed as of the effective date of the code. Subsequent amendments to sections of the code shall be enacted in the same manner as herein required for the amendment of ordinances generally.

Detailed regulations pertaining to any subject such as the construction of buildings, plumbing, wiring, or other subjects which require extensive regulations, after having been arranged as a comprehensive code, may likewise be adopted by reference in the manner hereinabove provided.

Section 611. Ordinance. When Effective. No ordinance shall become effective until thirty days from and after the date of its adoption, except the following, which shall take effect upon adoption: Effective date

(a) An ordinance calling or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation; or

(d) An emergency ordinance adopted in the manner herein provided.

Section 612. Ordinances, Violation, Penalty. A violation of any ordinance of the City shall constitute a misdemeanor and may be prosecuted in the name of the People of the State of California or may be redressed by civil action. The maximum fine or penalty for any violation of a city ordinance shall be the sum of one Thousand ($1,000.00) Dollars, or a term of imprisonment for a period not exceeding one year, or both such fine and imprisonment. The City Council may provide by ordinance that persons imprisoned in the City Jail for violation of law or ordinance may be compelled to labor on public works. Violations

Section 613. Ordinances. Amendment. The amendment of any section or sections of an ordinance may be accomplished solely by the re-enactment of such section or sections at length, as amended. Amendment

Section 614. Publishing of Legal Notices. In the event that there is more than one newspaper of general circulation published in the City, the City Council annually, prior to the beginning of each fiscal year, shall publish a notice inviting bids and contract for the publication of all legal notices or other matter required to be published in a newspaper of general circulation published and circulated in said City during the ensuing fiscal year. In the event there is only one newspaper of general circulation published in the City, then the City Council shall have the power to contract with such newspaper for the printing and publication of such legal notices without being required to advertise for bids therefor. The newspaper with which any such Publishing of legal notices

contract is made shall be designated as the official newspaper for the publication of such notices or other matter for the period of such contract. In no case shall the contract price charged for such publication exceed the customary rates charged by such newspaper for the publication of legal notices of a private character.

When it may appear to the City Council that the rates offered are unfair, the City Council may employ other means of publication in lieu of newspaper advertising. In the event there is no official newspaper designated by the City Council, then all legal notices or other matter may be published by posting copies thereof in at least three public places in the City.

No defect or irregularity in proceedings taken under this section, or failure to designate an official newspaper, shall invalidate any publication where the same is otherwise in conformity with this Charter, or law, or ordinance.

## ARTICLE VII

### Officers, Powers and Duties

City Clerk

Section 700. City Clerk. The City Clerk shall have power and be required to:

(a) Attend all meetings of the City Council and be responsible for the recording and maintaining of a full and true record of all of the proceedings of the City Council in books that shall bear appropriate titles and be devoted to such purpose. Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein;

(b) Maintain ordinance and resolution books into which shall be recorded all City ordinances and resolutions with the certificate of the Clerk annexed to each thereof stating the same to be the original or a correct copy, giving the number of said ordinance or resolution and, as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter;

(c) Be the custodian of the seal of the City;

(d) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records;

(e) Have charge of all city elections; and

(f) Devote his full time during business hours to the duties of his office.

City Treasurer

Section 701. City Treasurer. The City Treasurer shall be the custodian of all public funds belonging to or under the control of the City, or of any office, department or agency thereof, and to that end shall have power and be required to:

(a) Receive and have custody of all monies receivable by the City from any source;

(b) Deposit all monies received in such depositories as may be designated by resolution of the City Council and in compliance with all of the provisions of the State Constitution

and laws of the State, governing the handling, depositing and securing of public funds;

(c) Disburse monies on demands properly audited in the manner provided for in this Charter;

(d) Prepare and submit to the City Controller monthly written reports of all receipts, disbursements and fund balances, copies of which shall be filed with the City Manager; and

(e) Devote his full time during business hours to the duties of his office.

Section 702. City Attorney. To become eligible for City Attorney the person elected or appointed shall have been admitted to practice before the Supreme Court of the State of California and shall have been engaged in the practice of law for at least three years prior to his election or appointment. The City Attorney shall have power and be required to: City Attorney

(a) Represent and advise the City Council and all City officers in all matters of law pertaining to their offices;

(b) Represent and appear for the City and any City officer or employee, or former City officer or employee, in any or all actions and proceedings in which the City or any such officer or employee, in or by reason of his official capacity, is concerned or is a party, but the City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein;

(c) Attend all regular meetings of the City Council and give his advice or opinion in writing whenever requested to do so by the City Council or by any of the boards or officers of the City;

(d) Approve the form of all bonds given to and all contracts made by the City, endorsing his approval thereon in writing;

(e) Prepare any and all proposed ordinances or resolutions for the City, and amendments thereto;

(f) Prosecute on the behalf of the people such criminal cases for violations of this Charter, of City ordinances or of misdemeanor offenses arising upon violation of the laws of the state as in his opinion or that of the Chief of Police warrant his attention;

(g) Devote such time to the duties of his office as may be specified in the ordinance fixing the compensation for such office; and

(h) On vacating the office surrender to his successor all books, papers, files and documents pertaining to the City's affairs.

Section 703. Officers to be Appointed by the City Council. The City Council shall appoint the City Manager, which position shall not be in the Classified Service, and who may be removed by motion of the City Council adopted by at least three affirmative votes. Appointive officers

It shall also appoint and may remove, under the Civil Service provisions of this Charter, the City Controller, which position shall be in the Classified Service.

Section 704. Other Appointive Officers. In addition to the officers enumerated in the preceding section, there shall be the other appointive officers enumerated in this Charter, who shall be appointed by the City Manager and who shall be the heads of their respective departments.

The City Council may provide by ordinance for the creation or abolishment of other appointive officers or departments.

City Manager:

Section 705. City Manager. Appointment. The City Manager shall be chosen on the basis of his executive and administrative qualifications. He shall be paid a salary commensurate with his responsibilities as chief administrative officer of the City. No City Councilman shall receive such appointment during the term for which he shall have been elected, nor within one year after the expiration of his term.

Powers and duties

Section 706. City Manager. Powers and Duties. The City Manager shall be the chief executive officer and the head of the administrative branch of the City government. He shall be responsible to the City Council for the proper administration of all affairs of the City excepting such matters for which elective officers are made responsible by this Charter, and he shall have power and be required to:

(a) Appoint and remove, subject to the Civil Service provisions of this Charter, all department heads of the City, except elective officers and those the power of appointment of whom is vested in the City Council, and pass upon and approve all proposed appointments and removals of subordinate employees by department heads:

(b) Prepare the budget annually and submit it to the City Council and be responsible for its administration after adoption;

(c) Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year;

(d) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him desirable; and

(e) Perform such other duties as may be prescribed by this Charter or required of him by the City Council, not inconsistent with this Charter.

Council table

Section 707. City Manager. Council Table. The City Manager shall be accorded a seat at the City Council table and shall be entitled to participate in the deliberations of the City Council, but shall not have a vote.

City Controller

Section 708. City Controller. Powers and Duties. The City Controller shall have power and be required to:

(a) Compile the budget expense and capital estimates for the City Manager;

(b) Supervise and be responsible for the disbursement of all monies and have control over all expenditures to insure that budget appropriations are not exceeded;

(c) Maintain a general accounting system for the City government and each of its offices, departments and agencies;

(d) Require, and supervise the keeping of, current inventories of all property, real and personal, by the respective officers in charge thereof and periodically to audit the same;

(e) Submit to the City Council through the City Manager a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; and, as of the end of each fiscal year, submit a complete financial statement and report; and

(f) Audit and approve before payment all bills, invoices, payrolls, demands or charges against the City Government and, with the advice of the City Attorney, determine the regularity, legality and correctness of such claims, demands or charges.

Section 709. City Engineer. Powers and Duties. To be eligible for appointment as City Engineer the appointee shall be a Registered Civil Engineer in the State of California. The City Engineer shall have power and be required to: City Engineer

(a) Supervise and be responsible for all City engineering work:

(b) Supervise and be responsible for the maintenance properly indexed, of all maps, plans, profiles, field notes and other records and memoranda belonging to the City and pertaining to his office and the work thereof; and

(c) On vacating the office surrender to his successor all maps, plans, field notes and other records and memoranda pertaining to the City's affairs.

Section 710. Street Superintendent Powers and Duties. The Street Superintendent shall have the general care and supervision of all city streets, sewers and drains, and shall have power and be required to:

(a) Make frequent inspection of all streets, sewers and drains of the City;

(b) Receive and investigate all complaints as to their condition and have charge of the enforcement of all laws and ordinances pertaining thereto; and

(c) Inspect all streets, sewers and drains while the same are in the course of construction; inspect, approve or reject all materials used in such construction, whether done by contract or otherwise and, pending investigations when necessary, stop all work thereon.

Section 711. Building Official. Powers and Duties. The Building Official shall have charge of the supervision and inspection of all building construction within the City and shall have power and be required to: Building Official

(a) Examine building plans in order to determine conformity with State laws and ordinances and issue permits for the building thereof; and

(b) Enforce the laws and ordinances regulating the construction and maintenance of buildings and other structures.

Section 712. Chief of Police. Powers and Duties. The Chief of Police shall have the power and be required to: Chief of Police

(a) Preserve the public peace;

(b) Execute and return all process issued to him by legal authority; and

(c) Exercise all the powers that are now, or may hereafter be, conferred upon sheriffs and other police officers by the laws of the State.

Section 713. Chief of the Fire Department. Powers and Duties. The Chief of the Fire Department shall have power and be required to:

(a) Be in full charge at the scene of any fire with full power and authority to direct the operations of extinguishing the same, take such precautions as are indicated to prevent the spread thereof, and control all persons and property in the vicinity thereof for the preservation of life and property.

(b) Make frequent inspection of all property within the city to enforce fire prevention regulations.

## ARTICLE VIII

### The City Court

City Court

Section 800. City Court. A City Court for the City of Compton is hereby created and established to be presided over by a City Judge. It shall succeed to the Court known as the Police Court under the previous Charter. The City Court shall have jurisdiction concurrently with the Justices' Courts of all actions and proceedings, civil and criminal, arising within the corporate limits of the City, and which might be tried in such Justices' Courts. It shall have jurisdiction of all actions for violation of this Charter or of any ordinance of the City.

The rules of practice in said City Court shall be the same as are prescribed by law for Justices' Courts in like cases. Appeals may be taken to the Superior Court of the County of Los Angeles in like manner as in cases of appeals from Justices' Courts.

City Judge

Section 801. City Judge. To be eligible for election or appointment as City Judge the person shall have been admitted to practice before the Supreme Court of the State of California, and shall have been engaged in the practice of law for at least one year prior to his election or appointment. This requirement shall not apply to the incumbent City Judge, formerly known as the Police Judge, or to the election of an incumbent in such position.

The City Judge shall preside over the City Court and shall have the power and perform the duties of a magistrate. In all cases where the City Judge is disqualified or unable to act, any other City Judge or Justice of the Peace may be called in. The City Judge shall devote such time to the duties of his office as may be specified in the ordinance fixing the compensation for such office.

Court Clerk

Section 802. Court Clerk. The City Court shall have one Court Clerk and such other court personnel as the City Council may deem necessary, which positions shall be in the Classified Service. The City Judge shall have the same power of appointment, as to the Court Clerk as other elective officers have, under this Charter, with respect to the appointment of their chief deputies.

## ARTICLE IX

### Board of Education

Section 900. Number and Term. The Board of Education of the Compton Grammar School District shall consist of five members elected from the District at large and who shall serve for a term of four years. The provisions of the School Code of the State of California governing elections of boards of trustees, as they now exist or may hereafter be amended, shall govern elections of members of the Board of Education, except as otherwise herein provided. Elections shall be held biennially in the odd numbered years. Board of Education

The members of the Board of Education holding office when this Charter takes effect shall continue in office thereafter until their respective terms of office shall expire and until their successors shall be elected and qualified. At each biennial election three members of the Board shall be elected. The two receiving the highest number of votes being elected to terms of four years each and the third to a two-year term.

## ARTICLE X

### Appointive Boards and Commissions

Section 1000. In General. There shall be the following enumerated boards and commissions which shall have the powers and duties herein stated. In addition, the City Council may create by ordinance such advisory boards or commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this Charter. Appointive boards and commissions.

Section 1001. Appropriations. The City Council shall include in its annual budget sufficient appropriations of funds for the efficient and proper functioning of such boards and commissions. Appropriations

Section 1002. Appointments. Terms. The members of each of such boards or commissions shall be appointed, and shall be subject to removal, by motion of the City Council adopted by at least four affirmative votes. The members thereof shall serve for a term of four years and until their respective successors are appointed and qualified. Appointments

The members first appointed to such boards and commissions shall so classify themselves by lot that each succeeding July 1st the term of one of their number shall expire. If the total number of members of a board or commission to be appointed exceeds four, the classification by lot shall provide for the grouping of terms to such an extent as is necessary in order that the term of at least one member shall expire on each succeeding July 1st. Thereafter, any appointment to fill an unexpired term shall be for such unexpired period.

Section 1003. Existing Boards. The respective terms of office of all members of the existing boards and commissions enumerated in this Article shall terminate after the effective Existing boards

date of this Charter upon the appointment and qualification of their successors.

Meetings

Section 1004. Meetings, Chairman. As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer, at the pleasure of the board or commission. Each board or commission shall hold a regular meeting at least once each month, or oftener if so required by ordinance of the City Council, and such special meetings as it may require. All proceedings shall be open to the public unless the nature of any proceeding is such that in the opinion of such board or commission the public interest would best be served by closing a particular proceeding to the public and the reasons therefor are declared in the action closing such proceeding. Upon conclusion of any such proceeding any final action which is to be taken by such board or commission, with respect to such proceeding, shall be taken in open meeting.

The vote of a majority of the entire membership of such board or commission shall be necessary for it to take action.

The City Manager may appoint a secretary for each of such boards and commissions, who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk where they shall be available for public inspection. It shall have the same power as the City Council to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it.

Compensation Vacancies

Section 1005. Compensation. Vacancies. The members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses when on official duty of the City on order of the City Council.

Any vacancies in any board or commission from whatever cause arising, shall be filled by appointment by the City Council. If a member of a board or commission absents himself from all regular meetings of such board or commission, for a period of sixty days, consecutively (from and after the last regular meeting of such board or commission attended by such member), unless by permission of the board or commission expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of the City, his office shall become vacant and shall be so declared by the City Council.

Oaths

Section 1006. Oaths. Affirmations. Each member of any such board or commission and the secretary thereof, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

Planning Commission

Section 1007. Planning Commission. There shall be a City Planning Commission consisting of five members to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City Government. The number of members to comprise the

commission may be changed by ordinance of the City Council to not less than five nor more than nine members.

Section 1008. Planning Commission. Powers and Duties. The Planning Commission shall have power and be required to:

(a) After a public hearing thereon, recommend to the City Council the adoption, amendment, or repeal of the Master Plan or any part thereof for the physical development of the City; and

(b) Exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by ordinance.

Section 1009. Personnel Board. There shall be a Personnel Board consisting of five members to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any salaried public office or employment, nor while a member of the Board or for a period of one year after he has ceased for any reason to be a member, be eligible for appointment to any salaried office or employment in the service of the City or to any City elective office. Personnel Board

The members of the Personnel Board shall be nominated and appointed in the following manner:

Two members shall be appointed by the City Council from a list of five persons to be nominated by election of the employees in the Classified Service; two members shall be appointed by the City Council directly, and the fifth shall be appointed by the City Council from a list of three persons nominated by a majority of the four thus appointed. The successor of any member of the board shall be nominated and appointed in the same manner as such member was nominated and appointed.

Section 1010 Personnel Board. Powers and Duties. The Personnel Board shall have power and be required to:

(a) After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of Civil Service rules and regulations;

(b) Hear appeals of any person in the Classified Service relative to any suspension, demotion or dismissal;

(c) Hold hearings and make recommendations to the City Council on the adoption or revision of the position classification plan; and

(d) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the City Council and City Manager.

Section 1011. Recreation and Parks Commission. There shall be a Recreation and Parks Commission consisting of five members which shall be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City Government. The number of members to comprise the Commission may be changed by ordinances of the City Council to any number not less than five. Recreation and Parks Commission

Section 1012. Recreation and Parks Commission. Powers and Duties. The Recreation and Parks Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council in all matters pertaining to public recreation, including parks, playgrounds and entertainment;

(b) Consider the annual budget of the Recreation and Parks Department during the process of its preparation and make recommendations with respect thereto to the City Manager and the City Council; and

(c) Assist in the planning of a recreation program for the inhabitants of the City, promote and stimulate public interest therein, and to that end, solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein.

## ARTICLE XI

### Civil Service

Civil Service: Merit Principle

Section 1100. Merit Principle. Appointments and promotions in the classified service of the City shall be made according to merit and fitness, to be ascertained, wherever there is more than one qualified applicant, by competitive examination. Merit and fitness being equal seniority shall prevail.

All promotions in the Classified Service, where there are in such service personnel possessing the minimum qualifications to qualify for such promotion, shall be limited to persons in the Classified Service, unless the Personnel Board finds and declares that, in its opinion, the best interests of the public service require such examination to be open and competitive and not restricted to persons in the Classified Service.

Existing System

Existing System. The ordinance establishing a Civil Service System, and the rules and regulations adopted thereunder, in effect at the effective date of this Charter are hereby repealed. All employees who have attained regular or probationary status or have been placed on eligible lists, or who have been granted military or other leaves of absence, under the existing Civil Service System, shall retain their respective rights subject to the provisions of this Charter.

Classified Service

Section 1101. Classified Service. The Civil Service of the City shall be divided into the Unclassified and the Classified Service.

(a) The Unclassified Service shall comprise the following officers and positions:

1. All elective officers;
2. City Manager;
3. One private secretary to the City Manager;
4. All members of boards and commissions;
5. Positions in any class or grade created for a special or temporary purpose, and which would exist for a period of not longer than ninety days. The Personnel Board, upon application of the appointing officer or board, and after public notice and hearing, by the affirmative votes of four of the members, may exempt any position in any class or grade for a maximum period of six months in any calendar year. Any such exemption

shall not affect the tenure of any person whose appointment has become final under civil service;

6. Persons employed to render professional, scientific, technical or expert service of an occasional and exceptional character;

7. Crossing guards; and

8. Part-time employees paid on an hourly or per diem basis.

(b) The Classified Service shall comprise all positions not specifically included by this section in the Unclassified Service.

Section 1102. Appointments from the Classified to the Unclassified Service. In the event an officer or employee of the City, holding a position in the Classified Service, is appointed to a position in the Unclassified Service, and should subsequently be removed or resign therefrom within six months, he shall revert to his former position in the Classified Service without loss of any rights or privileges and upon the same terms and conditions as if he had remained in said position continuously, unless charges are filed and he is discharged in the manner provided for in this Charter and the rules established hereunder for positions in the Classified Service.

Section 1103. Classification. The City Manager shall make periodic studies of the classification and grading of positions and shall submit to the Personnel Board any changes which he deems desirable to better classify positions according to similarity of authority, duties and responsibilities. Classification

The Personnel Board shall hold a public hearing thereon at which officers and employees affected thereby and others interested and desiring to be heard shall be given an opportunity to do so. Upon approval by the Personnel Board, they shall be referred to the City Council for final consideration and adoption.

Section 1104. Recruitment. Examinations of applicants for positions in the Classified Service shall be practical and relate to those matters which fairly test the relative capacity of the applicants to discharge the duties of the position to which they seek to be appointed. Recruitment

No person may be an applicant who is not a citizen of the United States or who has not resided in the City of Compton for at least one year next preceding the date of such examination. The residential requirement may be waived by the Personnel Board as to particular examinations whenever it believes such waiver is in the public interest, but in each instance it must declare in its proceedings the reasons therefor.

Section 1105. Veterans. In all entrance examinations for positions in the Classified Service, veterans who served in the armed forces of the United States during time of war and prior to the cessation of hostilities, and who attain a passing grade, shall be allowed an additional preferential credit of ten (10%) percent in the case of those veterans who have service-connected disabilities and of five (5%) percent as to other veterans, which percentages are to be based upon the maximum grade for such examinations. Veterans

Appointments

Section 1106. Appointments. Upon the receipt of notice of a vacancy in the Classified Service the clerk of the personnel board shall certify to the appointing power the names of the three highest candidates on the eligible list for such position. No candidate may be certified more than three times for any one classified position.

The Personnel Board, with the consent of the appointing power, may authorize the certification of less than three names for appointment in the event there remains less than three names on an eligible list and in the opinion of the Personnel Board conditions warrant such action. When no eligible lists are available, the Personnel Board, under such rules and regulations as it shall prescribe, may authorize the appointing power to make temporary appointments in the Classified Service, in order to prevent the stoppage of public business and in order to meet extraordinary conditions, which appointments shall remain in force until regular appointments can be made, but in no case to exceed ninety (90) days in any calendar year.

If a sufficient number of applicants for a position in the Classified Service is not received, after advertising therefor has been completed in conformity with this Charter and rules and regulations adopted hereunder, the Personnel Board may authorize an examination to proceed as to a lesser number of qualified applicants.

All original and promotional appointments shall be for a probationary period of six months during which the employee may be rejected at any time without right of appeal or hearing in any manner.

An employee rejected during the probationary period from a position to which he has been promoted shall be reinstated to the position from which he was promoted, unless charges are filed and he is discharged as provided in this Charter and the rules.

Abolition of position, etc

Section 1107. Abolition of Position. Lay-offs. Whenever it becomes necessary, in the opinion of the City Council, to abolish a position, or to reduce the number of employees in a given class, in the Classified Service, the City Council may do so, by stating in its proceedings its reasons therefor. Should such position, or positions, be renewed or any position or positions involving substantially the same duties be created or filled within one year, the employee or employees discharged shall be entitled to be appointed thereto.

All lay-offs occasioned by the abolishment of a position or the reduction in number of employees in a given class shall be governed by seniority in service and shall be in the reverse order of employment. Re-employment shall be in the reverse order of the lay-offs.

Discipline

Section 1108. Suspension. Demotion and Dismissal. The City Council and the elective and appointive officers having appointive power are vested with the right to exercise the disciplinary and removal powers hereinafter provided.

An employee serving a probationary period in any office, position or employment shall be subject to removal therefrom without right of appeal but subject to his right of reinstatement to the position in the Classified service from which he was promoted, or transferred, if any.

An employee other than one serving a probationary period, holding a position in the Classified Service shall be subject to suspension without pay for a period of not exceeding thirty days in any one calendar year, or to demotion, or removal from his position, for misconduct, incompetency, inefficiency, or for failure to observe the rules or regulations of the department, office or agency, or to cooperate reasonably with his superiors or fellow employees, but subject to the right of the employee to appeal to the Personnel Board in the manner set forth herein.

Such employee shall be entitled to receive, upon request, at the office of the board or officer taking such action, not later than the second business day thereafter, a written statement in item form of the reasons therefor, a copy of which statement shall be furnished the Clerk of the Personnel Board. He shall have ten days after the receipt of such statement within which to file an answer to such statement of charges should he desire to do so.

The answer shall be filed in the office of the City Clerk and with the Clerk of the Personnel Board. In his answer, or if no statement of charges has been made available to him as required, such employee may request a hearing by the Personnel Board to review such suspension, demotion or removal which shall be called and held as provided for in the rules and regulations. Hearings may be conducted informally and the rules of evidence need not apply.

Within ten (10) days after concluding the hearing, the Personnel Board shall certify its findings and recommendations to the City Manager. The suspension, demotion or removal order by the City Manager or other official, from whose action the appeal was taken, shall be sustained unless the said Board shall by majority vote, render its decision finding that the suspension, demotion or removal was made without sufficient cause. If the Board shall find that the person suspended, demoted or removed was so suspended, demoted or removed without sufficient cause, said Board in its order shall provide that said person shall be reinstated forthwith to the position from which he was suspended, demoted or removed, and shall order paid to him the salary to which he would have been entitled had he not been suspended, demoted or removed. In filing its decision, the Board shall also make and file written findings of fact covering in general terms the issues involved. In the absence of fraud or bad faith, the findings and decisions of the said Board shall be final and conclusive.

A reduction in pay shall be a demotion, under this section, unless it is a part of a plan to reduce salaries and wages in connection with a general economy or curtailment program.

The City Manager and any other officer or board in whom is vested by law the power to make transfers, promotions, demotions, reinstatements, lay-offs, and to suspend or dismiss employees, shall retain such power, subject to the provisions of this Charter and the rules established hereunder, it being the intent and spirit of this Charter to provide a fair and just approach to municipal employment in order that city employees may be selected and promoted on a merit basis, but in no sense to impair the efficiency of the public service.

Political activity

Section 1109. Political Activities Prohibited. No person holding a position in the Classified Service nor on an eligible list shall seek or accept election, nomination or appointment as an officer of a political club or organization, nor shall such person take an active part in any municipal political campaign nor contribute thereto in behalf of any candidates, nor shall such person seek signatures to any petition seeking to advance the candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any such persons from being or becoming a member of a political club or organization, or from attending political meetings, or from enjoying entire freedom from all interference in casting his vote, or from seeking election or appointment to public office. Upon becoming a candidate for public office, any such person shall request and be granted a leave of absence, without pay, to remain in effect during the period of time such person is a candidate.

No person in the Classified Service, or seeking admission thereto, shall be employed, promoted, demoted or discharged or in any way favored or discriminated against because of political opinions or affiliations or because of race or religious belief.

No officer or employee of the city and no candidate for any city office shall, directly or indirectly, solicit any assessment, subscription or contribution, whether voluntary or involuntary, for any political purpose whatever, from anyone on the eligible lists or holding any position in the Classified Service.

Prohibitions

Section 1110. Prohibitions. No person shall wilfully or corruptly make any false statements, certificate, mark, rating or report in regard to any application, test, certification or appointment held or made under the personnel provisions of this Charter or in any manner commit or attempt any fraud preventing the impartial execution of such personnel provisions or rules and regulations made hereunder.

Any person who by himself or with others wilfully or corruptly violates any of the provisions of this Article shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not more than One Thousand ($1,000.00) Dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment. Any person convicted hereunder shall be ineligible for a period of five years for employment in the City service and shall, if he be an officer or employee of the City, immediately forfeit his office or position.

Section 1111. Contract for Performance of Administrative Functions. Upon recommendation of the Personnel Board, the City Council may contract with the governing body of a city, or county within this state, or with a state department or other agency for the preparation or conducting of competitive examinations for positions in the City service or for the performance of any other personnel administration service.

Contract for performance of administrative functions

## ARTICLE XII

### General Provisions Relating to Officers and Employees

Section 1200. Official Bonds. The City Council shall fix by ordinance the amounts and terms of the official bonds of all officials or employees who are required by this Charter or by ordinance to give such bonds. All bonds shall be approved as to form by the City Attorney, and shall be filed with the City Clerk, except the City Clerk's bond, which shall be filed with the City Treasurer. Premiums on official bonds shall be paid by the City.

Official bonds

In all cases wherein an employee of the City is required to furnish a faithful performance bond, there shall be no personal liability upon, or any right to recover against, his superior officer or other officer or employee, or the bond of the latter, unless such superior officer, or other officer or employee is a party to, or has conspired in, the wrongful act, directly or indirectly causing such loss.

Section 1201. Oath of Office. Each member of the City Council, of every board and commission and each officer provided for in this Charter, before entering upon the discharge of the duties of his office, shall take, subscribe to and file with the City Clerk the following oath or affirmation:

Oath of office

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of (here inserting name of office) according to the best of my ability."

Section 1202. Illegal Contracts. Financial Interest. No member of the City Council, officer or employee of the City, shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party.

Illegal contracts

No member of any board or commission shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party and which comes before the board or commission of which such person is a member for approval or which pertains to the department, office or agency of the City with which such board or commission is connected, for official action.

Any such contract or transaction in which there shall be such an interest shall become void at the election of the City, when so declared by resolution of the City Council.

No member of the City Council, officer or employee of the City, or member of any board or commission shall be deemed to be financially interested, within the meaning of the foregoing provisions, in any contract made with a corporation by reason of the ownership of stock in such corporation unless said stock so owned by him shall amount to at least three per cent of all the stock of such corporation issued and outstanding. No City Councilman shall vote on or participate in any contract or transaction in which he is directly or indirectly financially interested, whether as a stockholder of the corporation or otherwise.

If any member of the City Council, officer or employee of the City or member of a board or commission shall so vote or participate, or be financially interested as aforesaid, upon conviction thereof, he shall forfeit his office.

Additional duties

Section 1203. Duties of Officers and Employees. The City Council by ordinance may assign additional functions or duties to offices, departments or agencies established by this Charter, but may not discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office, department or agency.

Where the positions are not incompatible, the City Council may combine in one office the powers and duties of two or more offices, created or provided for in the Charter.

Administering oaths

Section 1204. Administering Oaths. Each department head and his deputies shall have the power to administer oaths and affirmations in connection with any official business pertaining to his department.

Department heads: Appointment powers

Section 1205. Department Heads. Appointment Powers. Each elective officer and other department heads shall have the power to appoint, suspend, demote and remove such deputies, assistants, subordinates and employees as are provided for by the City Council for his department upon the following conditions.

(a) Subject to the Civil Service provisions of this Charter and the rules and regulations promulgated hereunder; and

(b) Subject to the approval of the City Manager being first had and received, excepting

1. As to the power of suspension which may be exercised without the prior approval of the City Manager, and

2. As to the appointment by an elective officer of his principal deputy, which likewise shall not require the approval of the City Manager.

## ARTICLE XIII

### ELECTIONS

Elections:

Section 1300. Elections. Municipal elections held in said city shall be classified as follows:

(a) Primary nominating elections

(b) General municipal elections

(c) Special municipal elections.

Section 1301. Primary Nominating Elections. Primary nominating elections shall be held on the first Tuesday in May in each odd numbered year for the purpose of nominating not exceeding two candidates for each of the elective offices, other than members of the Board of Education, in which vacancies have occurred since the preceding general municipal election or wherein terms will expire at the next general municipal election, and for such other purpose as may be provided by Charter or ordinance. Primary

Section 1302. General Municipal Elections. General municipal elections shall be held on the first Tuesday in June in each odd numbered year for the purpose of electing officers of the city, except members of the Board of Education, to fill the vacancies in the elective offices and for such other purpose as may be provided by Charter or ordinance. General

Section 1303. Special Municipal Elections. All other municipal elections, except the elections of members of Board of Education, that may be held by authority of this Charter, or of any law, shall be known as special municipal elections and shall be called by ordinance. Special

Section 1304. Procedure for Holding Elections. Unless otherwise provided by ordinance, all elections shall be held in accordance with the provisions of the Elections Code of the State of California insofar as the same are not in conflict with this Charter. Procedure

Section 1305. Initiative, Referendum and Recall. There is hereby reserved to the electors of the City the powers of the initiative, referendum and recall of municipal elective officers. The provisions of the Elections Code of the State of California as the same now exist or may hereafter be amended, governing the initiative, referendum and the recall of municipal officers shall apply to the use thereof in the City insofar as such provisions of the Elections Code are not in conflict with this Charter. Initiative, etc

## ARTICLE XIV

### Fiscal Administration

Section 1400. Fiscal Year. The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year. Fiscal year

Section 1401. Tax System. Unless otherwise provided by ordinance, the City shall continue to use, for the purpose of ad valorem municipal taxation, the county system of assessment and tax collection, as such system is now in effect or may hereafter be amended and insofar as such provisions are not in conflict with this Charter. Tax system

If the City Council shall fail to fix the rates and levy taxes on or before August 31, in any year, the rates for the next preceding fiscal year shall thereupon be automatically adopted and a tax at such rates shall be deemed to have been levied on all taxable property in the City for the current fiscal year.

Tax limits

Section 1402. Tax Limits. Exclusive of special levies permitted by this Charter, the City Council shall not levy a property tax in excess of One ($1.00) Dollar on each One Hundred ($100.00) Dollars of the assessed value of taxable property in the City for municipal purposes, unless authorized by the affirmative votes of two-thirds of the electors voting on such proposition at any election at which the question of such additional levy for municipal purposes is submitted to the electors.

There shall be levied and collected at the time and in the same manner as other property taxes for municipal purposes are levied and collected, as additional taxes, if no other provision for payment thereof is made:

(a) A tax sufficient to meet all liabilities of the City for principal and interest of all bonds or judgments due and unpaid, or to become due during the ensuing fiscal year; and

(b) A tax sufficient to meet all obligations of the City to the State Employees' Retirement System, for the retirement of City Employees, due and unpaid or to become due during the ensuing fiscal year.

A special levy, in addition to the above, may be made annually for park, playground and recreation purposes in an amount not to exceed ten (10¢) cents on each One Hundred ($100.00) Dollars of the assessed value of taxable property in the City.

For a term of ten (10) years from and after the effective date of this Charter, a special levy, in addition to the above, may be made annually for purposes of capital outlays for parks, playgrounds and recreation, in an amount not to exceed ten (10¢) cents on each One Hundred ($100.00) Dollars of the assessed value of taxable property in the City. Such levy may be made for an additional period or periods beyond the ten (10) year limitation if authorized by the affirmative votes of a majority of the electors voting on such proposition at an election or elections at which a proposal to authorize such special levy is submitted.

Special levies, in addition to the above, may be made annually, for libraries in an amount not to exceed ten (10¢) cents on each One Hundred ($100.00) Dollars of the assessed value of taxable property in the City, and for promotion and advertising in an amount not to exceed nine (9¢) cents on each One Hundred ($100.00) Dollars of the Assessed value of taxable property in the City.

The limits upon the special levies permitted hereunder may not be exceeded unless authorized by the affirmative votes of two-thirds of the electors voting on such proposition at an election at which a proposal to exceed any such limit is submitted.

The proceeds of any special levy shall be used for no other purpose than that specified.

Bonded debt limit

Section 1403. Bonded Debt Limit. The bonded indebtedness of the City may not exceed the sum of fifteen (15%) percent of the total assessed valuation of property within the City, exclusive of any indebtedness that has been or may here-

after be incurred for the purpose of acquiring, establishing or extending a system of water-works for the supplying of water, or for the purpose of constructing sewers or drains in the City, for which purposes a further indebtedness may be incurred by the issuance of bonds, subject only to the provisions of the State Constitution and of this Charter.

Section 1404. Annual Budget. Preparation by the City Manager. At such date as he shall determine, the City Manager, or an officer designated by him, shall obtain from each department head estimates of revenue and expenditure for his department, detailed in such manner as may be prescribed by the City Manager. In preparing the proposed budget, the City Manager shall review the estimates, shall hold conferences thereon with the department heads, respectively, and may revise the estimates as he may deem advisable. Annual budget: Preparation

Section 1405. Budget. Submission to City Council. At least thirty-five (35) days prior to the beginning of each fiscal year, the City Manager shall submit to the City Council the proposed budget as prepared by him. After reviewing same and making such revisions as it may deem advisable, the City Council shall determine the time for the holding of a public hearing thereon and shall cause to be published a notice thereof not less than ten (10) days prior to said hearing, by at least one insertion in the official newspaper. Submission to City Council

Copies of the proposed budget shall be available for inspection by the public in the office of the City Clerk at least ten days prior to said hearing.

Section 1406. Budget. Public Hearing. At the time so advertised, or at any time to which such public hearing shall from time to time be adjourned, the City Council shall hold a public hearing on the proposed budget, at which interested persons desiring to be heard shall be given an opportunity to do so. Hearings

Section 1407. Budget. Further Consideration and Adoption. After the conclusion of the public hearing the City Council shall further consider the proposed budget and make any revisions thereof that it may deem advisable and on or before June 30, it shall adopt the budget with revisions if any, by the affirmative votes of at least three members. Upon final adoption, the budget shall be in effect for the ensuing fiscal year. A copy thereof, certified to by the City Clerk, shall be filed with the City Controller and a further copy shall be placed, and shall remain on file, in the office of the City Clerk where it shall be available for inspection. The budget so certified shall be reproduced and copies made available for the use of officers, departments and agencies of the City. Adoption

Section 1408. Budget Appropriations. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several departments, offices and agencies for the respective objects and purposes therein named. All appropriations shall Appropriations

lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the affirmative votes of at least four members so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget.

Contracts on public works

Section 1409. Contracts on Public Works. Every contract involving an expenditure of more than One Thousand ($1,000.00) Dollars for the construction or improvement, (excluding maintenance and repair), of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds shall be let to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least ten days before the time for opening bids.

The City Council may reject any and all bids presented and may re-advertise in its discretion.

The City Council, without advertising for bids, or after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees and after the adoption of a resolution to this effect by at least four affirmative votes it may proceed to have said work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by motion passed by at least four affirmative votes and containing a declaration of the facts constituting such urgency.

Centralized purchasing

Section 1410. Centralized Purchasing. Under the control and direction of the City Manager, there shall be established a centralized purchasing system for all City departments and agencies. The City Manager shall recommend and the City Council shall consider and adopt by ordinance, rules and regulations governing the contracting for, purchasing, storing, distribution or disposal of all supplies, materials and equipment required by any office, department or agency of the City government.

Competitive bidding

Section 1411. Competitive Bidding. Before making purchases of, or contracts for, supplies, materials or equipment, ample opportunity shall be given for competitive bidding, under such rules and regulations and with such exceptions as the City Council may prescribe in the ordinance setting up such rules and regulations. When making purchases for the City, local merchants shall be given the preference, quality and prices being equal.

Cash Basis Fund

Section 1412. Cash Basis Fund. The City Council shall maintain a revolving fund, to be known as the "Cash Basis Fund," for the purpose of placing the payment of the running expenses of the City on a cash basis. A reserve shall be built up in this fund from any available sources in an amount which the

City Council deems sufficient with which to meet all lawful demands against the City for the first five months, or other necessary period, of the succeeding fiscal year prior to the receipt of ad valorem tax revenues. In no event shall such reserve fund be less than thirty (30%) percent of the total expenditures as set forth in such previous year's budget. Transfers may be made by the City Council from such fund to any other fund or funds of such sum or sums as may be required for the purpose of placing such funds, as nearly as possible, on a cash basis.

All monies so transferred from the Cash Basis Fund shall be returned thereto before the end of the fiscal year.

Section 1413. Public Service Departments' Depreciation Funds. The City Council shall annually set aside from the income derived from its revenue producing public utilities, as a separate depreciation fund for each of said public utilities, a sum which, according to the estimate of the City Manager, and approved by the City Council, shall be sufficient to meet the normal depreciation in said public utility. Such depreciation funds shall be used only for the replacement, betterment, and extension of the plants and equipment of said public utilities, respectively.

Public Service Departments' Depreciation Funds

Section 1414. Capital Outlays Funds. A fund for capital outlays, generally, is hereby created, to be known as the "Capital Outlays Fund." The City Council by ordinance may create a special fund or funds for a special capital outlay purpose. The City Council may levy and collect taxes for capital outlays and may include in the annual tax levy a levy for such purposes in which event it must apportion and appropriate to any such fund or funds the monies derived from such levy. It may not, in making such levy, exceed the maximum tax rate provided for in this Charter, unless authorized by the affirmative votes of a majority of the electors voting on the proposition at any election at which such question is submitted. The City Council may transfer to any such fund any unencumbered surplus funds remaining on hand in the City at any time.

Capital Outlays Fund

Once created, such fund shall remain inviolate for the purposes for which it was created; if, for capital outlays, generally, then for any such purposes, and if for a special capital outlay, then for such purpose only, unless the use of such fund for some other purpose is authorized by the affirmative votes of a majority of the electors voting on such proposition at a general or special election at which such proposition is submitted.

If the purpose for which any capital outlay fund has been created has been accomplished the City Council may transfer any unexpended or unencumbered surplus remaining in such fund to the fund for capital outlays, generally, established by this Charter.

Section 1415. Departmental Trust Fund. The City Council may prescribe by ordinance for the setting up of a "Treasurer's Departmental Trust Fund" into which the collection of the police department, street department, building official, etc., may be deposited daily by the respective officers

Departmental Trust Fund

with the City Treasurer. Withdrawals from such fund may be made by the Treasurer only on order signed by the proper department head and for the following purposes only:

(a) The making of refund of bail which has been exonerated or of other refundable deposits;

(b) The making of settlements with City funds at the end of each calendar month for collections accumulated during the month.

Petty Cash Funds

Petty Cash Funds. The City Council may provide for revolving petty cash funds, to be paid to the City Manager or department heads and used for payment in cash of expenditures provided for in the budgets that cannot conveniently be paid otherwise. The City Manager or such other department heads shall account to the City Council for all disbursements made therefrom when making demand for replenishment of the same and at such other times as the Council may require and the amounts of such disbursements shall thereupon be charged against the proper appropriations.

Presentation of demands

Section 1416. Presentation of Demands. Each demand against the City shall be presented to the City Controller, who shall examine the same. If the amount thereof is legally due and there remains on his books an unexhausted balance or an appropriation against which the same may be charged, he shall approve such demand and draw his warrant on the City Treasurer therefor, payable out of the proper fund. Objections of the Controller may be overruled by the City Council and the warrant ordered drawn.

The City Controller shall transmit such demand with his approval or rejection thereof endorsed thereon and warrant, if any, to the City Manager. If a demand is one for which an appropriation has been made, it shall require the approval of the City Manager. A demand for which no appropriation has been made, shall require the approval of the City Council.

Any person dissatisfied with the refusal of the City Manager to approve any demand, in whole or in part, may present the same to the City Council, which, after examining into the matter may approve or disapprove the demand in whole or in part.

At every regular meeting of the City Council, the City Manager shall furnish the City Council with a list of all demands approved by him since the date of the preceding regular meeting.

Warrants

Section 1417. Warrants on Treasury. After approval by the City Manager, or City Council, as the case may be, the warrant in payment thereof as prepared by the City Controller, shall be presented to the City Treasurer and shall be paid by him out of the funds designated, if there be sufficient money in the fund for that purpose. A warrant not paid for lack of funds shall be registered, and all registered warrants shall be paid in the order of their registration when funds therefor are available.

In the payment of municipal or other bonds upon presentation and surrender of the proper bonds or coupons, the Treasurer shall draw his warrant for payment thereof which, upon approval by the Controller shall be paid without further approval by any body or officer.

Section 1418. Actions Against City. No suit shall be brought on any claim for money or damages against the city or any board, commission or officer thereof until a demand for the same has been presented as herein provided and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter time is otherwise provided by law, all claims for damages against the City must be presented within ninety (90) days after the occurrence, event or transaction from which the damages allegedly arose, and all other claims or demands shall be presented within ninety (90) days after the last item of the account or claim accrued. Actions against city

In all cases such claims shall be approved or rejected in writing and the date thereof given. Failure to act upon any claim or demand within sixty (60) days from the day the same is filed with the City Controller shall be deemed a rejection thereof.

Section 1419. Independent Audit. The City Council shall employ, at the beginning of each fiscal year, a qualified accountant who, at such time or times as may be specified by the City Council, shall examine the books, records, inventories and reports of all officers and employees who receive, handle or disburse public funds and of such other officers, employees or departments as the City Council may direct. At the end of the year, a final audit and report shall be submitted by such accountant to the City Council, one copy thereof to be distributed to each member, one to the City Manager, City Controller, City Treasurer, and City Attorney, respectively, and three additional copies to be placed on file in the office of the City Clerk where they shall be available for inspection by the general public. Independent audit

## ARTICLE XV

### Public Utilities. Franchises

Section 1500. City-owned Public Utility. No public utility owned by the City shall be sold, leased or otherwise transferred unless authorized by the affirmative votes of two-thirds of the electors voting on such proposition at a general or special election at which such proposition is submitted. City-owned public utility

Section 1501. Granting of Franchises. Any person, firm or corporation furnishing the City or its inhabitants with transportation, communication, terminal facilities, water, light, heat, power, refrigeration, storage or any other public utility or service, or using the public streets, ways, alleys, or places for the operation of plants, works, or equipment for the furnishing Franchises

thereof or traversing any portion of the City for the transmitting or conveying of any such service elsewhere may be required by ordinance to have a valid and existing franchise. The City Council is empowered to grant such franchise to any such person, firm or corporation, whether operating under an existing franchise or not The City Council may prescribe the terms and conditions of any such grant. It may also provide, by procedural ordinance, the method of procedure and additional terms and conditions for making such grants, subject to the provisions of this Charter.

Resolution of intention

Section 1502. Resolution of Intention. Notice and Public Hearing. Before granting any franchise, the City Council shall pass a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the day, hour and place when and where any persons having any interest therein or any objection to the granting thereof may appear before the City Council and be heard thereon. It shall direct the City Clerk to publish said resolution at least once, within fifteen (15) days of the passage thereof, in the official newspaper. Said notice shall be published at least ten (10) days prior to the date of hearing.

At the time set for the hearing the City Council shall proceed to hear and pass upon all protests and its decision thereon shall be final and conclusive. Thereafter, it may grant, or deny, the franchise, subject to the right of referendum of the people.

Term of franchise

Section 1503. Term of Franchise Every franchise shall state the term for which it is granted, which, unless it be indeterminate as provided for herein, shall not exceed twenty-five (25) years.

A franchise grant may be indeterminate, that is to say, it may provide that it shall endure in full force and effect until the same, with the consent of the Public Utilities Commission of the State of California, shall be voluntarily surrendered or abandoned by its possessor, or until the State of California, or some municipal or public corporation, thereunto duly authorized by law, shall purchase by voluntary agreement or shall condemn and take, under the power of eminent domain, all property actually used and useful in the exercise of such franchise and situate within the territorial limits of the State, municipal or public corporation purchasing or condemning such property, or until the franchise shall be forfeited for noncompliance with its terms by the possessor thereof.

Grant in lieu of all other franchises

Section 1504. Grant to be in Lieu of All Other Franchises. Any franchise granted by the City with respect to any given utility service shall be in lieu of all other franchises, rights or privileges owned by the grantee, or by any successor of the grantee to any right under such franchise, for the rendering of such utility service within the limits of the City as they now or may hereafter exist, except any franchise derived under Section 19 of Article XI of the Constitution of California as said

section existed prior to the amendment thereof adopted October 10, 1911. The acceptance of any franchise hereunder, shall operate as an abandonment of all such franchises, rights and privileges within the limits of the City as such limits shall at any time exist, in lieu of which such franchise shall be granted.

Any franchise granted hereunder shall not become effective until written acceptance thereof shall have been filed by the grantee thereof with the City Clerk. Such acceptance shall be filed within ten days after the adoption of the ordinance granting the franchise or any extension thereof granted by the City Council and when so filed, such acceptance shall constitute a continuing agreement of such grantee that if and when the City shall thereafter annex, or consolidate with, additional territory, any and all franchises, rights and privileges owned by the grantee therein, except a franchise derived under said constitutional provision, shall likewise be deemed to be abandoned within the limits of such territory.

Eminent domain

Section 1505. Eminent Domain No franchise grant shall in any way or to any extent impair or affect the right of the City to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing herein contained shall be construed to contract away or to modify or to abridge either for a term or in perpetuity the City's right of eminent domain with respect to any public utility. Every franchise grant shall reserve to the City the right to purchase the property of such utility either at an agreed price or a price to be determined in a manner to be prescribed in the grant, or in the procedural ordinance hereinabove mentioned. In fixing the price to be paid by the City for any utility, no allowance shall be made for franchise value (other than the actual amount paid to the City at the time of the franchise acquisition), good will, going concern, earning power, increased cost of reproduction, severance damage, or increased value of right of way.

Duties of grantees

Section 1506. Duties of Grantees. By its acceptance of any franchise hereunder, the grantee shall covenant and agree to perform and be bound by each and all of the terms and conditions imposed in the grant, or by procedural ordinance and shall further agree to:

(a) Comply with all lawful ordinances, rules and regulations theretofore or thereafter adopted by the City Council in the exercise of its police power governing the construction, maintenance and operation of its plants, works or equipment;

(b) Pay to the City on demand the cost of all repairs to public property made necessary by any of the operations of the grantee under such franchise.

(c) Indemnify and hold harmless the City and its officers from any and all liability for damages proximately resulting from any operations under such franchise;

(d) Remove and relocate without expense to the City any facilities installed, used and maintained under the franchise if and when made necessary by any lawful change of grade,

alignment or width of any public street, way, alley or place, including the construction of any subway or viaduct; and

(e) Pay to the City during the life of the franchise a percentage, to be specified in the grant, of the gross annual receipts of the grantee within the limits of the City, or such other compensation as the City Council may prescribe in the grant.

Penalties

Section 1507. Exercising Rights Without Franchise. The exercise by any person, firm or corporation of any privilege for which a franchise is required, without possessing a valid and existing franchise therefor, shall be a misdemeanor and shall be punished in the same manner as violations of this charter are punishable and each day that such condition continues to exist shall constitute a separate violation.

## ARTICLE XVI

### EMPLOYEES' RETIREMENT SYSTEM

Employees' Retirement System

Section 1600. Employees' Retirement System. The State Employees' Retirement Law as now existing and as hereafter amended, is hereby adopted for the City of Compton to the end that the retirement system for the employees of said City heretofore created, pursuant to vote of the people is hereby continued in full force and effect and plenary authority and power is hereby vested in said City, its Council and its several officers, agents and employees to do and perform every act and exercise every power granted, permitted or required in accordance with the provisions of said State Employees' Retirement Law to continue the participation by the City of Compton in the State Employees' Retirement System as a contract member thereof.

Contract

Section 1601. Retirement Contract. The contract heretofore entered into with the Board of Administration of the State Employees' Retirement System may be terminated by the City only under authority granted by ordinance adopted by a majority vote of the electors of the City of Compton.

## ARTICLE XVII

### MISCELLANEOUS

Definitions

Section 1700. Definitions. Unless the provision or the context otherwise requires, as used in this charter:

(a) "Shall" is mandatory, and "may" is permissive.

State of extreme emergency

Section 1701. State of Extreme Emergency. During the existence of any national or local emergency created by military attack or sabotage, or in the providing for adequate national or local defense, or upon the occasion of a great public calamity, such as an extraordinary fire, flood, storm, epidemic, earthquake, or other disaster, the City Manager is hereby authorized to take such action as is deemed by him necessary to safeguard life, health or property notwithstanding any other provision of this Charter. During the existence of any such emergency the

responsible city officer may comply with any lawful federal or state law, order or regulation, notwithstanding any conflict which may exist between such law, order or regulation and the provisions of this Charter, in safeguarding life, health or property in the City. At the first meeting of the City Council following the commencement of any such emergency, or the taking of any action under this section, the City Council shall review the situation and its findings as to the existence of such emergency or the need for any further action of an emergency nature and contrary to any provision of this Charter, shall be final and conclusive.

Section 1702. Violations. The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine of not exceeding One Thousand ($1,000) Dollars or by imprisonment for a term of not exceeding one year or by both such fine and imprisonment. Violations

Section 1703. Validity. If any provision of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter, and the application of such provision to other persons or circumstances, shall not be affected thereby. Constitutionality

That the said Charter so adopted has been examined with the original on file in the office of the City Clerk of the City of Compton and is a full, true and correct copy of said Charter of the City of Compton, ratified by the electors of said City as aforesaid and on file in the office of the City Clerk of said City of Compton.

IN WITNESS WHEREOF, Harry Laugharn, Mayor, as aforesaid, and Mrs. Clyde J. Harlan, City Clerk, as aforesaid, have hereunto set their hands and caused the corporate seal of the City of Compton to be thereunto duly affixed, on this 25th day of February, 1948.

HARRY LAUGHARN
Mayor of the City of Compton

(SEAL)

MRS. CLYDE J. HARLAN
City Clerk of the City of Compton

WHEREAS, Said proposed charter of the City of Compton, ratified by the electors of said city, as aforesaid, has been submitted to the Legislature of the State of California for approval or rejection, without alteration or amendment in accordance with Section 8 of 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, a majority of all the members elected to each house voting therefor, and concurring therein,* That said proposed charter of the City of Compton ratified by the electors of said city as aforesaid, as presented to, adopted and ratified by the qualified electors of said City of Compton, be and the same is hereby approved as a whole, without amendment or alteration, as the charter of the City of Compton. Approval

# CHAPTER 12

*Assembly Concurrent Resolution No. 11—Approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the twelfth day of August, 1947.*

[Filed with Secretary of State March 11, 1948.]

**City of Bakersfield: Charter amendments**

WHEREAS, The City of Bakersfield, in the County of Kern, State of California, has at all times mentioned herein been and now is a municipal corporation of the State of California, containing a population of more than 3,500 and fewer than 50,000 inhabitants as ascertained by the last preceding census taken under the authority of Congress of the United States, and is now and has been ever since the twentieth day of January, 1915, organized, existing and acting under a freeholders' charter adopted under and by virtue of Section 8, 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 held for that purpose on the seventh day of November, 1914, and approved by the Legislature of the State of California, on the twentieth day of January, 1915; and

WHEREAS, On the thirtieth day of June, 1947, the legislative body of the City of Bakersfield, to wit: the city council, on its own motion passed a resolution to submit to the electors of said city, at a special election to be held August 12, 1947, proposed amendments to the city charter of the City of Bakersfield, and immediately thereafter on said thirtieth day of June, 1947, the city council of the City of Bakersfield duly and regularly called a special election for the purpose of voting on said proposed amendments, to be called and held on the twelfth day of August, 1947, which said date was fixed by the said city council of the City of Bakersfield as the time for voting on said amendments as proposed; and

WHEREAS, Said proposed amendments were published on the first day of July, 1947, in each edition of The Bakersfield Californian, a newspaper of general circulation printed and published in the City of Bakersfield, and having a general circulation therein, the said paper being the official newspaper of the City of Bakersfield, and said publication was made at the time and in the manner prescribed in Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, Said election was duly called and regularly held on the twelfth day of August, 1947, which said date of the election was not less than 40 nor more than 60 days after the completion of the advertising in said official newspaper of said proposed amendments, and at said election the said proposed amendments to said charter were voted upon by the qualified electors of the City of Bakersfield, and at said election a majority of the qualified electors voting thereon voted in favor of ratifying and did ratify said proposed amendments to said

charter, said proposed amendments so ratified being in the words and figures as follows, to wit:

PROPOSITION No. 13

That Section 21 of the Charter of the City of Bakersfield entitled Legislative Procedure be amended to read as follows:

Legislative Procedure

Section 21. The Council shall be the judge of the election of its members. A majority of all members shall be a quorum to do business, except, however, a majority of five to two shall be required to remove or change the salary of the City Manager; a number less than a majority may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members of the Council shall be necessary to adopt an ordinance or resolution. The vote upon the passage of all ordinances and upon the adoption of such resolutions as the Council by its rules prescribe, shall be taken by 'yeas' and 'nays' and entered upon the journal. Legislative procedure

PROPOSITION No. 15

That Section 101 of the Charter of the City of Bakersfield, entitled Concurrent Jurisdiction With Justices' Court, be amended to read as follows:

Concurrent Jurisdiction With Justices' Court

Section 101. Within the city limits said court shall have concurrent and coordinate jurisdiction with township Class A Justices' Courts in cases of misdemeanor, in which said Justices' Courts now or may hereafter have jurisdiction, but shall not have any concurrent civil jurisdiction. Jurisdiction of city court

PROPOSITION No. 16

That Section (174) 10 of the Charter of the City of Bakersfield, be amended to read as follows:

Section (174) 10. Excepting such monies as may be required for current needs, the Treasurer shall deposit such monies belonging to said Fund in the savings banks of the City of Bakersfield, or he shall invest such monies in securities purchased in the open market, from a list of securities previously approved by the Retirement Board. Investments shall be confined to (1) general obligation bonds of the United States of America, the State of California, and all public agencies of said State; and (2) bonds issued by corporations and bearing a rating at the time of purchase which is found by the Retirement Board to be at least equivalent to that represented at Deposit of funds

the time of the adoption of this amendment, by rating "A" by a national rating system generally recognized and used by banks and investment brokers in the United States of America.

PROPOSITION No. 20

That Section (229) 9 of the Charter of the City of Bakersfield entitled Appointment of Chief of Police, be amended to read as follows:

Appointment of Chief of Police

Chief of Police

Section (229) 9. The Chief of Police shall be appointed by the City Manager from among the members of the Bakersfield Police Department from a list of three eligible candidates, which list shall be furnished to the City Manager by the Commissioners not later than forty days after a vacancy in the office of Chief of Police shall occur; after appointment the Chief of Police shall be removed from office or reduced in rank only as provided by this article.

In case of the removal, demotion, resignation, or death of the Chief of Police, the City Manager may with the approval of the Commissioners make a temporary appointment of Chief of Police, said appointment to remain in force not exceeding sixty days, and only until a regular appointment may be made under the provisions of this article.

In case of the temporary absence or disability of the Chief of Police the City Manager shall appoint an Assistant Chief of Police to become acting Chief of Police during the period of such absence or disability.

PROPOSITION No. 21

That Section (231) 11 of the Charter of the City of Bakersfield, entitled Removal, Demotion or Discharge—Members of Department, be amended to read as follows:

Removal, Demotion or Discharge—Members of Department

Policemen: Discipline

Section (231) 11. No person employed in the Police Department, shall be removed, demoted or discharged, except for cause, upon written charges, and after an opportunity to be heard in his own defense. Pending the hearing of such charges against members of the Department, with the exception of the Chief of Police, the Chief of Police may suspend the person so accused; but suspension in any case shall not be valid for more than thirty days upon any charge unless the hearing thereon shall be delayed beyond such time by the act of the person so accused. Charges against any member of the Department, shall be filed with the Civil Service Commission and a copy of such charges shall be filed with the authority having the appointive power.

A correct copy of such charges shall be served upon the accused, who shall, within ten (10) days after such service, file a written answer thereto. Failure to answer said charges within ten (10) days time shall be held to be an admission of the charges by the accused and a waiver of hearing; whereupon, the Civil Service Commission shall find the accused guilty as charged and he shall be removed and discharged from the Department as of the date of his suspension by the appointive power.

If the accused shall answer said charges within the allotted time he shall be given five (5) days notice of the time and place of hearing of said charges. The accused, at the hearing of such charges, which may be private or public at the option of the accused, shall have the right to be represented by counsel, to submit evidence in his behalf, and to compel the attendance of such witnesses as he may desire to testify in his behalf. A public hearing is waived unless demanded by the accused in his written answer.

The order or the decision of the Civil Service Commission upon such hearing shall be final and shall forthwith be enforced by the appointive power.

Service upon the accused of copies of charges, notices of hearings and rehearings, and all other notices and papers in proceedings for removal, demotion or discharge, shall be by personal service, except when the accused cannot be found in the City of Bakersfield or when he is charged with absence from duty without leave, in which cases service may be made by depositing a copy of such charges, notices or papers in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to the accused at his last place of residence as the same is shown by the files of the Police Department; and failure of the accused to receive such copies of charges, notices or papers shall not affect the jurisdiction of the Civil Service Commission to proceed.

## Proposition No. 22

That Section (233) 13 of the Charter of the City of Bakersfield, entitled Suspension; Causes of Suspension or Removal, be amended to read as follows:

### Suspension; Causes of Suspension or Removal

Section (233) 13. The Chief of Police or other authorized officers of the Department may, subject to the rules of the Department for disciplinary purposes, suspend a subordinate for a period not exceeding thirty days and such suspension shall carry with it the loss of salary for the period of suspension. Removal, suspension, demotion or discharge may be upon any of the following grounds: Incompetency, habitual intemperance, immoral conduct, dishonesty, inattention to duties, drunkenness on duty, insubordination and absence from duty without leave.

Suspension or removal

PROPOSITION NO. 23

That Section (235) 15 of the Charter of the City of Bakersfield, entitled Secretary of the Commission, be amended to read as follows:

Secretary of the Commission

Secretary of Commission

Section (235) 15. The Commissioners shall from time to time designate one of their members as secretary.

AND WHEREAS, The Council of the City of Bakersfield, County of Kern, State of California, in accordance with the law in such cases made and provided, did meet at its usual place of meeting, at the time and in the manner provided by law, and duly canvassed the returns of said election as certified by the Election Boards, and duly found, determined and declared that the majority of the qualified electors of said city voting thereon had voted in favor of, and ratified said amendments to the Charter of the City of Bakersfield as hereinabove last set forth, and alleged to have been so ratified; and

WHEREAS, That the foregoing is true is shown by the certificate of Jake Vanderlei, Mayor of the City of Bakersfield, and V. Van Riper, Clerk of said City, whose certificate is in words and figures as follows, to wit:

STATE OF CALIFORNIA
COUNTY OF KERN } ss.
CITY OF BAKERSFIELD

Certificate

This is to certify that we, Jake Vanderlei, Mayor of the City of Bakersfield, and V. Van Riper, Clerk of the City of Bakersfield, have compared the foregoing proposed and ratified amendments to the Charter of the City of Bakersfield with the original proposed amendments submitted to the qualified electors of the said City of Bakersfield at a special election held within the City of Bakersfield on August 12, 1947, and find that the foregoing is a full, true, and correct and exact copy of said amendments.

We further certify that the facts set forth in the preamble preceding said amendments to said Charter, and the matters set forth therein are and each of them is true.

IN WITNESS WHEREOF we have hereunto set our hands and caused the corporate seal of the City of Bakersfield to be attached this 24th day of February, 1948.

JAKE VANDERLEI
Mayor of the City of Bakersfield

(SEAL)

V. VAN RIPER
Clerk of the City of Bakersfield

AND WHEREAS, The said amendments to the Charter of the City of Bakersfield so ratified as hereinbefore set forth have

been duly presented and submitted to the Legislature of the State of California, for approval or rejection, without power of alteration or amendment, all in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

*Resolved by the Assembly, the Senate concurring,* A majority of all members elected to each house voting for the adoption of this resolution and concurring therein, that the said amendments to the charter of the City of Bakersfield herein set forth as presented and submitted to and ratified and adopted by the qualified electors of the City of Bakersfield, be and the same are hereby adopted as a whole for and as amendments to the said charter of the City of Bakersfield. Approval

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## CHAPTER 13

*Assembly Joint Resolution No. 4—Memorializing Congress to consider certain California products in any bill authorizing European relief under the Marshall plan.*

[Filed with Secretary of State March 11, 1948]

WHEREAS, Congress may pass a law authorizing European relief pursuant to the Marshall plan; and Marshall plan Consideration of California products

WHEREAS, The State of California produces large quantities of raisins, dried fruits, milk by-products, and citrus concentrates; now, therefore, be it.

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Congress of the United States is memorialized to take into consideration California products such as raisins, all kinds of dried fruits, milk by-products, and citrus concentrates in any bill authorizing European relief under the Marshall plan; and be it further

*Resolved,* That the Chief Clerk of the Assembly prepare and transmit copies of this resolution to the President of the United States, to the President pro Tempore of the Senate, to the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California.

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## CHAPTER 14

*Assembly Joint Resolution No. 7—Relative to the shipbuilding industry of the West Coast.*

[Filed with Secretary of State March 12, 1948]

WHEREAS, During the war years, those years from 1941-1946, the splendid job of shipbuilding done on the West Coast turned out in vast numbers the ships vital to the successful prosecution of the war and which were a determining factor in ending World War II in an all out victory for the United States and her allies; and Shipbuilding industry of West Coast

WHEREAS, To operate these vast and vital shipbuilding enterprises, it was necessary to employ many thousands of men and women, who removed from their homes and established communities centering around and supported by the shipyard pay rolls, creating prosperous areas enjoying normal community business in the sale and exchange of commodities and services; and

WHEREAS, There have been persistent rumors that there might be a severe curtailment in the amount of shipbuilding done on the West Coast; and

WHEREAS, Such a curtailment would seriously and adversely affect an industry now established and vital to the economic life of the West Coast, at the same time incapacitating or destroying vast enterprises which should be maintained in the interests of national defense and employed in the building, rebuilding, repair, and maintenance of the United States Merchant Marine; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the United States Maritime Commission is hereby memorialized to do all in its power to retain in the West Coast shipyards a volume of shipbuilding and repair which will insure the permanent continuance of these industries on the West Coast, avert the economic loss and disaster resulting from a disruption and uprooting of these many shipbuilding communities and the scattering of workers skilled in shipbuilding and repair, to the end that these priceless facilities built up during the war years shall be preserved and continued in the interests of an adequate merchant marine and as a factor vital to the national defense; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the United States Maritime Commission, to the President of the United States, the President Pro Tempore of the Senate of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California, Oregon, and Washington in the Congress of the United States.

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## CHAPTER 15

*Senate Joint Resolution No. 2—Relative to memorializing Congress to keep open the Veterans Administration Office at Modesto.*

[Filed with Secretary of State March 12, 1948.]

**Modesto office of Veterans Administration**

WHEREAS, The veterans served by the Modesto office of the Veterans Administration number between 16,000 and 20,000 and constitute between 25 percent and 30 percent of the population of the Modesto area; and

WHEREAS, The said Modesto office is scheduled to be closed on the nineteenth day of March, 1948; and

WHEREAS, The nearest office of the Veterans Administration will then be 29 miles distant from the said Modesto office; and

WHEREAS, The closing of the said Modesto office will seriously disrupt the apprenticeship and on-the-job training program in Modesto and throughout Stanislaus County; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Congress and the President of the United States are urged and memorialized to take such steps as may be necessary to keep open the office of the Veterans Administration at Modesto, and provide adequate funds therefor; and be it further

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

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## CHAPTER 16

*Senate Concurrent Resolution No. 6—Approving an amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the twenty-first day of October, 1947.*

[Filed with Secretary of State March 12, 1948.]

WHEREAS, Proceedings have been had and taken for the proposal, adoption and ratification of an amendment hereinafter set forth to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, as set out in the certificate of the mayor and the city clerk of said city as follows, to wit: City of Santa Cruz Charter amendment.

CERTIFICATE OF MAYOR AND CITY CLERK OF THE CITY OF SANTA CRUZ, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA.

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ } ss.
CITY OF SANTA CRUZ

We, the undersigned, C. M. Aldrich, Mayor of the City of Santa Cruz, and A. J. Miller, the City Clerk of said City, do hereby certify and declare as follows: Certificate

The City of Santa Cruz, County of Santa Cruz, State of California, is now and at all times mentioned in this certificate has been a city containing a population of more than three thousand five hundred (3500) inhabitants, and less than fifty thousand (50,000) inhabitants, and has ever since the year 1911, and is now, organized and existing under and pursuant

to the provisions of a freeholders charter adopted in accordance with and by virtue of the provisions of Article XI, Section 8, of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said City at a special municipal election held for that purpose on the 31st day of January 1911, in the manner, form and substance as required by law, and was thereafter duly approved by concurrent resolution of the legislature of the State of California, on the 10th. day of March 1911. (Stats. 1911, Resolution 44).

The legislative body having authority of said City being a council thereof, did on its own motion, and by resolution adopted on the 2nd. day of September, 1947, duly propose to the qualified electors of said City of Santa Cruz, a certain amendment to Article XV of the Charter of said City, which amendment is hereinafter set forth.

The said City Council did, by ordinance duly passed and adopted on the 8th. day of September, 1947, proclaim and fix the 21st. day of October, 1947, the date of the Special Municipal Election to be held in said City of Santa Cruz, as the date on which the said amendment so proposed be submitted to, and voted on by the qualified electors of said City of Santa Cruz.

The said proposed amendment was published on the 5th. day of September, 1947, in the Santa Cruz Sentinel-News, a newspaper of general circulation printed and published in the City of Santa Cruz, and having a general circulation therein, there being no official newspaper of the City of Santa Cruz, and said publication was made at the time and in the manner prescribed in Article XI, Section 8, of the Constitution of the State of California.

The said Special Municipal Election held on October 21st., 1947, was not less than forty and not more than sixty days after the completion of the advertising in said newspaper. At said election the said proposed charter amendment was voted upon by the qualified electors of the City of Santa Cruz. A majority of the qualified electors voting thereon voted in favor of and did ratify the said proposed charter amendment.

That thereafter the City Council of said City of Santa Cruz, County of Santa Cruz, State of California, did duly and regularly canvass the returns of said election and did, by resolution, duly find and declare that said amendment to said City Charter of the City of Santa Cruz, was and is approved by the electors of said City of Santa Cruz, and ratified by the qualified voters voting thereon.

That said Charter amendment so ratified by the qualified voters of the City of Santa Cruz at said election is in words and figures as follows:

PROPOSED CHARTER AMENDMENT

Library tax levy

That Article XV of the Charter of the City of Santa Cruz be amended by adding thereto a new section to be known and numbered Section 176-B which shall succeed Section 176-A and precede Section 177 and which shall provide as follows:

"Section 176-B. The Council shall have power to levy and collect taxes, in addition to all others in this Charter authorized, to provide for the establishment and maintenance of public libraries and reading rooms but the library tax levy when added to the library tax levy provided for in Section 176 shall not exceed thirty cents on each one hundred dollars of the assessed valuation of all the property within the City."

IN WITNESS WHEREOF, we have hereunto set our signatures, and caused the official seal of the City of Santa Cruz to be affixed this 27th day of October, 1947.

C. M. ALDRICH
Mayor of the City of Santa Cruz

(SEAL)

A. J. MILLER
City Clerk of the City of Santa Cruz

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

Approval

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, A majority of all members elected to each house voting therefor and concurring therein, that said amendment to the charter of the City of Santa Cruz as presented 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 amendment or alteration, for and as an amendment to and as part of the charter of said City of Santa Cruz.

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## CHAPTER 17

*Senate Concurrent Resolution No. 7—Relative to the adjournment of the Legislature in respect to the Honorable Clement Calhoun Young.*

[Filed with Secretary of State March 12, 1948.]

Death of Clement Calhoun Young

WHEREAS, The members of the California Legislature and the people in general learned with deep sorrow of the passing on December 25, 1947, of that distinguished statesman, former Governor Clement Calhoun Young; and

WHEREAS, C. C. Young, as he was popularly known, was born in New Hampshire in 1869 of fine New England ancestry, came to California as an infant, was educated at San Jose and Santa Rosa High Schools and the University of California, graduating from the latter in 1892; and

WHEREAS, After his graduation C. C. Young served as a high school teacher at Santa Rosa and at the Lowell High School in San Francisco as head of the English Department, in which connection he became joint author of a book on English poetry

which is still extensively used in educational institutions. Later he compiled for the Commonwealth Club the most comprehensive and authoritative study of the California Legislature ever made under the title of "The Legislature of California," and

WHEREAS, C. C. Young was elected to the Assembly from Alameda County from 1908 to 1916 inclusively and served as Speaker during the sessions of 1913, 1915, and 1917, after which he was elected Lieutenant Governor in 1918 and again in 1922, in which capacity he served until he became Governor on January 24, 1927, holding that high office for a period of four years; conducting it in such a manner as to elicit the mature approval of students of government of all political faiths; and

WHEREAS, C. C. Young in addition to the distinction of being the only individual to have the honor of serving for so long a term as six years as Speaker of the Assembly and the only Lieutenant Governor in California history to serve eight years in that office, earned for himself the reputation of being the best informed man in the State of California on the intricacies of State Government; and

WHEREAS, C. C. Young was a man of exceptional devotion to duty and was most exacting in his demands on himself to perform every detail of each responsibility to the last dictates of an exacting conscience; and

WHEREAS, More remarkable than his keen mind and his seemingly unfailing energy, and the characteristic which set him apart among men, was his forthright honesty and his conspicuous devotion to what he deemed to be right, with the result that those privileged to serve with him became so aware of his candor, and his constant rectitude as to accord to him respect, admiration, and affection, in a degree meted out to but few men; and

WHEREAS, C. C. Young in his last notable service to the people of the State of California, appeared before the Legislative Committee on Revision of the Constitution at Santa Barbara but a few weeks before his death and there presented a comprehensive, analytical, and instructive discourse covering in a masterful way the complex subject of constitutional revision; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the Legislature feels that in the passing of this distinguished citizen the people of California have lost a statesman of unusual capacity, a writer of marked authority, a teacher of great merit, an economist of consistency and forethought and, above all, a character worthy of emulation; and be it further

*Resolved*, That when the Legislature shall complete its labors for this third day of March, 1948, it shall adjourn in honor of the memory of former Governor Clement Calhoun Young; and be it further

*Resolved*, That the Secretary of the Senate be directed to have this resolution engrossed and to forward copies thereof to the members of the bereaved family.

# CHAPTER 18

*Assembly Concurrent Resolution No. 13—Approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of February, 1948.*

[Filed with Secretary of State March 15, 1948.]

City of Long Beach: Charter amendment

WHEREAS, The City of Long Beach, in the County of Los Angeles, State of California, contains a population of more than fifty thousand inhabitants, and has been, ever since the year 1921, and now is, organized and acting under and by virtue of a freeholders' charter, adopted under and by virtue of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said City at a special election held for that purpose on the 14th day of April, 1921, and approved by the Legislature of the State of California, on the 26th day of April, 1921 (Statutes of 1921, page 2054), and amendments thereto duly ratified by the qualified voters of said City and by resolutions of said Legislature as set out in the certificate of the Mayor and City Clerk of said City of Long Beach, hereinafter set forth; and

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of a certain amendment to the charter of said City of Long Beach, as set out in the certificate of the Mayor and City Clerk of said City of Long Beach, as follows, to wit:

CERTIFICATE OF ADOPTION BY THE QUALIFIED ELECTORS OF THE CITY OF LONG BEACH AT A SPECIAL MUNICIPAL ELECTION HELD THEREIN ON THE 24TH DAY OF FEBRUARY, 1948, OF A CERTAIN AMENDMENT TO THE CHARTER OF THE CITY OF LONG BEACH, STATE OF CALIFORNIA.

State of California,
County of Los Angeles, } ss.
City of Long Beach.

Certificate

We, BURTON W. CHACE, Mayor of the City of Long Beach, and CLYDE G. ROSEBERRY, City Clerk of the City of Long Beach, do hereby certify as follows:

That said City of Long Beach, in the County of Los Angeles, State of California, is now, and was at all of the times herein mentioned, a city containing a population of more than fifty thousand inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States; and

That said City of Long Beach is now, and was at all of the times herein mentioned, organized and existing under a freeholders' charter adopted under the provisions of Section 8, Article XI, of the Constitution of the State of California,

which charter was duly ratified by a majority of the electors of said City at a special election held therein on the 14th day of April, 1921, and approved by the Legislature of the State of California, on the 26th day of April, 1921, and amendments thereto duly ratified by the qualified voters of said City, and approved by resolution of said Legislature and filed with the Secretary of State of the State of California the 27th day of April, 1923, (Statutes 1923, page 1624), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 18th day of April, 1925, (Statutes 1925, page 1330), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 15th day of January, 1929, (Statutes 1929, page 1977), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 29th day of March, 1929, (Statutes 1929, page 2062), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 2nd day of March, 1931, (Statutes 1931, page 2780), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 19th day of April, 1933, (Statutes 1933, page 3006), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 29th day of April, 1935, (Statutes 1935, page 2565), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 10th day of June, 1935, (Statutes 1935, page 2677), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 20th day of June, 1935, (Statutes 1935, page 2698), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 14th day of May, 1937, (Statutes 1937, page 2921), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 9th day of April, 1941, (Statutes 1941, page 3351), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 11th day of January, 1943, (Statutes 1943, page 3091), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 27th day of January, 1945, (Statutes 1945, page 2950), and amendments thereto duly ratified by the qualified voters of said City

and approved by resolution of said Legislature and filed with said Secretary of State the 23rd day of May, 1945, (Statutes 1945, page 3090), and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 25th day of July, 1946, and an amendment thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 31st day of January, 1947, and amendments thereto duly ratified by the qualified voters of said City and approved by resolution of said Legislature and filed with said Secretary of State the 23rd day of April, 1947; and

That the legislative body of said City, namely, the City Council of said City, did, by motions duly adopted and pursuant to the provisions of Section 8, Article XI, of the Constitution of the State of California, duly vote to submit to the qualified electors of said City of Long Beach nineteen (19) amendments to the charter of said City, numbered Propositions One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen and Nineteen, and ordered that said proposed amendments be submitted to said qualified electors of said City at a special municipal election to be held in said City on the 24th day of February, 1948; and

That said proposed amendments One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen and Nineteen were, on January 14, 1948, duly published in the Long Beach Independent and in each edition thereof during said date of publication; and

That said Long Beach Independent was, upon the date of said publication, and at all times since has been, and now is, a daily newspaper of general circulation within said City of Long Beach, and was, upon the date of the publication of said proposed amendments, and at all times since has been, and now is, published in said City and said newspaper was, upon the date of the publication of said proposed amendments, and at all times since has been and now is, the official newspaper of said City, and was the newspaper designated by said City Council for the publication of said proposed amendments; and

That said proposed amendments were duly and regularly printed in convenient pamphlet form and, at and during the time and in the manner provided by law, a notice was published in said Long Beach Independent that such copies of said proposed amendments could be had upon application therefor in the office of the City Clerk of said City, and said proposed amendments so printed in convenient pamphlet form were duly and regularly distributed in the manner provided by law; and

That said City Council did, by ordinance designated as Ordinance No C-2701, order the holding of a special municipal election in said City of Long Beach on the 24th day of February, 1948, which date was not less than forty nor more than sixty

days after the completion of the publication of said proposed amendments, as aforesaid, and which ordinance was published at least three times in the Long Beach Independent, the official newspaper of the City of Long Beach, ten days prior to the date of said election, to wit: On the 11th, 12th and 13th days of February, 1948, in the Long Beach Independent, the official newspaper of the City of Long Beach and a newspaper of general circulation and published in said City, and said ordinance was posted in three conspicuous places in the City of Long Beach; and

That said special municipal election was held in said City of Long Beach on the 24th day of February, 1948, which day was not less than forty days nor more than sixty days after the completion of the publication of said proposed amendments once in the Long Beach Independent, as aforesaid; and

That at said special municipal election held, as aforesaid, a majority of the qualified voters of said City of Long Beach voting thereon, voted in favor of and ratified one of said proposed charter amendments and duly ratified the same; and

That the City Council of said City of Long Beach did, at the time and in the manner and form provided by law, to wit, on the 2nd day of March, 1948, regularly canvass the returns of said special municipal election, and did then and there duly find, determine and declare that a majority of the qualified voters of said City of Long Beach voting thereon had voted in favor of and had ratified one of said proposed amendments; and

That said one proposed amendment to the charter of the City of Long Beach, ratified by the voters of said City, as aforesaid, is in words and figures as follows, to wit:

## PROPOSITION NO. 4

That the Charter of the City of Long Beach be amended by amending Section 55 thereof to read as follows:

### Salary of Council Members

Salary of council members

Sec. 55. Each member of the City Council shall receive, as full compensation for all services rendered by him, except for his attendance when the City Council is meeting as a Board of Equalization, the sum of Two Hundred Dollars ($200.00) per month. Provided, however, that there shall be deducted from said amount the sum of Twenty Dollars ($20.00) for each absence of such member from a regular meeting of the City Council, unless such absence is excused by the City Council because of the member's illness or by reason of his being elsewhere engaged on City business. Provided, further, that each member of the City Council in attendance when the City Council is meeting as a Board of Equalization shall receive Ten Dollars ($10.00) for each such meeting attended.

That the foregoing is a full, true and correct copy of said proposed amendment to the charter of the City of Long Beach,

ratified by the electors of said City, as aforesaid, on file in the office of the City Clerk of said City of Long Beach.

IN WITNESS WHEREOF, Burton W. Chace, Mayor, as aforesaid, and Clyde G. Roseberry, City Clerk, as aforesaid, have hereunto set their hands and caused the corporate seal of the City of Long Beach to be thereunto duly affixed on this 3rd day of March, 1948.

BURTON W. CHACE
Mayor of the City of Long Beach

(SEAL)

CLYDE G. ROSEBERRY
City Clerk of the City of Long Beach

WHEREAS, Said proposed amendment to the charter of the City of Long Beach, ratified by the electors of said City, as aforesaid, has been, and is now, submitted to the Legislature of the State of California, for approval or rejection without power of alteration or amendment, in accordance with 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, a majority of all the members elected to each house voting therefor and concurring therein,* That said amendment to the charter of the City of Long Beach, as proposed to, adopted and ratified by the qualified electors of said City of Long Beach, as hereinabove fully set forth, be and the same is hereby approved as a whole without amendment or alteration, for and as an amendment to and as a part of the charter of the City of Long Beach. Approval

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## CHAPTER 19

*Assembly Joint Resolution No. 8—Relative to inviting United States Secretary of State Marshall to address a joint convention of the California Legislature.*

[Filed with Secretary of State March 16, 1948.]

WHEREAS, The Honorable George C. Marshall, Secretary of State of the United States, plans to visit California during March of this year; and George C. Marshall: Invitation to address Legislature

WHEREAS, The Legislature of the State of California would deem it a great privilege if Secretary Marshall were to address it; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Honorable George C. Marshall, Secretary of State of the United States, be invited to address a joint convention of the Legislature of California; and be it further

*Resolved,* That the Chief Clerk of the Assembly be directed, on behalf of the Legislature, to invite the Honorable George C. Marshall to address such a convention.

## CHAPTER 20

*Assembly Concurrent Resolution No. 15—Relative to adjournment in respect to the memory of Mr. Sam Claggett.*

[Filed with Secretary of State March 16, 1948.]

Death of Sam Claggett

WHEREAS, Members of the California Legislature were saddened to learn of the sudden death on Friday, March 5, 1948, of Mr. Sam Claggett, Tax Collector of San Diego County; and

WHEREAS, Mr. Sam Claggett, a native of Wisconsin, served the people of San Diego County faithfully and well for over 15 years, after an interesting and varied career in farming, cattle ranching, and the theater, indicating thereby the great versatility of his talents; and

WHEREAS, He was a member of the local Troupers' Association, a member of a number of Masonic Orders, and was for two years president of the California Tax Collectors' Association; and

WHEREAS, Mr. Sam Claggett was elected four times to the office of tax collector where he instituted many accounting reforms, proving himself to be a true friend of the people; and

WHEREAS, His passing will leave an irreparable gap in the ranks of public service, and in the hearts of his many friends and acquaintances; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Members of the Legislature mourn the passing of this good friend of the people of San Diego County, and hereby seek to convey their heartfelt sympathy to the bereaved widow, and to the citizens of San Diego County; 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 Mr. Sam Claggett; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to prepare a suitably engrossed copy of this resolution for presentation to the widow of Mr. Sam Claggett.

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## CHAPTER 21

*Senate Concurrent Resolution No. 10—Relative to adjournment in respect to the memory of George G. Radcliff.*

[Filed with Secretary of State March 19, 1948.]

Death of George G. Radcliff

WHEREAS, The Supreme Being has once more taken from California one of its most popular and best beloved native sons in the person of George G. Radcliff who died in the City of Sacramento on the fifteenth day of February, 1948; and

WHEREAS, In his passing there has been severed a close link between the political and social friendships of yesteryear and today causing sincere mourning among thousands of friends the length and breadth of the State; and

WHEREAS, The government of California feels a great loss to the State in the death of a man whose political activities covered a wide field, beginning with the first administration of the late Hiram W. Johnson in 1911, and whose activities extended into the newspaper life of the State with great personal prominence and acknowledged efficiency, centering in the City of Watsonville for more than 30 years; and

WHEREAS, Mr. Radcliff served the State of California in various capacities and was one of the first appointees of Governor Johnson, taking over the Capitol Building and Grounds as well as later acting as Chairman of the State Board of Control and District Sales Tax Administrator of the State Board of Equalization, and earlier in life was City Clerk and Postmaster in Watsonville, a Member of the State Assembly, and in all of these activities was acknowledged as a man of high courage and strict probity, greatly influencing favorably the lives of others in all his activities; and

WHEREAS, Later in state history he became, under the late Governor, Friend W. Richardson, Chairman of the State Board of Control which position he held until 1927, and later in 1930 became first president of the American River Hydro-Electric Company and General Manager of its Sacramento interests; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Members of the Legislature at this time express deep regret and acknowledge definite loss to the State in the death of George G. Radcliff; and be it further

*Resolved,* That when the Senate and the Assembly, respectively, on this day adjourn, it be done in honor of the memory of the deceased; and be it further

*Resolved,* That a suitably prepared copy of this resolution be forwarded by the Secretary of the Senate to the widow, Mrs. Harriet A. Radcliff, at her home in Sacramento.

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## CHAPTER 22

*Senate Concurrent Resolution No. 12—Relative to adjournment in respect to the memory of Ezra Frederick Scattergood.*

[Filed with Secretary of State March 19, 1948.]

WHEREAS, Ezra Frederick Scattergood died on November 15, 1947, at the age of 76 years; and

Death of Ezra Frederick Scattergood

WHEREAS, Ezra Frederick Scattergood came to California in 1902, and served the State well as general manager, chief electrical engineer, and dominant figure in building the power system, of the Los Angeles Department of Water and Power until 1940, and as their consultant until his death; and

WHEREAS, Ezra Frederick Scattergood also served the State well as planner of the aqueduct from Owens Valley to Los

Angeles and of the power transmission line from Hoover Dam to Los Angeles, and on the Public Works Advisory Commission for California under the NRA, and on the Colorado River Board of California and as chairman of the Committee on Electric Power of the California State War Council, and since 1926, as a lecturer in electrical engineering at Stanford University; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Senate and Assembly of the State of California hereby express profound regret upon learning of the death of Ezra Frederick Scattergood; and be it further

*Resolved,* That the Secretary of the Senate, as an expression of the sympathy and esteem of the Members of the Senate and Assembly, transmit suitably prepared copies of this resolution to the widow of Ezra Frederick Scattergood, Mrs. Lucy C. Scattergood, to his daughter, Elizabeth Scattergood, and to the Los Angeles Department of Water and Power; and be it further

*Resolved,* That when the Senate and Assembly of California this day adjourn, they do so out of respect to the memory of Ezra Frederick Scattergood.

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## CHAPTER 23

*Senate Concurrent Resolution No. 13—Relative to commending the sponsors of the "Freedom Train" and inviting it to return to the State.*

[Filed with Secretary of State March 19, 1948.]

"Freedom Train": Commending sponsors

WHEREAS, During the nation-wide tour of the "Freedom Train," it has received spontaneous and enthusiastic receptions at all places of call; and

WHEREAS, This opportunity afforded by the "Freedom Train," to witness the sacred souvenirs of our heroic history has resulted in a great revival of patriotic spirit among our people; and

WHEREAS, Many persons in the State, including thousands of school children, have been unable to pass through the train and view its treasures, because of limited time and facilities, to the keen disappointment of such persons; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the sponsors of the "Freedom Train" hereby are commended on their outstanding service to the Nation; and be it further

*Resolved,* That the sponsors of the "Freedom Train" are urged respectfully hereby to arrange for the return of the train to the State of California upon a more complete itinerary as soon after its present visit is completed as convenient to such sponsors; and be it further

*Resolved,* That the Secretary of the Senate is directed to send suitably engrossed copies of this resolution to the sponsors of the "Freedom Train."

## CHAPTER 24

*Senate Concurrent Resolution No. 14—Relative to inviting the Honorable Eamon De Valera, former Prime Minister of the Irish Free State, to address the Legislature.*

[Filed with Secretary of State March 19, 1948]

Eamon De Valera· Invitation to address Legislature

WHEREAS, The Honorable Eamon De Valera, for many years Prime Minister of the Irish Free State, will be a visitor in California during the week March 14 to 20, 1948; and

WHEREAS, Wednesday, March 17th, is St. Patrick's Day; and

WHEREAS, An address by the Honorable Eamon De Valera would suitably mark the observance of St. Patrick's Day by the Legislature; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That this Legislature hereby invites the Honorable Eamon De Valera to address a joint meeting of the Senate and Assembly during the week March 14 to 20, 1948; and be it further

*Resolved,* That such invitation be immediately forwarded to the Honorable Eamon De Valera together with a copy of this resolution; and be it further

*Resolved,* That a joint committee be appointed by the President pro Tempore of the Senate and the Speaker of the Assembly to personally extend to the Honorable Eamon De Valera on behalf of the Legislature and to personally urge him to accept the invitation to address the Legislature.

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## CHAPTER 25

*Senate Joint Resolution No. 4—Relative to memorializing Congress and the President of the United States in relation to migratory game birds.*

[Filed with Secretary of State March 19, 1948]

Migratory game birds

WHEREAS, Pursuant to treaties of the United States with Great Britain and Mexico, the jurisdiction to regulate the taking of migratory game birds is vested in the Congress of the United States and has been exercised by the enactment of the Migratory Bird Treaty Act; and

WHEREAS, Said act provides for the making of regulations to carry out its purposes, which regulations are now made by the Fish and Wildlife Service in the Department of the Interior and become effective when approved by the President of the United States; and

WHEREAS, In formulating such regulations said act requires that due regard be taken to "the zones of temperature" as well as distribution and other factors, and this has

resulted in the establishment of zones running in general from east to west; and

WHEREAS, In relation to wild ducks it has been established that there are four principal flyways running north and south across the country from Canada to the Caribbean Sea, Mexico, and even further south, that each of these flyways has its own population of ducks, and that there is little change from one flyway to another, with the result that each flyway presents its own problems of conservation, independent of the others; and

WHEREAS, The State of California lies in the Pacific flyway which runs from Alaska and the northern part of Canada south across the western part of the United States and into Mexico and farther south, and it is only in relation to this flyway that the conservation of ducks in California can properly be carried out; and

WHEREAS, The regulation of wild fowl, and particularly wild ducks, in California in relation to other areas of the United States lying along flyways other than the Pacific does not take into consideration the relative independence of the several flyways nor the fact that the duck population in any given area depends upon conditions up and down its particular flyway, rather than in areas lying in the same zones of temperature on other flyways; and

WHEREAS, Senate Bill No. 2199 and House of Representatives Bill No. 5493 provide for the amendment of said act to provide that regulations adopted pursuant thereto shall be based on conditions existing within each area, section, or flyway; and for the creation of a Migratory Game Bird Advisory Committee; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Congress and the President of the United States are urged and memorialized to enact the legislation incorporated in Senate Bill No. 2199 and House Bill No. 5493; and be it further

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

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## CHAPTER 26

*Senate Joint Resolution No. 7—Relative to memorializing Congress to appropriate funds for the construction of a breakwater at Half Moon Bay.*

[Filed with Secretary of State March 19, 1948.]

Breakwater at Half Moon Bay

WHEREAS, The construction of a breakwater at Half Moon Bay is necessary to provide a safe harbor and a refuge for small craft on the Pacific Ocean between San Francisco Bay and Monterey Bay, to provide facilities for commercial and sport

fishing, to create beaches and recreational facilities, and to retard erosion, which has become serious on sections of the coast of San Mateo County; and

WHEREAS, On January 20, 1948, in Washington, D. C., the construction of a breakwater at Half Moon Bay, at a cost of four million five hundred thousand dollars ($4,500,000) was recommended by the Board of Review for Rivers and Harbors of the United States Army Engineers; and

WHEREAS, The construction of a breakwater at Half Moon Bay has been endorsed by the Congress of Industrial Organization, the American Federation of Labor, the Chamber of Commerce of Santa Cruz, the Chamber of Commerce of San Francisco, the chambers of commerce of every community in San Mateo County, and the Chamber of Commerce of the State of California; and

WHEREAS, The Board of Supervisors of San Mateo County has committed itself to furnish the Army Engineers with the cooperation they require, including contribution of easements, rights of way, royalty-free rock, and cash in the sum of one hundred thousand dollars ($100,000); and

WHEREAS, The Honorable Earl Warren, Governor of the State of California, after consultation with various agencies of the State Government, has recommended early construction of a breakwater at Half Moon Bay; and

WHEREAS, Bills authorizing the construction of, and appropriating funds for, a breakwater at Half Moon Bay have been, or are about to be, introduced in Congress; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Congress and the President of the United States are urged and memorialized to take such steps as may be necessary to provide authority and funds for the early construction of a breakwater at Half Moon Bay; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to the President of the United States, to the President pro Tempore of the Senate and the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

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## CHAPTER 27

*Assembly Concurrent Resolution No. 10—Relating to requesting the Director of Agriculture to extend the quarantine on "quick decline" disease of citrus trees.*

[Filed with Secretary of State March 24, 1948.]

Quarantine on "quick decline" disease

WHEREAS, The cultivation and production of citrus fruits constitutes one of the State of California's major agriculture pursuits and such horticulture is practiced extensively in both the southern and northern sections of California; and

WHEREAS, Certain areas of Southern California have become infested with a virus known as "quick decline" of orange trees which is injurious to orange trees so infected; and

WHEREAS, The Director of Agriculture of the State of California has placed a quarantine on movement of budwood, cions or cuttings of orange trees from certain areas in Southern California to other areas of California; and

WHEREAS, Growers of citrus fruits north of the Tehachapi line do not believe that such quarantine of isolated sections affords adequate protection from the spread of infestation of "quick decline" to noninfested areas in the northern part of the State; and

WHEREAS, The present regulations restrict the transportation of orange trees and parts thereof into the northern part of the State only when they originate in one of the isolated areas in the southern part of the State; and

WHEREAS, In recent years this virus has spread to a considerable extent in the area south of the Tehachapis and is likely to be found in new places within that area at any time; and

WHEREAS, The present regulations are designed to protect the uninfected areas in the southern part of the State as well as uninfected areas in the north and such regulations should not be abandoned; and

WHEREAS, It would be desirable, if it could be accomplished without affecting the present regulations, to establish a secondary quarantine so as to prevent the transportation of orange trees from any point south of the Tehachapis to any point north thereof; and

WHEREAS, The Tehachapi line forms a natural barrier between areas infested with "quick decline" and noninfested areas; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Director of Agriculture of the State of California is requested to investigate the legality and feasibility of supplementing the present quarantine of "quick decline" areas by establishing a secondary quarantine of all areas in the State of California south of the Tehachapi line if that can be done without affecting the present regulations; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Agriculture of the State of California and to the Governor of the State of California.

## CHAPTER 28

*Assembly Concurrent Resolution No. 17—Relative to amending Rule No. 23 of the Joint Rules of the Senate and Assembly, relating to passage of bills preceding final adjournment.*

[Filed with Secretary of State March 24, 1948.]

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That Rule No. 23 of the Joint Rules of the Senate and Assembly be amended to read: Amendment of Joint Rule 23

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 14 days prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

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## CHAPTER 29

*Assembly Joint Resolution No. 1—Relating to memorializing Congress to continue its Veteran's Flight Training Program.*

[Filed with Secretary of State March 25, 1948.]

WHEREAS, There is now pending for consideration by the Congress a house bill which if passed will discontinue the Veteran's Flight Training Program; and Veteran's Flight Training Program

WHEREAS, It is in the interest of the welfare and safety of the people of the United States that a knowledge of aviation and the principles of flight training be disseminated to the widest extent possible; and

WHEREAS, The Veteran's Flight Training Program is of immeasurable assistance to many veterans of World War II who desire to follow aviation as a career and its discontinuance at this time, will serve to discriminate unfairly against such veterans and would constitute a false economy; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* that the passage of any measure discontinuing or restricting the Veteran's Flight Training Program is highly undesirable; and be it further

*Resolved,* That the Congress of the United States, particularly the Senators and Representatives of the State of California in the National Congress, and especially Congressman B. W. Kearney of the State of New York author of the bill hereinabove mentioned are hereby memorialized vigorously to oppose the passage of said bill; and be it further

*Resolved,* That a copy of this resolution forthwith be transmitted by the Chief Clerk of the Assembly to each Senator and Representative from California in the Congress of the United States and to Congressman B. W. Kearney.

# CHAPTER 30

*Senate Joint Resolution No. 12—Relative to the tide and submerged lands off the coast of California.*

[Filed with Secretary of State March 25, 1948.]

Tide and submerged lands

WHEREAS, On the adoption of the Declaration of Independence, the original states, as successors to the English Crown, became the owners of the tide and submerged lands within their respective borders, and such ownership was retained by them on the adoption of the Constitution and never has been relinquished to the Federal Government since; and

WHEREAS, The State of California was admitted to the Union on a basis of equality with the original states, possessing and enjoying all the attributes of sovereignty residing in the original states, including the ownership of the tide and submerged lands within its borders; and

WHEREAS, The decision of the United States Supreme Court in the case of the United States vs. California has held that "The United States of America is now, and has been at all times pertinent hereto, possessed of paramount rights in, and full dominion and power over, the lands, minerals and other things underlying the Pacific Ocean lying seaward of the ordinary low water mark on the coast of California, and outside of inland waters, extending seaward three nautical miles and bounded on the north and south, respectively, by the northern and southern boundaries of the State of California. The State of California has no title thereto or property interest therein"; and

WHEREAS, This decision casts a cloud upon the title of the State of California and all of its subdivisions or persons acting pursuant to its permission, to the tide and submerged lands off the coast of the State of California extending seaward three miles; and

WHEREAS, The Supreme Court has declared that the power to determine the question of ownership resides in the Congress; and

WHEREAS, The State of California, its subdivisions and persons acting pursuant to its permission have spent enormous sums of money improving and developing the tide and submerged lands along the coast of California, which improvements and developments are in jeopardy unless the Congress enacts legislation to remove the cloud on the title to said lands created by the Supreme Court decision; and

WHEREAS, The State of California has developed and made available for public use, a system of beaches and parks at great cost and expense to the people of California, and these state-owned and operated beaches and parks have been developed to the point where they are now used and enjoyed by approximately 22,000,000 people per year; and

WHEREAS, The State of California, its cities, counties and other political subdivisions have made improvements to tide

and submerged lands for many purposes including but not limited to harbor developments, piers, docks, wharves, jetties, recreational facilities, and industrial sites; and

WHEREAS, The State of California has had for many years a full and complete set of laws designed for the conservation, regulation and management of its natural resources in such fields as mining, forestry, beaches and parks, oil and gas, public lands, soil conservation, fish and game, and harbors and navigation, and the State has provided for adequately staffed and financed administrative agencies to carry out these laws; and

WHEREAS, The State of California, its subdivisions and persons acting pursuant to its permission have made the investments, improvements and developments herein set forth in good faith upon the assumption that the State of California was the owner of, and had dominion and jurisdiction over the tide and submerged lands lying off the coast of California; and

WHEREAS, For many years prior to the Supreme Court decision, many agencies of the Federal Government have recognized the ownership, dominion and jurisdiction of the State of California over these tide and submerged lands; and

WHEREAS, The cloud created by the decision of the Supreme Court not only affects the investment, development and improvement already made on and to the tide and submerged lands off the coast of California, but it will prevent further investments in and development to and improvement of these tide and submerged lands off the coast of California, to the detriment of the people of the State of California and of the United States; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Congress of the United States be respectfully requested to enact legislation now pending before the Congress, to remove the cloud created by the Supreme Court decision by quitclaiming to the State of California and the other respective States of the United States and to their subdivisions and to persons acting under and pursuant to their permission, ownership of, title to and dominion over the lands beneath the tide waters and navigable waters of the United States a distance seaward three miles; so that the State of California together with the several states may continue without interruption the title to and dominion and jurisdiction over said lands, thereby perpetuating what has been considered for more than 160 years in good faith to be a proper sphere of state jurisdiction, dominion and ownership; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to the Senators and Representatives of the State of California and to the Committee on Judiciary of the United States Senate and to the Committee on Judiciary of the House of Representatives and to the President of the United States; and be it further

*Resolved,* That the Secretary of the Senate is directed to send copies of this resolution to the mayors of all California cities and the chairmen of all boards of supervisors of California

counties and urge that they, in their local areas, continue unabated their valiant battle for the reaffirmation, by the Congress and the President, of California's unquestioned title to its tide and submerged lands.

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## CHAPTER 31

*Assembly Concurrent Resolution No. 19—Relative to the use and purchase of automobiles by the State.*

[Filed with Secretary of State March 26, 1948]

Use of state automobiles

WHEREAS, It has come to the attention of this Legislature that many employees and officials of the State have fallen into the practice of promiscuously using, for their private purposes, automobiles assigned to them exclusively for state business; and

WHEREAS, Such practice is unwarranted and highly improper, and gives rise to justified resentment on the part of the citizenry of the State; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the use of state-owned automobiles for the private purpose of any person is disapproved and condemned; and be it further

*Resolved,* That the Department of Finance is requested to require that the insignia of the State of California, together with the words "For Official Use Only", be marked or imprinted upon all automobiles owned by the State, except those automobiles purchased for elected officials, secret investigation work and for agencies whose automobiles bear other designation other than the so called "Diamond E" license plate suitably indicating that they are for official use of the State of California only; and be it further

*Resolved,* That a copy of this resolution be sent forthwith by the Chief Clerk of the Assembly to the Director of the Department of Finance and to the heads of all departments of the State using state-owned automobiles.

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## CHAPTER 32

*Assembly Joint Resolution No. 2—Relative to the acquisition of Angel Island in San Francisco Bay as a state park.*

[Filed with Secretary of State March 26, 1948]

Angel Island

WHEREAS, Angel Island in San Francisco Bay is magnificently situated for use as a state park, being centered in a metropolitan population; and

WHEREAS, Angel Island is one square mile in area, and has upon it docks, wharves, barracks, housing and hospital facilities, paved roads, and utilities placed there by the Federal Government; and

WHEREAS, The island, currently managed by the War Assets Administration, has been declared surplus, and is now available to the State of California at an immense discount; and

WHEREAS, By previous appropriation, the Department of Natural Resources has ample funds to acquire this island; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the State Park Commission be requested to investigate the suitability of Angel Island, relative to cost, development, cost and mode of transportation, water facilities and suitability as a state park or recreational area and if, after such investigation, the State Park Commission concludes that it would be desirable for inclusion in the State Park System, it would proceed with acquisition; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President of the United States, the President pro Tempore of the Senate in the Congress of the United States, to the Speaker of the House of Representatives in the Congress of the United States, to each Senator and Representative from California in the Congress of the United States, to the War Assets Administration, to the Director of the Department of Natural Resources and the California State Park Commission.

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## CHAPTER 33

*Senate Concurrent Resolution No. 19—Relative to recommending to the State Board of Control that mileage allowances for employees using their own automobiles for state business be increased.*

[Filed with Secretary of State March 26, 1948.]

State employees' mileage allowance

WHEREAS, In many instances state employees are required to use their own automobiles for the transaction of official state business; and

WHEREAS, Pursuant to Board of Control Rule 718, the maximum rate allowed for the use of privately owned automobiles in state business is 5½ cents ($0.055) per mile; and

WHEREAS, The cost of repairs, maintenance, and insurance premiums have risen sharply, and the prices for gasoline and new cars have increased greatly,

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the State Board of Control be requested to immediately review these increased costs connected with the operation of an automobile and to revise said Rule 718 in accordance therewith; and be it further

*Resolved,* That the Secretary of the Senate be directed to transmit a copy of this resolution to each member of the State Board of Control.

# CHAPTER 34

*Assembly Joint Resolution No. 11—Relative to the rights of the States of Arizona, Nevada, and California to the use of the water of the Colorado River.*

[Filed with Secretary of State March 27, 1948.]

Colorado River water

WHEREAS, More than 3,000,000 inhabitants of this State are dependent upon the Colorado River as a source of supplemental water supply for domestic purposes; and

WHEREAS, The metropolitan areas of Southern California, including those within approximately 2,200 square miles of coastal plain and foothills extending from Los Angeles to Riverside and San Bernardino and those in San Diego and vicinity are dependent upon the Colorado River as a source of supplemental water supply for municipal and industrial purposes; and

WHEREAS, Over 1,000,000 acres of the lands of this State are solely dependent upon the Colorado River as a source of water supply for irrigation purposes; and

WHEREAS, There is now pending in the United States Senate a bill (S. 1175) which, if enacted, would authorize the Central Arizona Project; and

WHEREAS, There is insufficient water available in the Lower Basin of the Colorado River to supply the Central Arizona Project without depriving the people of California of their right to use that water and jeopardizing their investment in distribution facilities which amounts to more than $500,000,000; and

WHEREAS, The States of California and Arizona have been unable to agree as to their respective rights to the use of the water of the Colorado River; and

WHEREAS, Five resolutions (H.J.R. 225, 226, 227, and 236 and S.J.R. 145) are now pending before the United States Congress which would, if adopted, authorize a suit in the United States Supreme Court to determine the respective rights of the States of Arizona, Nevada, and California to the use of the water of the Colorado River; and

WHEREAS, The authorization of the Central Arizona Project prior to an adjudication of water rights would greatly intensify the dispute between the States of California and Arizona and result in the possible expenditure of hundreds of millions of dollars of public money to construct a project for which there would be an inadequate water supply; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the United States Congress is respectfully memorialized and urged to adopt one of the resolutions authorizing a suit in the United States Supreme Court to adjudicate the respective rights of the States of Arizona, Nevada, and California to the use of the water of the Colorado River; and be it further

*Resolved,* That the United States Congress is respectfully memorialized and urged to suspend further consideration of the proposed Central Arizona Project pending the determination of the respective rights of the States of Arizona, Nevada, and California to the use of the water of the Colorado River; and be it further

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

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## CHAPTER 35

*Assembly Joint Resolution No. 14—Relative to transportation rates for dairy feed and hay.*

[Filed with Secretary of State March 27, 1948.]

Transportation rates for dairy feed and hay

WHEREAS, The present drought condition has created a serious shortage in the supply of dairy feed and hay in this State; and

WHEREAS, Because of this shortage and the resulting increase of prices, dairymen have been selling for slaughter their cattle which would otherwise produce milk for dairy products; and

WHEREAS, If the slaughter of dairy cattle is continued, the health of the inhabitants of this State will be endangered by the ensuing milk shortage and the welfare of the many thousands of families in this State who are dependent upon the dairy industry for their livelihood will be jeopardized; and

WHEREAS, There is available in other sections of the United States, an abundant supply of dairy feed and hay; and

WHEREAS, It is not economically feasible for California dairymen to import such products because of the present high transportation costs; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Interstate Commerce Commission is respectfully memorialized and urged temporarily to reduce the transportation rates for interstate shipments of dairy feed and hay to an amount which would make it economically feasible for California dairymen to import such products; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Interstate Commerce Commission.

# CHAPTER 36

*Assembly Concurrent Resolution No. 22—Relative to requesting the Department of Education to determine that the cost of the care, maintenance and instruction of nonresident deaf-blind pupils at the California School for the Blind be the pro rata average cost of all students enrolled at said school.*

[Filed with Secretary of State March 27, 1948.]

Cost of educating nonresident deaf-blind students

WHEREAS, The State of California maintains a school known as the California School for the Blind; and

WHEREAS, Nonresident deaf-blind pupils are eligible for enrollment at said school upon payment of the cost incident to their care, maintenance and education; and

WHEREAS, The State Department of Education is required by law to determine the cost per pupil of such care, maintenance and education; and

WHEREAS, The State Department of Education has heretofore determined such cost to be the pro rata average cost for all pupils enrolled in the school; and

WHEREAS, Nonresident deaf-blind pupils have enrolled in the school under the apprehension the cost of their care, maintenance and education would be the average pro rata cost of maintaining all pupils; and

WHEREAS, Certain nonresident deaf-blind pupils of the school have received legislative grants from their own states for payment of costs of care, maintenance and education, based upon and limited to the average cost per pupil of all pupils enrolled at the school; and

WHEREAS, Unless the cost of care, maintenance and education of said deaf-blind pupils is determined to be the pro rata average cost of all pupils of the school, said deaf-blind pupils will be unable to remain at the school because of their inability to pay costs in excess of an amount equal to the average cost per pupil of all students; and

WHEREAS, There are but two nonresident deaf-blind pupils enrolled at the California School for the Blind whose cost of care, maintenance and education was provided for upon the premise that the cost thereof would be that of the average pro rata cost per pupil of all students and that any deviation in the method of computing such costs would be unequitable and subject the two pupils mentioned hereinabove to unnecessary hardship; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the State Department of Education, with the approval of the State Department of Finance, determine that the cost of maintenance, care and education of two nonresident deaf-blind pupils at the California School for the Blind for the fiscal year commencing July 1, 1948 and ending June 30, 1949, be the average pro rata cost per pupil of all pupils; and be it further

*Resolved,* That the Department of Education is requested to inform any state, individual, corporation or agency now contributing to the support of a deaf-blind pupil at the California School for the Blind, that the determination of the amount necessary to maintain, care for and educate such pupils, after June 30, 1949, shall be the actual cost of rendering said services; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit a copy of this resolution to the State Department of Education and to the State Department of Finance.

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## CHAPTER 37

*Assembly Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States in relation to the retention of the National Guard under state control.*

[Filed with Secretary of State March 27, 1948.]

National Guard

WHEREAS, The National Guard as the principal military force of the Nation and the several states for over three hundred years has honorably and effectively served the people in times of emergency and has defended the State of California and the Nation against their enemies with brilliant records of achievement, particularly in World Wars I and II; and

WHEREAS, Under the concept of warfare utilizing atomic power and guided missiles it is essential that fully trained and equipped military forces be decentralized through the communities of this State and throughout the Nation; and

WHEREAS, The National Guard is a necessary and integral part of a State Government, decentralized in control, and the only state military force immediately available locally; and

WHEREAS, Proposals have been made to amalgamate and combine all civilian components, including the National Guard and the organized reserves into a single federal reserve or federal militia subject only to federal control; and

WHEREAS, Such a measure would be uneconomic and would entail duplication of costs for equipment and facilities constituting a heavy and unnecessary burden upon the State of California; and

WHEREAS, The Legislature of the State of California strongly and vigorously opposes such efforts to remove the National Guard from state control, and endorses the continuation of the long established national policy of maintaining a strong, effective, uniformly and well trained National Guard within each of the several states; 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 respectively urged and memorialized to continue the existence of the National Guard as now organized, and to oppose all plans for the amalgamation and combination of the National Guard with other organized reserves of

the United States which would result in removing the National Guard from state control; and be it further

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

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## CHAPTER 38

*Assembly Joint Resolution No. 9—Relative to memorializing Congress to provide a wage increase for postal service employees.*

[Filed with Secretary of State March 27, 1948.]

Postal employees: Wage increase

WHEREAS, The United States postal employees constitute an essential, loyal, and large group of workers throughout the United States; and

WHEREAS, The present salaries of such employees are inadequate to meet the increased cost of living and to maintain a standard of living commensurate with the dignity, the duties, and the responsibilities of public servants; and

WHEREAS, Young veterans must start at a salary of only $2,100 per year, a salary which is obviously inadequate as compensation for loyal and faithful service to the United States Government and to the people thereof; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of California hereby endorses and respectfully memorializes Congress to provide a salary increase for postal employees of at least $800 a year "take home pay," a wage readjustment commensurate with their heavy duties and adequate for their present needs; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President of the United States, the President pro Tempore of the Senate of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California, to Senator William Langer, Chairman of the United States Senate Post Office Committee, and to Congressman Edward Rees, Chairman of the House Post Office Committee, and to the Postmaster General of the United States.

## CHAPTER 39

*Assembly Concurrent Resolution No. 21—Relative to the California Air Conference.*

[Filed with Secretary of State March 27, 1948.]

WHEREAS, In view of the present tense and critical international situation, the air industry of this State and Nation are of vital importance; and California Air Conference

WHEREAS, The President's Air Policy Board and the Congressional Aviation Policy Committee have performed notable work in considering many of the complex problems concerning air power, and in presenting its conclusions to the Congress and the people of the United States; and

WHEREAS, On April 13, 14, and 15, 1948, a California Air Conference will be held in Los Angeles by leaders in aviation and persons interested in such problems; and

WHEREAS, The interest of such organizations in this problem at this time is of great importance to the people of California, and the Nation; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Assembly and the Senate of the State of California commend the California Air Conference Committee, the Air Policy Board, and the Congressional Aviation Policy Committee for their efforts to strengthen the air power of the United States and the State of California and, thereby, the national defense; and, be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to each member of the California Air Conference Committee, each member of the Air Policy Board, and to each member of the Congressional Aviation Policy Committee.

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## CHAPTER 40

*Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1c to Article IV of said Constitution, relating to statutes and amendments to the Constitution proposed by the initiative.*

[Filed with Secretary of State March 27, 1948.]

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its 1948 Regular Session commencing on this first day of March, 1948, two-thirds of all members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 1c to Article IV thereof, to read: Constitution, Article IV, Sec. 1c

Initiative measures

SEC. 1c. Every constitutional amendment or statute proposed by the initiative shall relate to but one subject. No such amendment or statute shall hereafter be submitted to the electors if it embraces more than one subject, nor shall any such amendment or statute embracing more than one subject, hereafter submitted to or approved by the electors, become effective for any purpose.

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## CHAPTER 41

*Assembly Joint Resolution No. 10—Relative to requesting the Secretary of the Interior of the United States to permit grazing in certain national parks in this State.*

[Filed with Secretary of State March 27, 1948.]

Grazing in national parks

WHEREAS, Many parts of the State of California, and particularly certain areas in the San Joaquin Valley, are suffering from drought conditions which have resulted in a serious shortage of grazing for livestock; and

WHEREAS, The shortage of irrigation water will curtail the production of feed crops for livestock and result in a serious shortage of food for all kinds of livestock; and

WHEREAS, The grazing of livestock is now prohibited by regulations of the Secretary of the Interior but such regulations may be suspended in emergencies as was done in 1918; and

WHEREAS, The cattle could be ranged upon the national park lands with a minimum of danger to the parks and thereby not only would such herds be maintained but also there would be released a corresponding amount of feed for other cattle; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Secretary of the Interior is hereby requested to open the national parks in this State so as to permit the grazing thereon of cattle herds, particularly those in the San Joaquin Valley; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Secretary of the Interior of the United States and to each Senator and Representative from California in the Congress of the United States.

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## CHAPTER 42

*Assembly Joint Resolution No. 13—Relating to providing funds for the United States Bureau of Reclamation for investigation of projects.*

[Filed with Secretary of State March 27, 1948.]

Bureau of Reclamation funds

WHEREAS, The industry and agriculture of the State cannot survive unless its water resources are fully developed and utilized; and

WHEREAS, The present drought has made it clear that steps must be taken immediately to provide all possible means of developing and utilizing the water resources of this State; and

WHEREAS, The United States Bureau of Reclamation has undertaken the construction of several projects for the development of the water resources in this State and undoubtedly will undertake the construction of others if they are determined to be feasible; and

WHEREAS, Due to the lack of funds for investigating purposes, the United States Bureau of Reclamation has been forced to abandon feasibility surveys already commenced and is unable to make surveys of other projects which may be feasible; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Congress of the United States is hereby memorialized and respectfully urged to provide funds necessary for the United States Bureau of Reclamation to complete surveys already commenced and to undertake and complete investigations as to the feasibility of all possible means of developing and utilizing the water resources of the State of California; and be it further

*Resolved,* That the Chief Clerk of the Assembly prepare and transmit copies of this resolution to the President of the United States, to the President pro Tempore of the Senate, to the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from the State of California.

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## CHAPTER 43

*Assembly Concurrent Resolution No. 16—Relative to study of California history and government in the public schools.*

[Filed with Secretary of State March 27, 1948]

WHEREAS, The history of California is at once unique and colorful and in the main stream of the history of the United States, western civilization, and the entire world; and

**California history in public schools**

WHEREAS, Sister states require courses in their respective histories to be included in the curriculum of their elementary schools; and

WHEREAS, This year is the centennial of the discovery of gold in California, next year is the centennial of the gold rush to California, and the year after is the centennial of the admission of California as a state of the United States of America; and

WHEREAS, Many celebrations of these centennials are scheduled and in progress; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Assembly and Senate of the State of California hereby request the State Board of Education to consider the introduction of a course in the history and government of California in connection with the social studies of

the seventh and eighth grades of the public schools; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to each member of the State Board of Education.

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## CHAPTER 44

*Assembly Concurrent Resolution No. 27—Relative to the naming of highway bridges for war heroes.*

[Filed with Secretary of State March 27, 1948.]

Naming of highway bridges

WHEREAS, Lieutenant Charles Larsen was lost somewhere in the Pacific while flying a mission in defense of the United States; and

WHEREAS, Sergeant Emil Evenson was killed in action at Attu in defense of the United States; and

WHEREAS, Both of these heroes came from the vicinity of Fort Bragg; and

WHEREAS, Two highway bridges in the vicinity of Fort Bragg are as yet unnamed, one over the Noyo River, and one over Hare Creek; and

WHEREAS, It is fitting and proper that heroes who have died in the defense of the United States should be memorialized in the naming of highway bridges; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Assembly and Senate of the State of California request the California Highway Commission to name the bridge over the Noyo River, in the vicinity of Fort Bragg, for Lieutenant Charles Larsen, and the bridge over Hare Creek, in the vicinity of Fort Bragg, for Sergeant Emil Evenson; and be it further

*Resolved,* That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to each member of the California Highway Commission, Director of Public Works and State Highway Engineer.

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## CHAPTER 45

*Assembly Concurrent Resolution No. 30—Relative to funds for investigation of Indian claims.*

[Filed with Secretary of State March 27, 1948.]

Indian claims

WHEREAS, Chapter 46 of the Statutes of 1947 authorized the Attorney General of this State to appear for and represent the Indians of the State of California before the new Indian Claims Commission created by an act of Congress approved August 13, 1946; and

WHEREAS, Chapter 47 of the Statutes of 1947 appropriated the sum of forty-five thousand dollars ($45,000) to be expended

by the Attorney General in the payment of expenses in appearing for and representing the Indians of the State of California before the Indian Claims Commission; and

WHEREAS, It is necessary to the effective representation of the Indians, as aforesaid, that the Attorney General conduct investigations in connection therewith; 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 does hereby declare that it is now and, at all times, was its intent that the Attorney General conduct whatever investigation he deems necessary to effectively represent the Indians of the State of California before the Indian Claims Commission, and that the Attorney General pay the expenses of such investigation out of the funds appropriated for the expenses in appearing for and representing said Indians.

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## CHAPTER 46

*Senate Joint Resolution No. 15—Relative to adequate hospital facilities for veterans in California.*

[Filed with Secretary of State March 27, 1948]

Veterans' hospital facilities

WHEREAS, Selective Service figures show as of December, 1947, 1,089,052 men were inducted into World War II through the California draft boards, and that most all of these less 17,000 casualties, have returned and that since the end of World War II there has been a large migration of ex-servicemen to California, estimated at a minimum of 450,000 and that Branch 12, Office of the Veterans' Administration as of February 28, 1947, gave a total of veteran population in California of 1,496,-110 which is being added to at the rate of approximately 5,000 per month, and it being further shown from the Veterans' Service centers throughout the State that 44 percent of all applicants at service centers are veterans who are not residents of California and have migrated here since the end of World War II and it being further shown by national figures as of October 31, 1946 that the veteran population of California was more than 10 percent of the total national veteran population; and

WHEREAS, As of January 1, 1948, the Veterans' Administration lists an authorized capacity of available beds in Veterans' Administration hospitals in California at 8,139 and in addition thereto, beds on contract with the Army and Navy and private hospitals between 1,400 and 2,000 beds, and 3,638 domiciliary beds; and

WHEREAS, It further has developed that of the new Veterans' Administration hospitals now authorized throughout the Nation that California's share amounts to only approximately 4 percent of these new hospitals; and

WHEREAS, There is a shortage of beds for tubercular and mental patients and there was a waiting list as of February 9, 1948, in San Fernando Hospital of 53 veterans and that No. 1 on the list made his application in July, 1947; at Birmingham Hospital there was a waiting list of 28, the first name on the list made an application in September, 1947; at Livermore Hospital there was a waiting list of approximately 100; that in the mental hospitals there was on that date at the Brentwood Hospital, 137; at Palo Alto there was a waiting list of 210; that the waiting lists of the mental cases are on the increase and that only the extremely emergency cases are admitted; and that the instance of tubercular cases is increasing; and

WHEREAS, There are in the state mental institutions at the present time 1,523 veterans, which figure represents an increase of 321 veterans in one year, this showing an increase of 27.4 percent as against a total increase in state institutions of 4.09 percent and while veteran patients at state institutions comprise only 9 percent of the male patients on active records, on June 30, 1947, veterans comprised 48 percent of the year's increase of 771 male patients; and

WHEREAS, State service officers report that there is a great reluctance by relatives of veterans to commit them to state institutions and that they try to keep them at home, causing many mental veteran cases who get into trouble and ultimately into jail because they cannot be taken care of in veterans' mental hospitals; and

WHEREAS, Now it is almost impossible to get a mental case into a veteran's hospital, which is a serious and unnecessary condition; and

WHEREAS, The Veterans' Administration has authorized new hospitals, a general medical in San Diego and one in Fresno, and two mental hospitals, one in San Francisco and one in the Los Angeles area, of 1,000 beds each, but the Veterans' Administration program does not take into consideration the tremendous increase of veterans in California, and without doubt within the next seven to ten years there will be in California at least 2,000-000 veterans of World War II, and the program of only allowing California 4 percent of the new hospitals authorized throughout the Nation is not adequate and it is not warranted because of the tremendous growth of the veteran population in California; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Congress and the President of the United States are urged and memorialized to take such steps as may be necessary to have the Veterans' Administration speed the construction of the authorized mental patient hospitals in California, complete them at the earliest date possible, reappraise future estimates of veterans' needs in California, and increase veterans' facilities on an equal parity with the rest of the Nation, based on actual veteran population, and allocate and erect for tubercular veterans in California additional facili-

ties of at least 1,000 beds and for mental veteran cases, at least 1,250 beds, in addition to those authorized; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to the President of the United States, to Carl R. Gray, Administrator of Veterans' Affairs, to the President pro Tempore of the Senate and the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

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## CHAPTER 47

*Senate Concurrent Resolution No. 24—Relative to leaves of absence from the State of Members of the Senate and Assembly.*

[Filed with Secretary of State March 27, 1948.]

Leaves of absence for Members of Legislature

WHEREAS, Authorization was granted to various state officers, including all Members of the Senate and of the Assembly, to leave the State for a longer period than 60 days during their term of office by Senate Concurrent Resolution No. 59 of the 1947 Regular Session (Resolution Chapter 184, Statutes of 1947); and

WHEREAS, Such authorization does not include those Members of the Senate and Assembly who have been elected to office subsequent to the passage of said Senate Concurrent Resolution No. 59; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That leave of absence from the State for a longer period than 60 days during their term of office is hereby granted to Senators Harry E. Drobish, Clarence J. Tauzer, and Allen G. Thurman, and to Assemblymen Arthur H. Connolly, Jr., Glenard P. Lipscomb, and G. Delbert Morris.

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## CHAPTER 48

*Senate Concurrent Resolution No. 23—Relative to the adjournment of the Legislature in the honor of the Honorable Robert Horbach.*

[Filed with Secretary of State March 27, 1948.]

Death of Robert Horbach

WHEREAS, Fate decreed that the Honorable Robert Horbach should cease from his earthly labors on the twenty-third of December, 1947; and

WHEREAS, The Honorable Robert Horbach was a native of Youngstown, Pennsylvania, coming to California and becoming a resident of Porterville, Tulare County, in the year 1895; and

WHEREAS, The Honorable Robert Horbach during his career as a citizen of the State of California, served the people in various important capacities, having been four years City

Clerk of the City of Porterville, eight years a Supervisor of Tulare County, and serving in the capacity of Assemblyman from the Fifty-fifth Assembly District during the years 1917 and 1918, at which time he was Chairman of the Committee on County Government; and

WHEREAS, The Honorable Robert Horbach later served for many years as Assistant Sergeant-at-Arms of the Senate, in which capacity he rendered such capable and efficient service as to win the respect and high esteem of Members of the Senate and others who knew him; and

WHEREAS, The Honorable Robert Horbach was a Past Master of the Masonic Lodge of Porterville, and was of a fraternal, generous, and kindly disposition, and was a gentleman of friendly and courteous demeanor; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature mourns the passing of the Honorable Robert Horbach, and desires by this resolution to convey its sympathy to the bereaved family; and be it further

*Resolved,* That when the Senate adjourns on this, the twenty-fifth day of March, 1948, it shall do so in honor of the Honorable Robert Horbach; and be it further

*Resolved,* That the Secretary of the Senate be, and he is, hereby directed to have a suitably engrossed copy of this resolution prepared and to forward the same to Mrs. Ethel Horbach, bereaved wife of the Honorable Robert Horbach.

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## CHAPTER 49

*Senate Concurrent Resolution No. 20—Approving charter of the City of Santa Cruz, County of Santa Cruz, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the second day of March, 1948.*

[Filed with Secretary of State March 27, 1948.]

City of Santa Cruz: Charter

WHEREAS, The City of Santa Cruz, a municipal corporation of the County of Santa Cruz, State of California, now, is and was at all times herein mentioned a city containing a population of more than three thousand five hundred (3,500) inhabitants, and less than fifty thousand (50,000) inhabitants; and

WHEREAS, At the general municipal election duly held in said city on the sixth day of May, 1947, under and in accordance with law and provision of Section 8 of Article XI of the Constitution of the State of California, a board of 15 freeholders duly qualified was elected by the qualified electors of said city at said general municipal election duly called, to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did, in accordance with law and within one year after their said election, prepare

and propose a charter for the government of said City of Santa Cruz, which charter was signed in duplicate by a majority of the members of said board of freeholders on the twenty-sixth day of December, 1947, and thereupon duly returned and filed one copy thereof with the clerk of the City of Santa Cruz; and

WHEREAS, Said proposed charter was thereafter to wit: On December 30, 1947 and within 15 days after such filing duly published once in the Santa Cruz Sentinel-News, a newspaper of general circulation printed and published in said City of Santa Cruz, and each edition thereof, during the day of publication; and

WHEREAS, Said board of freeholders did before such filing fix Tuesday the second day of March, 1948 as the date for a special election at which said proposed charter was to be submitted to the electors of said City of Santa Cruz which date was not less than 60 days from the completion of the publication of said proposed charter; and

WHEREAS, Said proposed charter was submitted to the qualified electors of said City of Santa Cruz at a special municipal election previously duly called and held therein on the second day of March 1948; and

WHEREAS, At said special municipal election a majority of said qualified electors of said City of Santa Cruz voting at said special municipal election voted in favor of the ratification of said charter as proposed as a whole, ratifying the same; and

WHEREAS, The council of the City of Santa Cruz duly canvassed the returns of the said special election and found and declared that the majority of said qualified electors voting at said special election had voted in favor of ratifying said charter, and ratified the same; and

WHEREAS, Said charter is now submitted to the Legislature of the State of California for its approval and ratification as a whole without power to alter or amend, in accordance with Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, Said charter as so ratified was and is in words and figures as follows, to wit:

## CHARTER OF THE CITY OF SANTA CRUZ CALIFORNIA

### Article I. Name of City

Section 101. Name. The municipal corporation now existing and known as the "City of Santa Cruz" shall remain and continue to exist as a body politic and corporate as at present in name, in fact, and in law. Name of city

### Article II. Boundaries

Section 201. Boundaries. The boundaries of the City of Santa Cruz shall continue as now established until changed as authorized by law. Boundaries

## Article III. Succession

Succession

Section 301. Rights and Liabilities. The City of Santa Cruz as successor in interest of the municipal corporation of the same name, heretofore created and existing shall own, possess, retain and control every right and all property of every kind and nature owned, possessed, retained or controlled prior thereto, subject to all debts, obligations, liabilities and duties of said city at the adoption hereof.

Section 302. Ordinances Continued in Effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, are hereby continued in force until the same shall have been duly repealed, amended, changed or superseded by proper authority.

Section 303. Rights of Officers and Employees Preserved. Nothing in this Charter contained, except as specifically provided, shall affect or impair the civil service, pension and retirement rights or privileges of officers or employees of the City, or of any office, department or agency thereof, existing at the time this Charter takes effect.

Section 304. Continuance of Present Officers and Employees. The present officers and employees shall, without interruption, continue to perform the duties of their respective offices and employments for the compensation provided by the preceding Charter, or existing ordinances, resolutions, rules or laws, until the appointment and qualification of their successors under this Charter and subject to such removal and control as is herein provided.

Section 305. Continuance of Contracts and Public Improvements. All contracts entered into by the City, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws or charter provisions existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws and charter provisions, or may be continued or perfected hereunder.

Section 306. Pending Actions and Proceedings. No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any office, department or agency party thereto, by or under this Charter may be assigned or transferred to another office, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Section 307. Effective Date of This Charter. For the purpose of nominating and electing members of the City Council, this Charter shall take effect from the time of its approval by the Legislature. For all other purposes, it shall take effect on the Tuesday next succeeding the date of the election of the first City Council hereunder at eight (8:00) o'clock P.M. The members of the City Council in office at the time of the approval of this Charter by the Legislature, shall continue to hold office and to discharge the duties thereof until the election and qualification of their successors under this Charter.

## Article IV. Powers of City

Section 401. Powers of City. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise under the Constitution of the State of California. Powers of city

The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, this general grant of power.

Section 402. Procedures. The City shall have the power and may act pursuant to procedure established by any law of the State, unless a different procedure is established by ordinance. Procedures

## Article V. Form of Government

Section 501. Form of Government. The municipal government provided by this Charter shall be known as the "Council-Manager" form of government. Form of government

## Article VI. Elective Officers

Section 601. Council, Number, Term. The elective officers of this City shall be seven councilmen who shall constitute the Council. They shall be elected from the City at large as provided in Article VII for a term of four years and until their successors have been elected and qualify. The Council shall be the legislative body of this City, each of the members of which, including the Mayor, shall have the right to vote upon all questions before it. No member of the Council shall be eligible for reelection for two years after the expiration of the second consecutive full term for which he was elected. Councilmen:

Section 602. Qualifications. Members of the Council shall be electors of the municipality and residents of the City for a period of not less than three years. They shall not be interested in the profits or emoluments of any contract, job, work or service for the municipality, and any such contract in Qualifications

which any member is or may become interested may be declared void by the Council.

Salary

Section 603. Salary. Each Councilman shall receive as compensation $5.00 for attendance at each regular meeting of the Council, limited to $25.00 per month. The compensation of the Mayor shall be twice that of any other Councilman.

Mayor

Section 604. Presiding Officer—Mayor. The Council shall elect one of its members who shall have the title of Mayor, shall preside at meetings of the Council, and shall be recognized as titular head of the City government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no regular administrative duties. The Council shall also elect an assistant mayor who shall act as mayor during the absence or disability of the mayor, and if a vacancy occur shall become mayor for the completion of the unexpired term. Both the mayor and the assistant mayor shall be elected from among the councilmen at the second meeting in April of each year for one year.

Vacancies

Section 605. Vacancies. A vacancy in the City Council from whatever cause arising, shall be filled by appointment by the City Council, such appointee to hold office until the first Tuesday following the next general municipal election and until his successor is elected and qualifies. At the next general municipal election following any vacancy, a Councilman shall be elected to serve for the remainder of any unexpired term.

If a member of the City Council absents himself from all regular meetings of the City Council for a period of sixty days consecutively from and after the last regular City Council meeting attended by such member, unless by permission of the City Council expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be an elector of the City, his office shall become vacant and shall be so declared by the City Council.

In the event the City Council shall fail to fill a vacancy by appointment within sixty days after such office shall have been declared vacant, it shall forthwith cause an election to be held to fill such vacancy.

Powers

Section 606. Powers of Council. All powers of the City shall be vested in the City Council, subject to the provisions of this Charter and to the Constitution of the State of California.

Voting

Section 607. Voting. The Council shall pass ordinances and adopt resolutions by ayes and noes, entered upon its minutes, and a roll-call may be had upon any order or motion on demand of any member. All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.

Ordinances

Section 608. Ordinances. The enacting clause of every ordinance shall be: "Be it ordained by the City of Santa Cruz as follows:". No ordinance shall be finally adopted by the Council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular meeting, nor until its publication at least once in the official newspaper of the City at

least three days before its adoption, provided, however, that ordinances calling elections and ordinances carrying out the provisions of elections need not be published prior to adoption. In case an ordinance is amended before its final adoption and after its publication, it shall in like manner be republished in full as amended at least one day before its adoption as amended; provided, however, that where such amendment is made for the correction of clerical errors or omissions of form only, then such ordinance need not be given a first reading or a republication as corrected.

Section 609. Repeal or Amendment of Ordinances. No ordinance or portion thereof shall be repealed except by ordinance. No ordinance shall be revised, re-enacted, or amended by reference to its title only; but the ordinance to be revised or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted according to the method provided in this section for the enactment of ordinances, and such revision, reenactment, amendment or addition, shall be done by ordinance only. **Repeal or amendment**

Section 610. Authentication of Ordinances. All ordinances shall be signed by the Mayor and attested by and filed with the City Clerk. Each ordinance shall be headed with a brief title which shall be indicative of the purport thereof. Ordinances shall be numbered consecutively when adopted. **Authentication**

Section 611. Effective Date of Ordinances. No ordinance shall become effective until thirty days from and after the date of its adoption, except the following, which shall take effect upon adoption: **Effective date**

(a) An ordinance calling or otherwise relating to an election;

(b) An improvement proceeding ordinance adopted under some law, or procedural ordinance;

(c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation; or

(d) An emergency ordinance adopted in the manner herein provided.

Section 612. Emergency Ordinances. Any ordinance declared by the City Council to be necessary as an emergency measure for preserving the public peace, health, safety, or property, and containing a statement of the reasons for its urgency and adopted by a five-sevenths vote of the whole Council may go into effect at the will of the Council. **Emergency**

Section 613. Publication of Ordinances. The City Clerk shall cause each ordinance to be published at least once in the official newspaper at least three days before its adoption. **Publication**

Section 614. Regular Meetings. The City Council shall hold regular meetings at least twice each month, at such times as it shall fix by ordinance or resolution and may adjourn or readjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes. **Meetings: Regular**

Special

Section 615. Special Meetings. Special meetings may be called at any time by the Mayor, or by four members of the City Council, by written notices delivered personally to each member at least three hours before the time specified for the proposed meeting. A special meeting shall also be validly called, without the giving of such written notice, if all members shall give their consent in writing, to the holding of such meeting and such consent is on file in the office of the City Clerk at the time of holding such meeting. A telegraphic communication from a member consenting to the holding of a meeting shall be considered a consent in writing. At any special meeting only such matters may be acted upon as are referred to in such written notice or consent.

Place

Section 616. Place of Meetings. All meetings shall be held in the Council Chambers of the City Hall and shall be open to the public. If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Mayor, or, if he should fail to act, by four members of the City Council.

Quorum

Section 617. Quorum. Proceedings. Four members of the City Council shall constitute a quorum to do business, but a less number may adjourn from time to time. The City Council shall judge the qualifications of its members as set forth by the Charter and shall judge all election returns. Each member of the City Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the City Council.

The City Council may establish rules for the conduct of its proceedings and punish any member or other person for disorderly conduct at any meeting.

It shall have the power and authority to compel the attendance of witnesses, to examine them under oath, and to compel the production of evidence before it. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena, or the refusal to testify (other than upon constitutional grounds) shall constitute a misdemeanor.

Codification of ordinances

Section 618. Codification of Ordinances. Any and all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed, and arranged as a comprehensive ordinance code, and such code may be adopted by reference by the passage of an ordinance and for such purpose. Such code need not be published in the manner required for other ordinances, but not less than three copies thereof shall be filed, for use and examination by the public, in the office of the City Clerk, at least five days prior to the adoption thereof. Subsequent amendments to sections of the code shall be enacted in the same manner as herein required for the amendment of ordinances generally.

Detailed regulations pertaining to any subject, such as the construction of buildings, plumbing, electrical construction or other subjects which require extensive regulations, after having been arranged as a comprehensive code, may likewise be adopted en masse or substantially so by reference in the manner hereinabove provided.

Section 619. Interference in Administrative Service. Neither the City Council nor any of its members shall order or request directly or indirectly the appointment of any person to an office or employment or his removal therefrom, by the City Manager, or by any of the department heads in the administrative service of the City. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative service under the City Manager solely through the City Manager and neither the City Council nor any member shall give orders to any subordinates of the City Manager, either publicly or privately. Interference in administrative service

Section 620. Violation of Ordinance. Penalty. A violation of any ordinance of the City shall constitute a misdemeanor, and may be prosecuted in the name of the people of the State of California, or may be redressed by civil action. The maximum fine or penalty for any violation of a City ordinance shall be the sum of $500 or a term of imprisonment for a period not exceeding six months, or both such fine and imprisonment. Violation of ordinance

## Article VII. Elections

Section 701. General Municipal Elections. General municipal elections for the filling of elective offices shall be held in said City on the second Tuesday in April in each odd numbered year commencing with the year 1949. At the general municipal election in April, 1949, three members of the City Council shall be elected and at the general municipal election in 1951, four members of the City Council shall be elected. Elections: General

Section 702. Special Municipal Elections. All other municipal elections that may be held by authority of this Charter, or of any law, shall be known as special municipal elections. Special

Section 703. First Election Under Charter. A special municipal election shall be held for the election of seven members of the City Council as the first City Council under this Charter on the eighth Tuesday following approval of this Charter by the Legislature. At such special election, the four candidates receiving the highest vote shall serve until the third Tuesday in April, 1951. The three candidates receiving the next highest vote shall serve until the third Tuesday in April, 1949. The term of all members shall commence on the first Tuesday following such election and each member shall serve until his successor is elected and qualifies. Any ties in voting shall be settled by the casting of lots. First

Canvass of returns

Section 704. Canvass of Returns. The Council of this City shall meet at its usual meeting place on the first Tuesday after any municipal election, duly canvass the returns and declare the result thereof, and install the newly elected officers, if any.

Procedure

Section 705. Procedure for Holding Elections. Unless otherwise provided by ordinance hereafter enacted, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, for the holding of elections in cities of the sixth class insofar as the same are not in conflict with this Charter.

Initiative, etc

Section 706. Initiative, Referendum and Recall. Unless otherwise provided by ordinance, hereafter enacted, the provisions of the Elections Code of the State of California as the same now exist or may hereafter be amended, governing the initiative, referendum and the recall of municipal officers, shall apply in the City insofar as such provisions of the Elections Code are not in conflict with this Charter.

## Article VIII. Appointive Officers

Appointive officers

Section 801. Appointment by City Council. The City Council shall appoint the City Manager, an Assistant City Manager, if any, City Attorney, an Assistant or Deputy City Attorney, if any, Police Judge, Health Officer, if and when there is occasion for a municipal health officer other than the county health officer, and Auditorium Manager, and all members of Boards or Commissions as provided in Article X. Any of said officers may be removed upon motion of the City Council adopted by at least five affirmative votes.

Section 802. Other Appointive Officers. The City Council may provide by ordinance for the creation, continuation or abolishment of other City offices and departments upon recommendation of the City Manager. Each department so created or continued shall be headed by an officer, as department head, who shall be appointed by the City Manager. The positions of such department heads shall be included in the Classified Service.

Section 803. Appointments by City Manager. The City Manager shall appoint, and may remove, subject to the provisions of Article XI, the City Treasurer and Collector, City Engineer, Street Superintendent, Building Officer, Chief of Police, Chief of the Fire Department, Director of Recreation, Librarian, Superintendent of Water Works, and the heads of all other departments of the city.

Appointments of Recreation Director and Librarian shall be subject to the approval of their respective Boards or Commissions.

City Manager:

Section 804. City Manager. Appointment. The City Manager shall be appointed upon the basis of his executive and administrative qualifications. He need not be a resident of the City or this state at the time of his appointment, but he

shall become and thereafter remain a bona fide resident of this City promptly after his appointment. He shall be paid a salary commensurate with his responsibilities as chief administrative officer of the City. No Councilman shall receive such appointment during the term for which he shall have been elected, nor within one year after the expiration of such term. Within ninety days after the election of the first Council hereunder, the Council shall appoint a City Manager.

Section 805. City Manager Pro-Tem. In case of the absence from the City of the City Manager, or his temporary disability to act as such, the Council shall appoint a City Manager Pro-Tem who shall possess the powers and discharge the duties of City Manager during such absence or disability only; provided, however, that a City Manager Pro-Tem shall have no authority to appoint or remove any city officer or employee except with the formal approval of the Council.

Assistant City Manager. In the event that the City Council provides for the appointment of an Assistant City Manager, he shall be appointed by the City Council and shall be under the supervision and direction of the City Manager.

Section 806. City Manager. Powers and Duties. The City Manager shall be the chief executive officer and the head of the administrative branch of the City government. He shall be responsible to the City Council for the proper administration of all affairs of the City, and he shall have power and be required to: Powers and duties

(a) Appoint and remove, subject to the Civil Service provisions of this Charter, all department heads of the City except as otherwise provided by this Charter, and pass upon and approve all proposed appointments and removals of subordinate employees by department heads. No person related to the City Manager by blood or by marriage shall be eligible for office or employment in the City;

(b) Prepare the budget annually and submit it to the City Council and be responsible for its administration after adoption;

(c) Prepare and submit to the City Council as of the end of the fiscal year, a complete report on the finances and administrative activities of the City for the preceding year;

(d) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him desirable;

(e) See that all ordinances are enforced;

(f) See that the provisions of all franchises, permits and privileges granted by the City are fully observed, and to report to the Council any violation thereof;

(g) Exercise general supervision over all privately owned public utilities operating within the City;

(h) Act as Purchasing Agent for the City. When so acting he shall:

1.) Give preference to local merchants, quality and price being equal;

2.) Establish and enforce specifications with respect to supplies, materials and equipment required by the City;

3.) Inspect or supervise the inspection of all deliveries of supplies, materials and equipment, and determine their quality, quantity and conformity with specifications therefor;

4.) Have charge of such general storerooms and warehouses as the Council may provide;

5.) Transfer to, or between, offices, departments or agencies, supplies, materials or equipment, and, on approval of the City Council with such notice as may be required, sell to the highest bidder surplus, obsolete or unused supplies, materials or equipment.

(i) Examine, or cause to be examined, without notice, the conduct of any officer or employe of the City;

(j) Appoint such advisory boards or committees of citizens as he may deem desirable, with the growth of the City, to advise and assist him in his work; provided such persons shall not receive any compensation;

(k) Act as Personnel Director until the Council shall establish a separate office therefor;

(m) From time to time, in order to facilitate the prompt, economical and efficient dispatch of City business, assign officers and employees from any department or office to perform such duties or services in connection with any other department or office or to work in more than one such department or office;

(n) Perform such other duties as may be prescribed by this Charter or required of him by the City Council, not inconsistent with this Charter.

Council table

Section 807. City Manager. Council Table. The City Manager shall be accorded a seat with the City Council and shall be entitled to participate in the deliberations of the City Council, but shall not have a vote.

Removal

Section 808. Removal of City Manager. The term of the City Manager shall be at the pleasure of the Council, but he may be removed only by the affirmative vote of five members thereof.

Interference

Section 809. No Interference Between the Council and City Manager. Neither the Council, nor any member, shall direct or request the appointment of any person to or his removal from office by the City Manager or by any other appointing officer, or in any manner take part in the appointment or removal of an officer or employee in the administrative service of the City. Except for the purpose of inquiry, the Council and its members shall deal with the administrative services solely through the City Manager, and neither the Council nor any member thereof shall give orders to any City officer, either publicly or privately. Any Councilman who violates this provision, or votes for a resolution or ordinance in violation hereof, shall be guilty of a misdemeanor and upon conviction thereof shall cease to be a Councilman.

City clerk

Section 811. City Clerk and Ex-Officio Assessor. Powers and Duties. The City Clerk shall be ex-officio City Assessor.

He shall be the Clerk of the Council. He shall have power and be required to:

(a) Attend all meetings of the City Council and record and maintain a full and true record of all of the proceedings of the City Council in books that shall bear appropriate titles and be devoted to such purpose. Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein;

(b) Maintain ordinance and resolution books, into which shall be recorded all City ordinances and resolutions with the certificate of the Clerk annexed to each thereof stating the same to be the original or a correct copy, giving the number of said ordinance or resolution and, as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter;

(c) Be the custodian of the seal of the City;

(d) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records;

(e) Attend to the publication of all ordinances and all public notices when so directed by the Council or City Manager;

(f) Supervise and be responsible for the disbursement of all moneys and have control over all expenditures to insure that budget appropriations are not exceeded;

(g) Maintain a general accounting system for the City government and each of its departments, offices, and agencies; keep books for and prescribe the financial forms to be used by each department, office and agency; keep separate accounts for each item of the appropriations in the City budget, each of which accounts shall show the amount of the appropriation, the amount paid therefrom, the unpaid obligations against it, and the unencumbered balance; require reports of receipts and disbursements from each receiving and disbursing agency of the City government to be made daily or at such other intervals as he may deem expedient; prepare for the City Manager in July of each year a complete financial statement and report as of the end of the preceding fiscal year;

(h) Require and supervise keeping of current inventories of all property, real and personal, by the respective officers in charge thereof and periodically audit the same.

(i) Submit to the City Council, through the City Manager, a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; and, as of the end of each fiscal year, submit a complete financial statement and report;

(j) Audit and approve before payment, all bills, invoices, payrolls, demands or charges against the City Government, and, with the advice of the City Attorney, determine the regularity, legality, and correctness of such claims, demands or charges.

(k) Perform such other duties as are required of him by law, ordinance, or direction of the City Manager.

(m) As ex-officio City Assessor, the City Clerk shall perform such duties as are prescribed by this Charter, by the laws of this state, or by ordinance for the assessing of property in the City for purposes of taxation, and he shall collect taxes upon personal property required to be collected by the Assessor; provided, however, that the Council shall have authority to avail itself of the provisions of any act of the Legislature requiring County Assessors to make assessments and to furnish copies thereof to cities, of property situated therein.

City attorney

Section 812. City Attorney. Appointment. Powers and Duties. The City Attorney shall be a citizen of the United States admitted to the practice of law in all the courts of this State and he shall have been actively engaged in the practice of law for five years next preceding his appointment, and a resident and elector of this City for three years immediately prior to such appointment.

The City Attorney shall have power and be required to:

(a) Represent and advise the City Council and all City Officers, Commissions or Boards and Departments in all matters of law pertaining to their office;

(b) Represent and appear for the City and any City officer or employee or former City officer or employee, in any or all actions and proceedings in which the City or any such officer or employee, in or by reason of his official capacity, is concerned or is a party, but the City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein;

(c) Attend all meetings of the City Council and give his advice or opinion in writing whenever requested to do so by the City Council, or by any of the boards or officers of the City;

(d) Approve the form of all bonds given to and all contracts made by the City, endorsing his approval thereon in writing;

(e) Prepare any and all proposed ordinances or resolutions for the City and amendments thereto;

(f) Prosecute, on behalf of the people, all criminal cases for violation of this Charter or of City ordinances.

(g) Perform such other acts relating to his office as the Council shall require.

(h) On vacating the office, surrender to his successor all books, papers, files and documents pertaining to the City's affairs.

City treasurer

Section 813. City Treasurer and Ex-Officio Tax and License Collector. Powers and Duties. The City Treasurer shall be ex-officio Tax and License Collector. He shall be the custodian of all public funds belonging to or under control of the City, or of any Board or Commission, office, department or agency thereof, and shall have power and be required to:

(a) Receive and have custody of all moneys receivable by the City from any source;

(b) Deposit all moneys received in such depositories as may be designated by resolution of the City Council or, if no resolution be adopted, by the City Manager, and in compliance with all of the provisions of the State Constitution and laws of the State governing the handling, depositing and securing of public funds;

(c) Disburse moneys on demands properly audited in the manner provided for in this Charter;

(d) Prepare and submit to the City Council monthly written reports of all receipts, disbursements and fund balances, copies of which reports shall be filed with the City Manager;

(e) Perform such other duties pertaining to his office as may be prescribed by the City Council or directed by the City Manager.

(f) As ex-officio Tax Collector, the Treasurer shall perform the duties prescribed by the statutes of this state, or by ordinance, pertaining to a City Tax Collector. As License Collector he shall collect and receive all moneys due or owing to the City for licenses.

(g) All fees received or collected by any officer or employee of the City shall be paid into the City treasury daily.

Section 814. City Engineer. Powers and Duties. To be eligible for appointment as City Engineer, the appointee shall have had at least five years practice as a Registered Civil Engineer in the State of California or shall be a registered Civil Engineer in California, with at least five years previous experience in municipal engineering. City engineer

The City Engineer shall have the power and be required to:

(a) Supervise and be responsible for all City Engineering work;

(b) Supervise and be responsible for the maintenance, properly indexed, of all maps, plans, profiles, thorough and correct field notes of all surveys, and other records and memoranda belonging to the City and pertaining to his office and the work thereof;

(c) Prepare or approve all plans and specifications for construction of public works by or for the City; and

(d) Inspect all streets, sewers and drains while the same are in the course of construction; inspect, approve or reject all materials used in such construction, whether done by contract or otherwise, and, pending investigations when necessary, stop all work thereof;

(e) On vacating the office, surrender to his successor all maps, plans, field notes and other records and memoranda pertaining to the City's affairs.

Section 815. Street Superintendent. Powers and Duties. The Street Superintendent shall have the general care and supervision of all City streets, sewers and drains, bridges and parks and shall have power and be required to:

(a) Make frequent inspection of all streets and other public ways, sewers and drains, and bridges of the City;

(b) Receive and investigate all complaints as to their condition and have charge of the enforcement of all laws and ordinances pertaining thereto;

(c) Superintend the cleaning, sprinkling, oiling and draining of streets and flushing of sewers; and

(d) Perform such other services as are required of him by the City Manager, by ordinance or general laws and codes of this state.

Building officer

Section 816. Building Officer. Powers and Duties. The Building Officer shall have charge of the supervision and inspection of all building construction, including plumbing, within the City and shall have power and be required to:

(a) Examine building plans in order to determine conformity with State laws and City ordinances, and issue building permits in connection therewith; and

(b) Enforce the laws and ordinances regulating the construction and maintenance of buildings and other structures.

Electrical superintendent

Section 817. Electrical Superintendent. Powers and Duties. The Electrical Superintendent shall have charge of the inspection of all electrical installations and buildings within the City and shall have power and be required to:

(a) Examine all plans involving electrical construction or installation in order to determine conformity with State laws and City ordinances and issue electrical permits in connection therewith; and

(b) Enforce the laws and ordinances regulating the construction or installation and maintenance of electrical equipment in buildings and other structures.

Superintendent of water works

Section 818. Superintendent of Water Works. Powers and Duties. The Superintendent of Water Works shall have charge of the administration, supervision and operation of the water system of the City, including sources, storage, and distribution of water, the construction of public works incident thereto, and the maintenance of an efficient and economical service of said water system.

## Article IX. Police Court

Police court

Section 901. Police Court. The judicial power of the City shall be vested in a Police Court as heretofor established. The Police Court shall have jurisdiction concurrently with the Justice's Court of Class B in all criminal actions arising within the corporate limits of this City and which might be tried in such Justice's Court. The Police Court shall have no civil jurisdiction.

Procedure

Section 902. Procedure. The rules of practice and mode of proceeding in the Police Court shall be the same as are or may be prescribed by law for Justices' Courts having like jurisdiction and in like cases; an appeal may be taken to the Superior Court of the State of California in and for the County of Santa Cruz from all judgments of said Police Court, in like manner

and with like effect as in cases of appeals from Justices' Courts of like jurisdiction.

Section 903. Police Judge. The Police Judge shall be appointed as hereinelsewhere provided; he shall be Judge of the Police Court. He shall be a qualified elector of the City of Santa Cruz at the time of his appointment and shall be an attorney at law admitted to practice in the Supreme Court of the State of California. His term of office shall be four years from his appointment. Police judge

## Article X. Appointive Boards and Commissions

Section 1001. In General. There shall be the following enumerated boards and commissions which shall have the powers and duties herein stated. In addition, the City Council may create by ordinance such additional advisory boards or commissions as in its judgment are required, and may grant to them such powers and duties as are consistent with the provisions of this Charter. Appointive boards and commissions

Section 1002. Appropriations. The City Council shall include in its annual budget appropriations of sufficient funds for the efficient and proper functioning of such boards and commissions. Appropriations

Section 1003. Appointment. Term. The members of each of such boards or commissions shall be appointed by the City Council. They shall be subject to removal by motion of the City Council adopted by at least five affirmative votes. The members thereof shall serve for a term of four years and until their respective successors are appointed and qualified. Appointment

The members first appointed to such boards and commissions shall so classify themselves by lot that the term of one of each of their number shall expire each succeeding June 1st, beginning in 1949. Where the total number of the members of a board or commission to be appointed exceeds four, the classification by lot shall provide for the pairing of terms to such an extent as is necessary in order that the terms of at least one and not more than two shall expire in each succeeding year.

Thereafter, any appointment to fill an unexpired term shall be for such unexpired period.

Section 1004. Existing Boards. The respective terms of office of all members of the boards and commissions enumerated in this Article or in existence at the time this Charter takes effect shall terminate on June 1, 1948, and upon the appointment and qualification of their successors. Existing boards

Section 1005. Compensation. The members of boards and commissions shall serve without compensation for their services as such, but shall receive reimbursement for necessary traveling and other expenses when on official duty out of the City on order or authority of the City Council. Compensation

Section 1006. Meetings. Chairman. As soon as practicable, following the first day of June of every year, each of such boards and commissions shall organize by electing one of Meetings

its members to serve as presiding officer, at the pleasure of such board or commission.

Each board or commission shall hold a regular meeting at least once each month. All proceedings shall be open to the public unless the nature of any investigation or proceeding is such that in the opinion of such board or commission the public interest would best be served by closing such meeting to the public and the reasons therefor are declared as a part of such action. The vote of a majority of the entire membership of such board or commission shall be necessary for it to take such action.

The City Manager shall call the first meeting of each board or commission and shall designate a city employee to act as secretary for each of such boards and commissions, who shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own rules and regulations which shall be consistent with this Charter and copies of which shall be available for public inspection.

Oaths

Section 1007. Oaths. Affirmations. Each member of any such board or commission, and the secretary thereof, shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

Planning commission

Section 1011. Planning Commission. There shall be a City Planning Commission appointed by the City Council, one member to be elected from its own membership to provide active liaison with the Commission, but who shall neither have a vote nor be eligible to be chairman thereof, and seven members from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government. The City Engineer, or an assistant or deputy, shall be in attendance at all regular meetings of the Commission, without vote. The City Attorney shall attend meetings of the Commission, without vote, when his services are required.

Section 1012. Planning Commission. Powers and Duties. The Planning Commission shall have the power and be required to:

(a) After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of a Master Plan, or any part thereof, for the physical development of the City;

(b) Exercise such control over land subdivisions as is granted to it by the governing body of the City and by the laws of the State of California.

(c) Make recommendations concerning proposed public works and for the clearance and rebuilding of blighted or substandard areas within the City; and

(d) Exercise such functions with respect to zoning as may be prescribed by ordinance.

Library board

Section 1021. Library Board. There shall be a Library Board consisting of five members to be appointed by the City Council from the qualified electors of the City, and no member of said Board shall hold any paid office or employment in the City Government.

Section 1022. Library Board. Powers and Duties. The Library Board shall have charge of the administration of the Santa Cruz Public Library in accordance generally with the provisions of Chapter 3 of Division 11 of the Educational Code of California as now in effect or as hereafter amended and shall have power and be required to:

(a) Make and enforce such by-laws, rules and regulations as may be necessary for the administration, government and conduct of the City Library;

(b) Approve or disapprove the appointment of a Head Librarian; and

(c) Accept money, personal property or real estate donated to the Santa Cruz Public Library or to the Library Board of Santa Cruz or its predecessor.

Claims against library fund

Section 1023. Claims Against Library Fund. All claims and demands payable out of the library fund shall be approved by the board of library trustees before they can be approved or paid, and such approval shall be entered upon their minutes and endorsed upon said claims or demands. They shall be signed by the president and secretary of said board. After such approval and signing, they shall be delivered to the City Clerk and be presented by him to the Mayor for consideration and approval.

Civil service commission

Section 1031. Civil Service Commission. There shall be a Civil Service Commission consisting of three members to be appointed by the City Council from the qualified electors of the City. To be eligible for appointment, each appointee shall neither hold City office or employment nor be a candidate for any other City office or position and shall not be an officer of any local, state, or national partisan political club or organization.

The first commissioners shall, by lot, fix their terms as two, three and four years from June 1, 1948.

Section 1032. Civil Service Commission. Powers and Duties. The Civil Service Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council and the Personnel Director on personnel administration;

(b) Approve or disapprove the appointment by the City Manager of a personnel Director, if any;

(c) After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of civil service rules and regulations;

(d) Make any investigation which it may consider desirable concerning the administration of personnel in the municipal service and report its findings to the City Council, City Manager and the Personnel Director, if any;

(e) Hear appeals of any officer or employee in the Classified Service who is suspended, demoted or removed, and report in writing to the appointing power, City Manager, and City Council, its findings, conclusions and recommendations; and

(f) Periodically, at least once every year, make a study of salaries being paid by other public and private agencies, in order to ascertain whether the salaries being paid city employees for

similar work are comparable, and make recommendations with respect thereto to the City Council, City Manager and Personnel Director, if any.

Recreation commission

Section 1041. Recreation Commission. There shall be a Recreation Commission which shall be appointed by the City Council, one member to be elected from its own membership, to provide active liaison with the Commission, but who shall neither have a vote nor be eligible to be chairman thereof, and seven members to be electors of the City, none of whom shall hold any paid office or employment in the City government.

Section 1042. Recreation Commission. Powers and Duties. The Recreation Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council and Recreation Director in all policy matters pertaining to public recreation, including playgrounds, music and entertainment;

(b) Before appointment or during the probationary period, approve or disapprove the appointment of a Recreation Director by the City Manager;

(c) Consider the annual budget of the Recreation Department during its preparation to make recommendations with respect thereto to the City Manager and the City Council;

(d) Assist in the planning of a recreation program for the inhabitants of the City, promote and stimulate public interest therein, and to that end solicit to the fullest extent possible the co-operation of school authorities and other public and private agencies interested therein; and

(e) Supervise, manage and control all public grounds and parks, including DeLaveaga Park, and any other parks and public grounds that may hereafter be acquired, including the promulgation of rules for the use thereof. Unless otherwise directed by the City Manager, the Superintendent of Streets shall be administrative officer of the Recreation Commission for the superintendence of parks and public grounds; and

(f) Accept money, personal property or real estate donated to the Santa Cruz Recreation Department or Santa Cruz Recreation Commission or its predecessor.

Airport commission

Section 1051. Airport Commission. There shall be an Airport Commission, consisting of five members, which shall be appointed by the City Council. They shall be qualified electors of the City, none of whom shall hold any paid office or employment in the City government.

Section 1052. Airport Commission. Powers and Duties. The Airport Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council in all matters pertaining to the Municipal Airport and to aviation policy matters generally to the extent that they affect the City;

(b) Approve or disapprove the appointment of a Municipal Airport Director by the City Manager, as and when the City Council provides for the filling of such position; and

(c) Consider and recommend to the City Council rules and regulations for the management and operation of the Municipal Airport.

Museum commission

Section 1061. Museum Commission. There shall be a Museum Commission consisting of seven members which shall be appointed by the City Council. The members shall be qualified electors of the County of Santa Cruz, none of whom shall hold any paid office or employment in the City government.

Section 1062. Museum Commission. Powers and Duties. The Museum Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council in all matters pertaining to the Santa Cruz Museum and the maintenance thereof, and the Santa Cruz Aquarium and the management thereof;

(b) Approve or disapprove the appointment of a manager for said museum and/or aquarium by the City Manager, as and when the City Council provides for the filling of such position;

(c) Consider and recommend to the City Council the conclusions of the Commission as to the appropriate means for the maintenance of the museum and the aquarium; and

(d) Accept money, personal property or real estate donated to the Santa Cruz Museum or Aquarium or Santa Cruz Museum Commission or its predecessor.

Flood control and stream beautification commission

Section 1071. Flood Control and Stream Beautification Commission. There shall be a Flood Control and Stream Beautification Commission appointed by the City Council, consisting of nine members including the City Engineer and eight members from the qualified electors of the City, none of whom (except the City Engineer) shall hold any paid office or employment in the City Government.

Section 1072. Flood Control and Stream Beautification Commission. Powers and Duties. The Flood Control and Stream Beautification Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council in all matters pertaining to flood control and erosion and stream beautification.

(b) Consider and recommend to the City Council, in collaboration with the Planning Commission, the conclusions of the Commission as to the appropriate plans and means for the control of floods and erosion and the beautification and utilization of streams.

Water commission

Section 1081. Water Commission. There shall be a Water Commission appointed by the City Council, consisting of seven members, including the Water Superintendent, and six members from the qualified electors of the City, none of whom (except the Water Superintendent) shall hold any paid office or employment in the City Government.

Section 1082. Water Commission. Powers and Duties. The Water Commission shall have power and be required to:

(a) Act in an advisory capacity to the City Council in all matters pertaining to the Santa Cruz water system and the maintenance and management thereof;

(b) Make a study of long range plans for securing new sources of domestic water supply for the City, including

reexamination of prior reports thereon to ascertain the value thereof, if any, at this time, report to the City Council from time to time their conclusions and recommendations for the improvement and extension of the water system of the City, including sources, storage, transmission and distribution of water to the inhabitants, and all subjects related thereto, including estimated costs of carrying out such recommendations.

## Article XI. Civil Service

Merit principle

Section 1101. Merit Principle. Appointments and promotions in the administrative service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examination.

Fair employment practice

Section 1102. Fair Employment Practice. All citizens shall have equal opportunity to obtain and hold employment, and to advance therein, from or under any board, department, officer or agency in this Charter enumerated or provided for, without discrimination because of race, religion, color, national origin or ancestry.

Association

Section 1103. Right of Association and Petition. All employees of the City are to be free from interference, coercion and restraint in associating themselves together for their mutual benefit in connection with their public employment. They may designate representatives of their own choosing and collectively or individually they may exercise their right of petition to the City Council or to the board, officer or commission having jurisdiction of such matters concerning wages, hours or conditions of employment.

Classified service

Section 1104. Classified Service. The Civil Service of the City shall be divided into the Unclassified and the Classified Service.

(a) The Unclassified Service shall comprise the following offices and positions:

1. Members of the City Council;
2. City Manager and the Assistant City Manager, if any;
3. City Attorney and any assistant or deputy;
4. Police Judge;
5. City Health Officer;
6. Auditorium Manager;
7. All members of boards and commissions;
8. Leader and members of any municipal band or orchestra;
9. Positions in the clerical or any unskilled labor class or grade created for a special or temporary purpose and which would not exist for a period longer than six months within any consecutive twelve months period. The Civil Service Commission, upon application of the appointing officer or board, and after public notice and hearing, by the affirmative votes of all of its members, may exempt any position in any unskilled labor class for such period of time as it may determine. Any

such exemption shall not affect the tenure of any person whose appointment has become final under the Classified Service; and

10. Persons employed to render professional, scientific, technical or expert service of an occasional and exceptional character.

(b) The Classified Service shall comprise all positions not specifically included by this section in the Unclassified Service.

Section 1106. Classification. The Personnel Director shall make periodic studies of the classification and grading of positions and shall submit to the City Manager for approval any changes which he deems desirable to better classify positions, according to similarity of authority, duties and responsibilities.

Upon approval by the City Manager, such proposed changes shall be referred to the Civil Service Commission for the holding of a public hearing thereon at which officers and employees affected thereby and others interested and desiring to be heard shall be given an opportunity to do so. Upon approval by the Civil Service Commission, they shall be referred to the City Council for final consideration and adoption.

Section 1107. Recruitment. Examinations of applicants for positions in the Classified Service shall be practical and relate to those matters which fairly test the relative capacity of the applicants to discharge the duties of the position to which they seek to be appointed. Recruitment

No person may be an applicant who is not a citizen of the United States, or who has not resided in the State of California for at least one year next preceding the date of such examination. The residential requirement may be waived by the Civil Service Commission whenever it believes such waiver is in the public interest, but in each instance it must declare in its proceedings the reasons therefor. Promptly upon appointment every appointee to any office or employment shall become and remain a bona fide resident of this City.

Section 1108. Veterans. In all entrance examinations for positions in the Classified Service, veterans who attain a passing grade shall be allowed an additional preferential credit of ten (10%) percent of the maximum grade for such examinations. Veterans

The term "veteran" means any citizen of the United States who has served on active duty in the armed forces of the United States in time of war (and prior to the cessation of hostilities, as declared by the President or the Congress of the United States) and has received an honorable discharge or release from active duty.

Section 1109. Efficiency Ratings and Promotions. A system of compulsory, periodic, at least annually, efficiency ratings shall be established by the Personnel Director for all employees in the Classified Service, subject to the approval of the Civil Service Commission. Promotions

Special rating forms shall be designed for such classifications as require them in order that the quality of performance

by each person rated of the required functions of his position may be accurately reflected through their use.

The City Manager shall be required to rate all department heads and officers under him, and the department heads shall rate all officers and employees in their respective departments.

Promotions shall be on the basis of ascertained merit, credit and seniority in service and examination. Vacancies shall be filled by promotion upon competitive examinations unless the appointing power in particular instances believes it impractical, or not in the best interest of the public service, and the reasons therefor are submitted to and approved by the Civil Service Commission.

Appointments

Section 1110. Appointments. Upon the receipt of notice of a vacancy in the Classified Service, the Personnel Director shall certify to the appointing power the names of the three highest candidates on the eligible list for such position. No candidate may be certified more than three times for any one Classified position.

When no eligible lists are available, the Civil Service Commission, under such rules and regulations as it shall prescribe, may authorize the appointing power to make temporary appointments in the Classified Service which shall remain in force until regular appointments can be made, but in no case to exceed six months, in order to prevent the interruption of public business and in order to meet extraordinary conditions.

Probationary period

Section 1111. Probationary period. All original and promotional appointments shall be for a probationary period of six months, during which the officer or employee may be rejected at any time without right of appeal or hearing in any manner.

An employee rejected during the probationary period from a position to which he has been promoted shall be reinstated to the position from which he was promoted unless charges are filed and he is discharged for cause.

Abolition of position, etc

Section 1112. Abolition of Positions, Lay-Offs. Whenever it becomes necessary, in the opinion of the City Council, to abolish an office or position, or to reduce the number of officers or employees in a given class in the Classified Service and to discharge the officer or officers, employee or employees holding such position or positions for economy reasons or any similar cause, the City Council may do so by stating in its proceedings its reasons therefor. Should such office or position or positions be reinstated or any office or position or positions involving substantially the same duties be created or filled within one year, the officer or officers, employee or employees discharged shall be appointed thereto.

All lay-offs shall be governed by seniority in service and shall be in the reverse order of employment. Re-employment shall be in the reverse order of the lay-offs.

Discipline

Section 1113. Suspension, Demotion and Dismissal. The City Council and all officers having appointive power are

vested with the right to exercise the disciplinary and removal powers hereinafter provided.

An officer or employee, other than one serving a probationary period, holding an office or a position in the Classified Service shall be subject to suspension without pay for a period of not exceeding thirty days in any one calendar year, or to demotion, or removal from his position, for misconduct, incompetence, inefficiency, or for failure to observe the rules or regulations of the department, office or agency, or to co-operate reasonably with his superiors or fellow employees, but subject to the right of the officer or employee to appeal to the Civil Service Commission in the manner set forth herein.

Such officer or employee shall be entitled to receive, upon request, at the office of the board or officer taking such action, not later than the second business day thereafter, a written statement in itemized form of the reasons therefor, a copy of which statement shall be furnished the Secretary of the Civil Service Commission. He shall have ten days after the receipt of such statement within which to file an answer to such statement or charge should he desire to do so.

The answer shall be filed in the office of the City Clerk and with the Secretary of the Civil Service Commission. In his answer, or if no statement of charges has been made available to him as required, such employee may request a hearing by the Civil Service Commission to review such suspension, demotion or removal which shall be called and held as provided for in the rules and regulations. Hearings may be conducted informally and the rules of evidence need not apply. Written findings and conclusions, together with such recommendations as it shall deem proper, shall be made by the Civil Service Commission to the appointing power, the City Council and City Manager, within ten days after completion of the hearing.

The findings and conclusions of the Civil Service Commission shall be final and no appeal may be taken therefrom. Vacancies created under this section may be filled by the appointing power by temporary appointment pending the completion of any proceedings taken hereunder.

A reduction in pay shall be a demotion, under this section, unless it is a part of a plan to reduce salaries and wages in connection with a general economy or curtailment program. A failure to grant an increase to an individual at a time when increases are granted generally as a part of a plan to increase salaries and wages throughout the City service shall likewise be a demotion.

Section 1114. Political Activities Prohibited. No person holding a position in the Classified Service nor on an eligible list shall seek or accept election, nomination or appointment as an officer of a political club or organization, nor shall such person take any active part in any municipal political campaign in behalf of or against any candidate for elective office in the City, or contribute thereto in behalf of any candidate, nor shall such person seek signatures to any petition seeking to advance the

Political activities

candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any such persons from being or becoming a member of a political club or organization, or from attending political meetings, or from enjoying entire freedom from all interference in casting his vote, or from seeking election or appointment to public office. Upon becoming a candidate for public office, any such person shall request and be granted a leave of absence, without pay, to remain in effect during the period of time such person is a candidate.

Prohibitions

Section 1115. Prohibitions. No person shall wilfully or corruptly make any false statement, certificate, mark, rating or report in regard to any application, test, certification, or appointment held or made under the personnel provisions of this Charter or in any manner commit or attempt any fraud preventing the impartial execution of such personnel provisions or rules and regulations made hereunder.

Any person who by himself or with others wilfully or corruptly violates any of the provisions of this Article shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Five Hundred ($500.00) Dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Any person convicted hereunder shall be ineligible for a period of five years for employment in the City service and shall, if he be an officer or employee of the City, immediately forfeit his office or position.

Contract for performance of administrative functions

Section 1116. Contract for Performance of Administrative Functions. The City Council, upon recommendation of the City Manager, may contract with the governing body of any other city, or county within this state, or with any state department or other agency for the preparation and/or conducting of competitive examinations for positions in the City service or for the performance of any other personnel administrative service.

Present service

Section 1117. Officers and Employees Retained in Classified Service. To the end that there be no disruption in the present service of the Classified Service, and that no hardship may be worked upon any officer or employee in said Classified Service who shall have attained a certain position, grade or rank, all officers and employees who are in the permanent classified service of the City at the date of the approval of this Charter by the State Legislature, or who have been in the employ of the City for more than six months immediately prior to the date of such approval hereof, shall continue in the Classified Service of the City, and in the position, grade, or rank then so held by such officer or employee.

## Article XII. Retirement

Retirement

Section 1201. State System. The "State Employees' Retirement Law", as it now exists or may hereafter be amended, is hereby adopted for the City of Santa Cruz, and

plenary authority and power are hereby vested in said City, its City Council and its several officers, agents and employees to do and perform any act, or exercise any authority granted, permitted, or required under the provisions of said Retirement Law to enable said City to become or continue as a contracting City participating in the State Employees' Retirement System; provided, however, that the City Council may terminate any contract entered into with the Board of Administration of the State Employees' Retirement System only under authority granted by ordinance adopted by a majority vote of the electors of the City of Santa Cruz, voting on such proposition at an election at which such proposal is presented.

Section 1202. Allowance for Prior Service. The provision heretofore made for death benefits and disability benefits for officers and employees within the retirement system for service prior to the effective date of the adoption of the employees' retirement system are hereby continued in effect. Prior service

Section 1203. Excepted Officers and Employees. The City Manager and any Assistant City Manager, the City Attorney and any Assistant or Deputy City Attorney, Police Judge, Auditorium Manager, Health Officer, if any, and all elected officers and members of boards or commissions, the leader and members of any municipal band or orchestra shall, so far as permitted by the State Retirement System for City officers and employees, be excluded from said employees' retirement system and shall not be eligible for benefits thereof. Exempt positions

## Article XIII. General Provisions Relating to Officers and Employees

Section 1301. Official Bonds. The City Council shall fix by ordinance the amounts and terms of the official bonds of all officials or employees who are required by this Charter or by ordinance to give such bonds. All bonds shall be approved as to form by the City Attorney, and, with the exception of the bond of the City Clerk, shall be filed with the City Clerk. The Clerk's bond shall be filed with the City Manager. Premiums on official bonds shall be paid by the City. Official bonds

In all cases wherein an employee of the City is required to furnish a faithful performance bond, there shall be no personal liability upon, or any right to recover against his superior officer or other officer or employee, or the bond of the latter unless such superior officer or other officer or employee is a party to, or has conspired in the wrongful act causing directly or indirectly such loss.

Section 1302. Oath of Office Each member of the City Council, of every board and commission and each officer provided for in this Charter before entering upon the discharge of the duties of his office, shall take, subscribe to and file with the City Clerk the following oath or affirmation: Oath

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the

Constitution of the State of California, and that I will faithfully discharge the duties of the office of (here inserting name of office) according to the best of my ability."

Illegal contract

Section 1303. Illegal Contract, Financial Interest. No member of the City Council shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party and neither shall any City official or employee be interested in any contract, sale or transaction to which the City is a party and which comes before said official or employee, or the department of the City with which he is connected, for official action. Any such contract or transaction in which there shall be such an interest shall become void at the election of the City when so declared by resolution of the City Council.

No member of the City Council, City official or employee shall be deemed to be financially interested, within the meaning of the foregoing provisions, in any contract made with a corporation by reason of the ownership of stock in such corporation, unless said stock owned by him shall amount to at least three (3%) per cent of all the stock of such corporation issued and outstanding. No City Councilman or member of any board or commission shall vote on or participate in any contract or transaction in which he is directly or indirectly financially interested, whether as a stockholder of the corporation, or otherwise. If any officer of the City, during the term for which he was elected or appointed shall so vote or participate or shall be financially interested as aforesaid, upon conviction thereof, he shall forfeit his office.

Additional duties

Section 1304. Duties of Officers and Employees. The City Council, by ordinance, may assign additional functions or duties to offices, departments or agencies established by this Charter, but may not discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office, department or agency.

Administering oaths

Section 1305. Administering Oaths. Each department head and his deputies shall have the power to administer oaths and affirmations in connection with any official business pertaining to his department.

Department heads

Section 1306. Department Heads. Appointment Powers. Each department head shall have the power to appoint and remove such deputies, assistants, subordinates and employees as are provided for by the City Council for his department upon the following conditions:

(a) Subject to the civil service provisions of this Charter and the rules and regulations promulgated hereunder; and

(b) Subject to approval of the City Manager being first had and received.

## Article XIV. Fiscal Administration. Budget. Taxes

Fiscal year

Section 1401. Fiscal Year. The fiscal year of the City shall commence upon the first day of July of each year, or at such other time as may be fixed by ordinance.

Section 1402. Annual Budget. On or before the second Monday in May of each year every officer, commission or board shall transmit to the City Manager detailed estimates of income and expenditures for the ensuing fiscal year. At or before the first regular meeting of the Council in June of each year, the City Manager shall transmit to the Council a detailed budget showing estimated revenues and expenditures of the City and all departments thereof for the ensuing fiscal year. Annual budget:

Section 1403. Adoption of Budget. Annual Tax Levy. Not later than the first regular meeting in September, the Council shall adopt a budget and fix the rate of City taxes to be levied and collected upon all property contained in the assessment roll of the Assessor. Such tax levy, after allowing an adequate percentage of the assessed valuation for delinquencies, shall be such as will yield sufficient revenue, together with other sources of income, for the financial needs of the City for the current fiscal year. Adoption

Section 1404. Board of Equalization. The Council shall meet at its usual meeting place on the second Monday in August of each year at ten o'clock A.M., as a Board of Equalization, and shall continue in session by adjournment from day to day until all returns of the Assessor have been rectified and all assessments equalized. The Board of Equalization shall have power to hear complaints, to take testimony under oath, and to correct, modify, strike out, lower, or raise any assessment, provided, that at least one day's notice shall be given to any party whose assessment is proposed to be raised, excepting in case of a uniform increase in the assessed value of all property in the entire City. The City Clerk shall act as Secretary of such Board, and it shall be his duty to keep permanent records of all proceedings and to enter therein all resolutions and decisions of the Board. Board of equalization

Section 1405. Limit of Tax Levy. Except as in this Charter provided, the tax levy for each fiscal year shall not exceed the rate of one dollar and fifty cents on each one hundred dollars of the assessed value of all real and personal property within the City. Limit of tax levy

Section 1406. Bond and Library Tax. In addition to the tax rate hereinabove authorized, the Council shall have the power to levy and collect taxes sufficient to pay the interest and principal of the bonded indebtedness of the City, and also to levy and collect taxes at not to exceed the rate of thirty cents on each one hundred dollars of assessed value of all property within the City for the maintenance and support of public libraries and reading rooms. Bond and library tax

Section 1407. Flood and Erosion Prevention Tax. In addition to the tax rates hereinabove authorized, the Council shall have the power to levy and collect taxes sufficient for the prevention of and protection against ocean erosion and floods, and stream overflow and erosion, at not to exceed the rate of ten cents on each one hundred dollars of such assessed value of all property. Flood and erosion prevention tax

Employees' retirement system tax.

Section 1408. Employees' Retirement System Tax. In addition to the tax rates hereinabove authorized, the Council shall have the power to levy and collect taxes at not to exceed thirty-five cents on each one hundred dollars of such assessed value of all property for the creation and maintenance of the retirement system for officers and employees of this City within such retirement system.

Disbursement

Section 1409. Disbursement of City Money. Money shall be drawn from the Treasury only on warrants as herein prescribed. Every demand against the City, from whatever source, when approved by the City Manager, and when allowed by the Council, shall be signed by the Mayor; and a warrant prepared by the City Clerk shall be issued and signed by the Mayor and City Clerk or such other officers as the Council may designate. No demand shall be allowed, approved, audited, or paid, unless it shall specify each item of the claim and the date thereof; provided, however, that warrants for salaries of officers and employees shall be approved by the Secretary of the Civil Service Commission and allowed by the Clerk and paid regularly semi-monthly from the treasury, and matured bond principal and interest shall be paid without any demand therefor or approval thereof as prescribed herein for other claims. Warrants shall be of the form prescribed by the City Treasurer, or, at its option, by the Council.

Budget changes

Section 1410. Changes in Budget Appropriations. The City Clerk and the City Treasurer shall see that each department and officer of the City shall operate such department or office in accordance with the annual budget appropriations therefor, as nearly as may be. Any appropriation may be changed during the budget year by resolution of the Council upon application of the appropriate department head or the City Manager. If at any time the City Manager shall ascertain that available income for the year will probably be less than the total appropriations thereof, he shall report to the City Council his recommendation for curtailments or adjustments of appropriations of departments and offices necessary to avoid expenditures in excess of income, and the Council shall, by a resolution, make necessary changes in any appropriations.

Transfers

Section 1411. Transfer of Appropriations. Upon the recommendation of the City Manager, or with his consent, the Council may, by resolution at any time, transfer funds from the unbudgeted reserve to any department or office that the Council may approve.

Limitation on expenditures

Section 1412. Limitation on Expenditures. No department or officer shall, during any budget year, expend or contract for, or incur any liability which involves the expenditure of money for any purpose in excess of the amounts appropriated therefor. Any contract, written or verbal, in violation of this Charter, shall be null and void. Any officer or employee who shall violate this section shall be guilty of a misdemeanor and upon conviction thereof shall cease to hold such office or employment. Nothing in this section, however, shall prevent the making of

contracts of lease or for services for a period beyond the budget year in which such contract was made, when such contract is otherwise permitted by law.

Section 1413. Lapse of Appropriations. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully committed, and unexpended funds shall then revert to and become part of the general fund of the City. Lapse of appropriations

Section 1414. Competitive Bidding. Before the City Purchasing Agent purchases or makes any contract for the purchase of supplies, materials, or equipment, he shall give ample opportunity for competitive bidding under such rules and regulations, and with such exceptions as the Council may prescribe; for purchases of supplies, materials, or equipment, the cost of which does not exceed $1,500.00, informal calls for bids, with or without public notice shall be made; for purchases in excess of $1,500.00, formal notice of calls for sealed bids shall be given by publication at least 5 times in a daily newspaper of general circulation published in this City; provided, however, that neither the Council nor the Purchasing Agent shall except individual contracts or purchases from the requirement for competitive bids, other than public utility services where competitive bidding is impractical. Competitive bidding

Section 1415. Contracts for Public Works. Any public work or improvement costing more than $1,500.00 shall be executed by contract, except where a specific work or improvement is authorized by the Council to be performed directly by a City department or officer in conformity with detailed plans, specifications, and estimates. All such contracts for more than $1,500.00 shall be awarded to the lowest responsible bidder after such public notice and publication as may be prescribed by ordinance or resolution, but not less than 5 times in a daily newspaper of general circulation published in this City, provided the Council or the City Manager, when so authorized, shall have power to reject all bids, and advertise again. All advertisements as to such contracts shall so provide. All contracts entered into by the City shall be signed by the City Manager or other officer or officers as the Council may by ordinance or resolution prescribe. Contracts for public works

Section 1416. Accounting Control of Purchases. All purchases and contracts for supplies, materials, or equipment, executed by the City Manager, shall be pursuant to a written requisition from the department head or officer whose appropriation will be charged therefor, and no contract or purchase order shall be issued to any vendor or supplier unless and until the City Clerk certifies that there is to the credit of such department or office a sufficient unincumbered appropriation balance to pay for the supplies, materials, or equipment, or contractual services, for which the contract or purchase order is to be issued. Accounting

Section 1417. Contracts Based on Bond Issues. No contract shall be executed for the acquistion of any property or the construction of any improvement or betterment to be financed Contracts based on bond issues

by the issuance of bonds, until the ordinance authorizing the issuance thereof shall have been adopted, and any contract executed prior thereto shall be uninforceable.

Tax anticipation notes.

Section 1420. Tax Anticipation Notes. During any fiscal year, in anticipation of collection of property taxes for such year, whether levied or to be levied therein, the Council may, by resolution, authorize the borrowing of money upon negotiable promissory notes of the City, each of which shall be designated, "Tax anticipation note for the year_____" (stating the fiscal year). Such notes may be issued for periods not exceeding one year, and may be renewed from time to time within such year, and all such notes shall mature and be paid not later than the end of the fiscal year in which they were originally issued. The total amount of such tax anticipation notes in any fiscal year shall not exceed thirty per cent of the amount of property tax levied in that year for City purposes.

Sale

Section 1421. Sale of Notes. All promissory notes issued pursuant to this article may be sold at not less than par and accrued interest at private sale without previous advertisement.

Payment

Section 1422. Payment of Notes. Any note may be made payable prior to maturity at the option of the City. The power and obligation of the City to pay any and all notes hereby authorized shall be unlimited, and the City shall levy ad valorem taxes on all taxable property within the City for payment of the principal and interest of such notes without limitation of rate or amount. The faith and credit of the City is hereby pledged for the payment of the principal and interest of all notes of the City hereafter issued pursuant to this article, whether or not so stated in any such note.

General reserve account

Section 1423. General Reserve Account. As soon as practical the Council shall establish and thereafter maintain a permanent revolving account to be known as the General Reserve Account, for the purpose of keeping the payment of the current expenses of the City on a cash basis. When established said account shall be maintained in an amount sufficient to meet all legal demands against the treasury for the first five months or other necessary period of each fiscal year prior to the receipt of taxes. The Council shall have power to transfer from the General Reserve Account to any other account or fund such sum or sums as may be required to place such account or fund, as nearly as possible, on a cash basis. It shall be the duty of the Council to provide that all moneys so transferred from the General Reserve Account be returned thereto at or before the end of the fiscal year in which such transfers are made; provided, that in any fiscal year in which the total balance in said General Reserve Account exceeds forty per cent of the total amount of the general budget for that year, the Council may appropriate such excess for any City purpose without returning same.

Public service departments' depreciation funds

Section 1424. Public Service Departments' Depreciation Funds. The City Council shall annually set aside from the income of each of its revenue producing public utilities, as a separate depreciation fund for each of them, a sum which, according to

the estimate of the City Manager, and approved by the City Council, shall be sufficient to meet the normal depreciation in such public utility. Such depreciation funds shall be used only for the replacement, betterment and extension of the plants, facilities, and equipment of said public utilities respectively. None of the surplus earnings of any such public utility, including the sewer and sewage disposal system, shall be transferred from any such public utility without a majority vote of the qualified electors of the City at an election at which such a proposition shall be submitted to them; provided, however, that while ordinance No. 1497, or any amendment thereof is in effect, revenue of the City water system may be used as therein prescribed; provided, further, that surplus funds of the water department may be borrowed for temporary replenishment of the general fund of the City during the first five months of any fiscal year by a vote of five members of the City Council, but all sums so borrowed must be repaid during the same fiscal year in which such borrowing occurs.

Departmental trust fund

Section 1425. Departmental Trust Fund. The City Council may prescribe by ordinance for the setting up of a Treasurer's Departmental Trust Fund into which the collections of the Police Department, License Collector, Building Officer, etc., may be deposited by the respective officers at frequent intervals during each month, with advice of each deposit being furnished to the City Treasurer. Withdrawals from such fund may be made by the City Treasurer only on order signed by the proper department head and only for the following purposes:

(a) The making of refund of bail which has been exonerated, or of other refundable deposits, revolving fund advances authorized by the City Council, or for the correction of clerical or ministerial errors in the receipt of payments to the City; and

(b) The making of settlements with City funds at the end of each calendar month for collections accumulated during such month.

Actions against city

Section 1426. Actions Against City. No suit or action shall be brought on any claim for money or damages against the City or any officer, board or commission thereof, until a demand for the same has been presented as herein provided, and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter time is otherwise required by law, all claims for damages against the City must be presented within ninety days after the occurrence, event, or transaction, for which the damages allegedly arose, and other claims or demands shall be presented within six months after the last item of the account or claim accrued.

Every claim for money or damages against the City or any officer, board or commission thereof, shall be filed with the City Clerk who shall present the same to the City Council and a duplicate of such claim shall be presented by the claimant to the City officer, board, or commission authorized by this Charter

to incur or pay the expenditure or alleged indebtedness or liability represented thereby. In all cases such claims shall be approved or rejected in writing, and the date thereof given. Failure to act upon any claim or demand within sixty days from the date same was filed with the City Clerk shall be deemed a rejection thereof.

Professional audit

Section 1427. Professional Audit. At the beginning of each fiscal year the City Council shall employ a qualified public accountant who shall, from time to time during such year, examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds, and of such other officers, employees, or departments as the City Council may direct. At the end of the year a final audit and report shall be submitted to the City Council with sufficient copies for each member, for the City Manager, the City Clerk, the City Attorney, and three additional copies to be placed on file in the office of the City Clerk, where they shall be available for inspection by the public.

## Article XV. Franchises

Property rights of city

Section 1501. Property Rights of the City Inalienable. The rights of the City in and to the water-front and tidelands vested in it in fee or in trust, are inalienable, and its parks and other public places, except as herein provided, are inalienable unless authorized by a vote of two-thirds of the qualified electors of the City of Santa Cruz, had at a general or special municipal election.

Water system

Section 1502. Water System Inalienable. The Council shall never sell, lease, assign, convey, mortgage, or hypothecate the water system, or any part thereof, or the rents or income therefrom, unless authorized so to do by vote of the people.

Granting of franchises

Section 1503. Granting of Franchises. The City Council is empowered to grant by ordinance a franchise to any person, firm or corporation empowered by law to furnish the City and its inhabitants with transportation, communication, terminal facilities, water, light, heat, power, refrigeration, storage or any other public utility or service to use the public streets, ways, alleys and places as the same now or may hereafter exist, for the construction and operation of plants, works, or equipment necessary or convenient for the furnishing thereof, or necessary or convenient for traversing any portion of the City for the transmitting or conveying of any service elsewhere. The City Council may prescribe the terms and conditions of any such grant. It may also provide, by procedural ordinance, the method of procedure and additional terms and conditions for making such grants, subject to the provisions of this Charter.

Resolution of intention

Section 1504. Resolution of Intention, Notice and Public Hearing. Before granting any franchise, the City Council shall pass a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the

franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the day, hour and place when and where any persons having any interest therein or any objection to the granting thereof may appear before the City Council and be heard thereon. It shall direct the City Clerk to publish said resolution at least once within fifteen (15) days of the passage thereof, in the official newspaper. The time fixed for such hearing shall not be less than twenty (20) nor more than sixty (60) days after the passage of said resolution.

At the time set for the hearing, the City Council shall proceed to hear and pass upon all protests and its decision thereon shall be final and conclusive. Thereafter, it may grant, or deny, the franchise, subject to the right of referendum of the people.

Term of franchise

Section 1505. Term of Franchise. Every franchise shall state the term for which it is granted, which, unless it be indeterminate as provided for herein, shall not exceed Thirty-five (35) years.

A franchise grant may be indeterminate, that is to say, it may provide that it shall endure in full force and effect until the same, with the consent of the Public Utilities Commission of the State of California, shall be voluntarily surrendered or abandoned by its possessor, or until the State of California, or some municipal or public corporation, thereunto duly authorized by law, shall purchase by voluntary agreement or shall condemn and take, under the power of eminent domain, all property actually used and useful in the exercise of such franchise and situate within the territorial limits of the State, municipal or public corporation purchasing or condemning such property, or until the franchise shall be forfeited for noncompliance with its terms by the possessor thereof.

Eminent domain

Section 1506. Eminent Domain. No franchise grant shall in any way or to any extent impair or affect the right of the City to acquire the property of the grantee thereof, either by purchase or through the exercise of the right of eminent domain, and nothing herein contained shall be construed to contract away or to modify or to abridge either for a term or in perpetuity the City's right of eminent domain with respect to any public utility. Every franchise grant shall reserve to the City the right to purchase the property of such utility either at an agreed price or a price to be determined in the manner provided for by the General Laws of this State.

Duties of grantee

Section 1507. Duties of Grantee. By its acceptance of any franchise hereunder, the grantee shall covenant and agree to perform and be bound by each and all of the terms and conditions imposed in the grant or by procedural ordinance, and shall further agree to:

(a) Comply with all lawful ordinances, rules and regulations theretofore or thereafter adopted by the City Council in the exercise of its police power, governing the construction, maintenance and operation of its plants, works or equipment;

(b) Pay to the City on demand the cost of all repairs to public property made necessary by any of the operations of the grantee under such franchise;

(c) Indemnify and hold harmless the City and its officers from any and all liability for damages proximately resulting from any operations under such franchise;

(d) Remove and relocate without expense to the City any facilities installed, used and maintained under the franchise if and when made necessary by any lawful change of grade, alignment or width of any public street, way, alley or place, including the construction of any subway or viaduct; and

(e) Pay to the City during the life of the franchise, if operative wholly within the City, a percentage, to be specified in the grant, of the gross annual receipts of the grantee with in the limits of the City, or such other compensation as the City Council may prescribe in the grant, or, for a franchise to a public utility operating within and without the city such compensation as may be provided by the General Laws of the State.

## Article XVI. School Department

Schools and districts

Section 1601. Schools and Districts. The school department shall comprise all of the territory and public schools of the Santa Cruz High School District and the territory and public schools of the Santa Cruz School District as such districts now or may hereafter exist. For the purpose of fixing the governing boards thereof and the number of members of such boards, their qualifications, manner of election and other matters relative thereto, said school department shall be divided into what shall be known as the Santa Cruz City High School District, hereinafter designated as High School District, and the Santa Cruz Elementary School District, hereinafter designated as Elementary School District.

Territory of districts

Section 1602. Territory of Districts. All of the territory that is now, or that may hereafter be embraced within said High School District or Elementary School District shall be deemed a part of said districts for the purpose of holding elections, and shall comprise such number of election precincts as shall from time to time be designated and defined by the proper authority. All qualified electors within said school districts shall be qualified to vote for members of the respective Boards of Education and on all questions pertaining to school matters submitted to the vote of the people of such respective districts. All of the territory within said respective school districts, not within the City of Santa Cruz, shall be deemed to be a part of said City for all matters and things relating to public education authorized for such city school districts by law.

Boards of education

Section 1603. Boards of Education. Membership. Qualifications. The High School District shall be governed by a Board of Education which shall be known as the Santa Cruz City High School Board of Education, hereinafter designated as High School Board. The High School Board shall consist of seven members, five of whom shall, at the time of their respective

election and during the time they respectively hold office, be qualified electors and residents of the Elementary School District, and two of whom, at the time of their respective election and during the time they respectively hold office, shall be qualified electors and residents of that portion of the High School District not included within the Elementary School District.

The Elementary School District shall be governed by a Board of Education which shall be known as the Santa Cruz City Elementary School Board of Education, hereinafter designated as Elementary School Board. The Elementary School Board shall consist of the five members of the High School Board who are electors and residents of the Elementary School District.

No person shall be eligible to be elected or appointed to the membership of either of said Boards of Education unless he is a citizen of the United States who shall have attained the age of twenty-five (25) years and shall have been a resident of the school district for at least one year prior to the date of election or appointment.

Section 1604. High School Board. Election. Term. At the time and in the manner now or as may hereafter be provided in the Education Code of the State of California for the election of school district trustees, an election shall be held for the members of the High School Board of Education. High school board.

The term of office of members of the High School Board shall be five years from the first day of the month next succeeding their election; provided that the members of the present High School Board shall hold office until the first day of the month next succeeding the first Board of Education election after the expiration of their terms.

Each year at the time of holding the election of school trustees a sufficient number of persons shall be elected to be members of the High School Board to fill any office vacant or to become vacant prior to the next succeeding election of school trustees.

Section 1605. High School Board. Election. Several Offices. At any election held for the purpose of electing members of the High School Board, those receiving the highest number of votes, equal to the number of offices to be filled, who possess the qualifications herein provided, shall be declared to be elected. In case of more than one vacancy in offices having the same residence qualifications but for a longer or shorter term of years, the one receiving the highest number of votes shall be elected for the longest term, the one receiving the next highest for the second longest term, and the one receiving the third highest for the third longest term, provided, that if two or more candidates receive the same number of votes they shall cast lots for the longer term or terms. Election

Section 1606. Filling Vacancy in High School Board. Should any vacancy occur in the membership of the High School Board, it shall be filled by majority vote of the remaining members of said Board within thirty (30) days after such vacancy occurs. If said Board shall fail to agree or to make such Filling vacancy

appointment within thirty (30) days the County Superintendent of Schools shall make the appointment. In neither case shall anyone be appointed who does not possess the qualifications herein provided for election to such office. The person appointed to fill such vacancy on the High School Board shall hold office until the next general election of school trustees, at which time a member shall be elected to said High School Board to fill the unexpired term.

Meetings

Section 1607. Meetings. Organization of School Boards. The High School Board and the Elementary School Board shall hold regular meetings at least once each month at such time and place as such respective Boards may determine: Provided, that such meetings shall be at the office of the City Superintendent of Schools unless published notice is given to the contrary. At the first regular meeting in April of each year, each of the above boards shall meet and organize and choose one member for President and another for Vice-President who shall serve for one year.

Special meetings may be called by the President, Vice-President, or three members of either of the above boards by giving written notice through the Clerk to all members at least twenty-four hours previous to such special meeting.

Powers and duties

Section 1608. High School Board. Powers and Duties. The High School Board is hereby vested with all the powers and charged with all the duties provided by this Charter and those now or hereafter provided for by the laws of the State of California applicable to such boards of education.

Elementary school board

Section 1609. Elementary School Board. Powers and Duties. The elementary School Board is hereby vested with all the powers and charged with all the duties provided by this Charter and those now or hereafter provided for by the laws of the State of California applicable to such boards of education.

City superintendent of schools, etc.

Section 1610. City Superintendent of Schools and Secretary of the Boards of Education. As authorized in the Education Code of the State of California, the High School Board and the Elementary School Board shall appoint a properly qualified person to serve as City Superintendent of Schools and Secretary of the Boards of Education and shall delegate to him or her such duties and responsibilities as are provided for in the Education Code of the State of California and in the rules and regulations of said Boards of Education.

General

Section 1611. General Provisions. All other matters pertaining to the school department, not specifically provided for in this Charter, shall be governed by the Education Code and general laws of this state.

## Article XVII. Miscellaneous

Definitions

Section 1701. Definitions. Unless the provision or the context otherwise requires, as used in this Charter:

(a) "Shall" is mandatory, and "may" is permissive.

Section 1702. Violations. The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable, upon conviction, by a fine of not exceeding Five Hundred ($500.00) Dollars or by imprisonment for a term of not exceeding six (6) months, or by both such fine and imprisonment. Violations

Section 1703. Validity. If any provision of this Charter, or the application thereof to any person or circumstance, is held invalid, the remainder of the Charter, and the application of such provision to other persons or circumstances, shall not be affected thereby. Constitutionality

CERTIFICATE

WHEREAS, The City of Santa Cruz for many years last past has been and now is a city containing a population of more than 3,500 inhabitants as ascertained by the last preceding census taken under authority of the Congress of the United States; and Certificate

WHEREAS, On the 6th day of May, 1947, at a municipal election duly held in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, the electors of the said City did choose and elect Walter Bettencourt, Charles M. Brunjes, Jack L. Chiorini, Alvin L. Ebert, E. R. Eisley, A. Gardner Finn, Lloyd A. Foster, Alfred O. Haber, Fred A. Harbert, W. O. Kerrick, Fred McPherson, Jr., George E. Miller, Eugene V. Patten, Bert B. Snyder, and A. R. Wood, who were on said date all electors of the said City and eligible as candidates in said election, as a Board of Fifteen Freeholders to prepare and propose a Charter for the government of said City; and

WHEREAS, the result of the said election was duly declared by the legislative body, to-wit, the City Council, of the said City on the 10th day of May, 1947, and the said electors so elected as Freeholders thereafter duly qualified as such Freeholders in accordance with law; and thereafter, on August 13th, 1947, Fred A. Harbert, one of the members of said Board of Freeholders, died; and

WHEREAS, a period of one year since the result of the said election was declared as aforesaid has not expired;

NOW, THEREFORE, in pursuance of the said provisions of said Constitution of the State of California and within one year after the result of the said election was so declared, said Board of Freeholders has prepared and does now propose the foregoing Charter as and for the Charter of the City of Santa Cruz for the government thereof;

And said Board of Freeholders hereby requests said legislative body of said City to cause the publication of said proposed Charter, as provided in said Constitution, and does hereby fix and designate Tuesday, the 2nd day of March, 1948, as the date for holding a special municipal election of the said City at which the said proposed Charter shall be submitted to the qualified electors of the said City for their ratification and adoption.

IN WITNESS WHEREOF, The undersigned Freeholders of said City have subscribed their names hereto at the City of Santa Cruz in the State of California, on the 26th day of December, 1947.

BERT B. SYNDER
Chairman of the Board of Freeholders

A. GARDNER FINN
Secretary thereof

WALTER BETTENCOURT
CHARLES M. BRUNJES
JACK L CHIORINI
ALVIN L. EBERT
E. R. EISLEY
LLOYD A. FOSTER
ALFRED O. HABER
W. O. KERRICK
FRED MCPHERSON, JR.
GEORGE E. MILLER
EUGENE V. PATTEN
A. R. WOOD

CERTIFICATE OF MAYOR AND CITY CLERK OF THE CITY OF SANTA CRUZ, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

State of California
County of Santa Cruz } ss.
City of Santa Cruz

We, the undersigned, C. M. Aldrich, Mayor of the City of Santa Cruz, and A. J. Miller, the City Clerk of said City, do hereby certify and declare as follows:

The city of Santa Cruz, a municipal corporation of the county of Santa Cruz, State of California, now, is and was at all times herein mentioned a city containing a population of more than three thousand, five hundred (3,500) inhabitants, and less than fifty thousand (50,000) inhabitants.

That the board of freeholders whose names appear signed to the foregoing proposed charter were on the 6th day of May, 1947 at a general election held in said city of Santa Cruz on said day duly elected by the qualified electors of said city to prepare and propose a charter for said city; that each of said freeholders had been a qualified elector in said city for more than five (5) years to said previous election; that the foregoing is a true copy of the said charter proposed by said freeholders; that said freeholders were duly elected under and in accordance with law and the provisions of Section 8, Article XI of the Constitution of the State of California.

That said board of freeholders did, in accordance with law and within one year after their said election, prepare and propose said charter for the government of said city of Santa Cruz, which charter was signed in duplicate by a majority of the members of said board of freeholders on the 26th day of December, 1947, and thereupon duly returned and filed one copy thereof with the clerk of the city of Santa Cruz.

That said proposed charter was thereafter to wit: on December 30th, 1947 and within 15 days after such filing duly

published once in the Santa Cruz Sentinel-News, a newspaper of general circulation printed and published in said city of Santa Cruz, and each edition thereof, during the day of publication.

That said board of freeholders did before such filing fix Tuesday the 2nd day of March 1948 as the date for a special election at which said proposed charter was to be submitted to the electors of said city of Santa Cruz which date was not less than 60 days from the completion of the publication of said proposed charter.

That said proposed charter was submitted to the qualified electors of said city of Santa Cruz at a special municipal election previously duly called and held therein on the 2nd day of March 1948.

At said special municipal election a majority of said qualified electors of said city of Santa Cruz voting at said special municipal election voted in favor of the ratification of said charter as proposed as a whole, ratifying the same.

That thereafter the council of the city of Santa Cruz duly canvassed the returns of the said special election and found and declared that the majority of said qualified electors voting at said special election had voted in favor of ratifying said charter, and ratified the same.

IN WITNESS WHEREOF, we have hereunto set our signatures, and caused the official seal of the City of Santa Cruz to be affixed this 15th day of March, 1948.

C. M. ALDRICH
Mayor of the City of Santa Cruz
A. J. MILLER
City Clerk of the City of Santa Cruz

(SEAL)

Approval

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, A majority of all members elected to each house voting therefor and concurring therein, that said charter of the City of Santa Cruz as presented 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 amendment or alteration, for and as a charter for the government of said City of Santa Cruz.

## CHAPTER 50

*Senate Concurrent Resolution No. 17—Relative to adjournment sine die of the 1948 Regular Session of the Legislature of the State of California.*

[Filed with Secretary of State March 27, 1948]

Adjournment sine die

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the 1948 Regular Session of the Legislature of the State of California shall adjourn sine die 3 p.m. Saturday, March 27, 1948.

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## CHAPTER 51

*Senate Joint Resolution No. 13—Relative to memorializing the Congress of the United States in relation to foot and mouth disease.*

[Filed with Secretary of State March 27, 1948]

Foot and mouth disease

WHEREAS, 1. Foot and mouth disease is an acute, highly contagious and highly communicable disease chiefly confined to cloven-hoofed animals, for which there is no known cure and which can be eradicated only by the slaughter and burial of infected animals and the thorough and complete disinfection of the places where such animals have been.

2. The danger inherent in the possible entry and spread of said disease in countries free from infection is so great that, in 1930, Mexico and the United States entered into a treaty in which each agreed that it would not permit the importation of cattle from countries in which foot and mouth disease existed.

3. This danger is further recognized in the Tariff Act of 1930, Section 306 of which provides that if the Secretary of Agriculture of the United States determines that foot and mouth disease exists in any foreign country he shall notify the Secretary of the Treasury and give public notice thereof and that thereafter and until similar notice is given that such disease no longer exists in such foreign country the importation of cattle, sheep, other ruminants and swine and the meat thereof from such foreign country is prohibited (Sec. 1306, Title 19, United States Code).

4. On October 26, 1940, the Secretary of Agriculture of the United States officially determined and gave proper notice that foot and mouth disease existed in Brazil and that said order has not since been amended insofar as it affects Brazil (Bureau of Animal Industry Order No. 373, United States Department of Agriculture).

5. On April 3, 1941, the then President of Mexico, Manuel Avila Camacho, issued a directive and proclamation finding foot and mouth disease to exist in certain countries, including

Brazil, and prohibited the importation of cloven-hoofed animals from such countries into Mexico.

6. Despite the clear and explicit policy of the Congress of the United States as expressed in the Tariff Act of 1930, above referred to, the State Department of the United States of America in 1935 negotiated a treaty with Argentina which would have permitted the importation of cattle into the United States from zones or areas of Argentina which were found to be free from and not exposed to foot and mouth disease.

7. Said treaty was referred to the Foreign Relations Committee of the United States Senate and, because of protests of the livestock industry of the United States, was never acted upon but was not withdrawn until 1947, after the outbreak of foot and mouth disease hereinafter referred to.

8. The attitude of the United States Department of State toward the sanitary safeguard provided in the Tariff Act of 1930 has consistently been that it operates as a trade barrier which should be removed rather than a vitally necessary sanitary measure which should be enforced, and that attitude has resulted in the conditions now confronting this Country and its neighbor on the south, the Republic of Mexico.

9. Despite the treaty between the United States and Mexico and the proclamation of the President of Mexico above referred to, in October, 1945, approximately 130 head of Cebu or Brahma bulls were imported from Brazil, landed at Sacrificios Island near Vera Cruz and thence brought to the mainland of Mexico, and in May of 1946 a second shipment of 327 such bulls was similarly imported from Brazil and, after being held at Sacrificios Island, brought to the Mexican mainland with the result that the United States Secretary of Agriculture proclaimed Amendment No. 3 of Bureau of Animal Industry Order No. 368, which in practical effect was an embargo upon importation of cattle from Mexico.

10. The practical result of this embargo was that the beef cattle business of the northern states of Mexico was seriously affected because such cattle are produced for the United States, rather than the Mexican, market, and the United States was thereby deprived of the opportunity to obtain between four and five hundred thousand head of animals per year and the losses to the Mexican cattle raisers were staggering.

11. The Mexican-United States Agricultural Commission was formed to resolve all problems of common interest of the two countries involving agriculture, and two of the three members of said commission at the fourth meeting thereof were connected with the State Department of the United States. At said meeting a resolution was adopted reciting among other things that the government of Mexico had decided to remove the bulls originating in Brazil from Sacrificios Island and that the United States had decided to establish a quarantine station at Swan Island in the Caribbean Sea, although no decision to the latter effect had been made elsewhere than possibly in the State Department.

12. Upon recommendation of said commission and the assurance that said 327 bulls would be returned to Brazil the United States Bureau of Animal Industry sent representatives to examine said bulls, but only 316 head were presented for examination and the other 11 head were unaccounted for.

13. Many of the bulls so imported into Mexico were subsequently imported into the United States and there is evidence amounting to more than suspicion that the entire transaction was one enterprise whereby the United States law and treaty were circumvented by the device of using Mexico as a stopping place for a shipment which was, in actuality, one from Brazil to the United States and in violation of the Tariff Act of 1930 and the treaty between the United States and Mexico.

14. Although vigorous protests against the importation of said bulls into Mexico were made by the Bureau of Animal Industry to the State Department no aggressive action was taken by the State Department to cause said bulls to be removed from Mexico, and the attitude of Mr. Messersmith, then Ambassador to Brazil and formerly Ambassador to Argentina should be investigated.

15. Other instances of the importation of cattle into the United States from countries in which foot and mouth disease had been officially declared to exist have come to light.

16. The Senate Interim Committee on Livestock Disease has conducted an investigation of all matters referred to herein and has filed with the Senate of California a partial report of its activities; 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 hereby memorialized as follows:

1. That a congressional investigation be made of the nature and strength of the protest made to the Mexican Government in relation to the importation of the bulls referred to in this resolution and that such investigation include the correspondence between the Bureau of Animal Industry, the State Department, and Mr. Messersmith, and the ascertainment whether or not the State Department or any of its officials, including our ambassadors, were attempting to substitute their judgment as to the danger of importing cattle from countries in which foot and mouth disease existed for the judgment of the Congress as evidenced by the laws and treaties of the United States.

2. That a congressional investigation be made of the conduct of the examination of the 316 bulls by representatives of the Bureau of Animal Industry and the failure to ascertain and explain what had happened to the 11 head which were missing, including in said investigation the determination of why the examination was permitted and a certificate issued after the Mexican Government had repudiated its agreement to remove said bulls.

3. That a congressional investigation be made of the matter of establishing an international animal quarantine station at Swan Island and the activities of the American members of the Mexican-United States Agricultural Commission in relation thereto, and also of the activities of said commission in 1946 in proposing an amendment to the United States treaty with Mexico to permit zoning and also to permit importation of animals if held in quarantine for 60 days.

4. That a congressional investigation be made of the facts and circumstances surrounding the importation of the bulls referred to in this resolution from Brazil, through Mexico, to the United States, to ascertain, first, if there was any criminal responsibility for violating the tariff laws; second, if there was any connivance or participation by officials of the United States; and, third, why the Bureau of Animal Industry, the State Department, and other federal agencies have not heretofore made such investigation, including the ascertainment of reasons why the acts of Congress relating to foot and mouth disease are not enforced.

5. That a congressional investigation be made of all other importations of animals into this Country in violation of the treaty with Mexico and the Tariff Act of 1930 and of importations into Mexico in violation of said treaty, all as referred to in the report of the Senate Interim Committee on Livestock Diseases hereinabove referred to.

6. That Congress enact such legislation as may be necessary to prevent the recurrence of such incidents and to prohibit the use of an intermediate country as a stopping place for cattle imported from a country in which foot and mouth disease exists.

7. That Congress enact such legislation as may be necessary to provide for a top-flight executive to be put in charge of the fight against foot and mouth disease in Mexico, said executive to be directly responsible to the Presidents of United States and Mexico and free from the entangling red-tape of the Department of Agriculture and the Department of State.

8. That Congress appropriate such money as may be necessary to provide for research in foot and mouth disease and the development of vaccines and other measures of prevention and control, and to require such research to be conducted outside of the United States so that no viable virus shall be brought into the United States; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to the President pro Tempore of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Senator and Representative from California in the Congress.

## CHAPTER 52

*Senate Joint Resolution No. 11—Relative to California Wildlife Conservation Program.*

[Filed with Secretary of State March 27, 1948.]

California Wildlife Conservation Program

WHEREAS, The State of California has appropriated the sum of nine million dollars ($9,000,000) to initiate a program dedicated to the conservation of the wildlife of the State; and

WHEREAS, There are at present no United States Government funds available to defray its cost of cooperation with said program of the State of California; and

WHEREAS, The wildlife of the State of California represents an important part of the resources of the United States and its conservation is of great importance to the nation as a whole; and

WHEREAS, There now are pending in the Federal Congress two bills; i.e., H. R. 3802, introduced by Congressman Kerstens, and H. R. 107, introduced by Congressman Lea, which bills must be enacted before said California wildlife conservation program may become fully effective; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully urges and memorializes the Congress of the United States to enact H. R. 3802 and H. R. 107; and be it further

*Resolved,* That the Secretary of the Senate be directed to transmit copies of this resolution to the President of the United States, to the President pro Tempore of the Senate and the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

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## CHAPTER 53

*Senate Joint Resolution No. 3—Relative to hospital facilities for veterans in California.*

[Filed with Secretary of State March 27, 1948.]

Veterans' hospital facilities

WHEREAS, There are insufficient beds in government hospitals for veterans in California as evidenced by waiting lists and by the large number of tubercular and mentally ill veterans now adding to the overcrowded conditions of California state and county hospitals; and

WHEREAS, The Veterans Administration has announced plans for a future building program for hospitals to meet this need; and

WHEREAS, The United States Army and Navy hospitals have a large proportion of their hospital beds vacant, in particular the United States Naval Hospital at Corona having less than three hundred Navy patients recently; and

WHEREAS, The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and other ex-service organizations have recommended the Corona Naval Hospital for transfer to the Veterans Administration; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Veterans Administration be, and hereby is, requested and urged to contract at once and without delay for all available beds in the armed service hospitals in California, for the care of sick and disabled veterans; and be it further

*Resolved,* That the Congress of the United States is memorialized to bring about the release of the Corona Naval Hospital to the Veterans Administration, if compatible with national defense and to enact any legislation which may be needed for that purpose; and be it further

*Resolved,* That copies of this resolution shall immediately be dispatched by the Secretary of the Senate to the President of the United States, to the President pro Tempore of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to each Senator and Representative from the State of California, and to the Veterans Administrator.

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## CHAPTER 54

*Senate Joint Resolution No. 1—Relative to the use of the hospital at the former military camp known as "Camp White" located near Medford, Oregon by the Veterans' Administration.*

[Filed with Secretary of State March 27, 1948.]

WHEREAS, There is a critical shortage of hospital facilities in Northern California and Southern Oregon for veterans; now, therefore, be it

Use of "Camp White" as hospital

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Veterans Administration is urged and requested to take over and operate as a veterans' hospital, the hospital at the former military camp known as "Camp White" located near Medford, Oregon; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to the President of the United States, the President pro Tempore of the Senate of the United States, the Speaker of the House of Representatives of the United States, to the Administrator of Veterans' Affairs, and to the Senators and Representatives from California and Oregon in the Congress of the United States.

## CHAPTER 55

*Senate Concurrent Resolution No. 18—Relative to reports of the annual convention of the Disabled American Veterans of the Department of California.*

[Filed with Secretary of State March 27, 1948.]

Printing reports of Disabled American Veterans' convention

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That there shall be printed as a public document 600 copies of the Report of the Annual Convention of the Disabled American Veterans of the Department of California during the years 1948 and 1949, respectively, together with illustration copies of the general orders enacted at such convention and of the official roll, 300 copies for the use of the Senate and 300 copies for the use of the Assembly; the cost of same not to exceed one thousand two hundred dollars ($1,200), payable from the legislative printing appropriation.

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## CHAPTER 56

*Senate Concurrent Resolution No. 16—Relative to requesting the Director of Finance to make funds available to the Fish and Game Commission for the purchase of fish hatchery sites.*

[Filed with Secretary of State March 27, 1948.]

Purchase of fish hatchery sites

WHEREAS, Item 244 of the Budget Act of 1947 appropriates fifty thousand dollars ($50,000) for purchase of real property for public shooting grounds, game farms and waterfowl development areas payable from the Fish and Game Preservation Fund; and

WHEREAS, When this appropriation was requested by the Fish and Game Commission it was intended that it be used also for the purchase of fish hatchery sites; and

WHEREAS, Such sites are now available and should be purchased without delay; and

WHEREAS, The Division of Fish and Game has agreed in writing to allow thirty-five thousand dollars ($35,000) of the money appropriated by Item 244 to revert to the Fish and Game Preservation Fund, if a like amount is made available by the Director of Finance pursuant to Section 11006 of the Government Code from the Fish and Game Preservation Fund for the purchase of fish hatchery sites; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Director of Finance is hereby requested to authorize the Fish and Game Commission to obtain a deficiency from the Fish and Game Preservation Fund for the sum of thirty-five thousand dollars ($35,000) for the purchase of fish hatcheries, as specified in this resolution; and be it further

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

# CHAPTER 57

*Senate Concurrent Resolution No. 15—Relative to Eleven Western States Conference on Training.*

[Filed with Secretary of State March 27, 1948.]

Eleven Western States Conference on Training

WHEREAS, California, like the other western states of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, is faced with the problem of developing the necessary skilled manpower to meet the needs of the expanded and expanding industrial West; and

WHEREAS, Labor and management throughout the western states are in full accord that the proper way to develop these needed skills in industry is through apprenticeship and other training on the job; and

WHEREAS, The governors of the western states are cooperating with California which is, through Governor Warren and the State Department of Industrial Relations, heading up such a program by acting as host to the other 10 states at a Western States Conference on Training; and

WHEREAS, This Western States Conference on Training is to be held at the Sonoma Mission Inn, Boyes Hot Springs, Sonoma County, California, on May 10 through 14, 1948; now, therefore, be it

*Resolved,* That the California State Legislature through this concurrent resolution of its Senate and Assembly endorses the idea of encouraging labor and management jointly to train the necessary skills in manpower to meet the needs of western business and industry; and be it further

*Resolved,* That the Senate and Assembly of the State of California, on behalf of the State of California, compliment the governors of the States of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming for their cooperation in this very necessary and much needed work; and be it further

*Resolved,* That by this concurrent resolution of the California Senate and Assembly, acting on behalf of the State of California, cordially invite Governor Sidney P. Osborn of Arizona, Governor Lee Knous of Colorado, Governor C. A. Robins of Idaho, Governor Sam C. Ford of Montana, Governor Vail Pittman of Nevada, Governor Thomas J. Mabry of New Mexico, Governor John H. Hall of Oregon, Governor Herbert B. Maw of Utah, Governor Mon C. Walgren of Washington, and Governor Lester Hunt of Wyoming to attend the Western States Conference on Training and thereby give added momentum and prestige to this most worthy objective on the part of labor, management and the public of the West.

# CHAPTER 58

*Senate Concurrent Resolution No. 11—Relative to providing funds for the Joint Committee on Water Problems.*

[Filed with Secretary of State March 27, 1948.]

Funds for Joint Committee on Water Problems

WHEREAS, The industry and agriculture of our State is dependent upon an adequate water supply which can be obtained only through the full development and utilization of our water resources; and

WHEREAS, The present drought has emphasized the fact that our present water supply is insufficient to fulfill even the present needs of the people of this State and the urgent need for the immediate completion of a comprehensive and coordinated program for the conservation of all of our water resources; and

WHEREAS, Much state legislation is pending and contemplated for consideration for the purpose of making the maximum possible beneficial use of the waters of the State; and

WHEREAS, There is much federal legislation now pending and in contemplation for enactment which would provide for various federal activities in connection with the solution of our water development and conservation problems, and there is much confusion as to just how California and the Federal Government may best cooperate in solving these problems, and a comprehensive plan should be carefully worked out for such cooperation between them; and

WHEREAS, The Central Valley Project is an integral part of the full development of the water resources and it is necessary to study means whereby the State can best assist in accomplishing its completion at the earliest possible date; and

WHEREAS, The feasibility of the transfer of the Central Valley Project to this State for ownership and operation is assuming paramount importance in the development of the whole of the State, both economically and socially; and

WHEREAS, The Joint Committee on Water Problems is now studying the feasibility of ownership and operation of the Central Valley Project by this State; and

WHEREAS, An independent analysis of the financial aspects of the transfer of the Central Valley Project is an essential element of the committee's study; and

WHEREAS, The committee is now in the midst of its studies on all of the foregoing matters, and there are insufficient funds to complete the studies; now, therefore, be it

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

1. In addition to any money heretofore made available, the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Senate and of the Assembly for the expenses of the Joint Committee on Water Problems (created by Senate Concurrent Resolution No. 60, Resolution Chapter 194,

Statutes of 1947) and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent funds equally and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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## CHAPTER 59

*Senate Concurrent Resolution No. 28—Relative to purchase of automobiles for the Retail Sales Tax Division and the Alcoholic Beverage Control Division of the State Board of Equalization.*

[Filed with Secretary of State March 27, 1948]

Purchase of automobiles

WHEREAS, The Budget Bill as passed by the Senate contained in Item 151 a sum of money for the purchase of 29 new automobiles and two replacement automobiles for the use of the Retail Sales Tax Division and the Alcoholic Beverage Control Division of the State Board of Equalization; and

WHEREAS, Upon consideration of the bill by the Assembly, Item 151 was amended to delete therefrom the funds providing for the purchase of such automobiles and the bill as so amended was passed by both houses of the Legislature; and

WHEREAS, Later information indicates that these automobiles are essential for the proper administration and enforcement of the Retail Sales Tax Act and the Alcoholic Beverage Control Act; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Director of Finance is requested to make available from the Emergency Fund such amount of money as may be found by him to be necessary to purchase such number of automobiles as in his opinion are needed by the Retail Sales Tax Division and the Alcoholic Beverage Control Division for the administration and enforcement of the Retail Sales Tax Act and the Alcoholic Beverage Control Act; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of Finance.

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## CHAPTER 60

*Senate Concurrent Resolution No. 25—Relative to the centenary celebration of the Brothers of the Christian Schools.*

[Filed with Secretary of State March 27, 1948]

Centenary celebration of Brothers of Christian Schools

WHEREAS, The Brothers of the Christian Schools are this year observing the 100th anniversary of their coming to the United States of America; and

WHEREAS, Since 1868 the members of this teaching community have given of their lives and talent to the education of the youth of California; and

WHEREAS, Their schools in Sacramento, Napa, Moraga, Berkeley, San Francisco, Fresno, Bakersfield, and Los Angeles are serving the public good; and

WHEREAS, Through the past 80 years they have indoctrinated thousands of young Californians with the high concepts of love of God and love of Country; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That a full expression of tribute and appreciation be extended by the Legislature to the Brothers of the Christian Schools on the occasion of their centenary celebration in America; and be it further

*Resolved,* That the Secretary of the Senate is directed to send copies of this resolution to each of the Christian Brothers Schools located in the cities mentioned in this resolution.

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## CHAPTER 61

*Senate Concurrent Resolution No. 21—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 2 (Res. Ch. 9, 1947).*

[Filed with Secretary of State March 27, 1948.]

Additional funds for Legislative Budget Committee

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the sum of one hundred ten thousand dollars ($110,000) or so much thereof as may be necessary is hereby appropriated from the contingent funds of the Senate and of the Assembly for the payment of any and all expenses incurred by the Legislative Budget Committee or its members pursuant to and under authority of the provisions of Joint Rule No. 37 to be expended equally from the contingent funds of the Senate and of the Assembly.

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## CHAPTER 62

*Senate Concurrent Resolution No. 8—Relative to augmenting the funds of the Joint Legislative Committee on Agriculture and Livestock Problems.*

[Filed with Secretary of State March 27, 1948.]

Augmenting funds of Joint Legislative Committee on Agriculture and Livestock Problems

WHEREAS, The Joint Legislative Committee on Agriculture and Livestock Problems was created and authorized and directed to ascertain, study and analyze all facts relating to or in any manner affecting agriculture, the livestock industry and dairying and any and all matters incidental or pertaining thereto,

and to report thereon to the Legislature, including in its reports recommendations for appropriate legislation; and

WHEREAS, The investigations undertaken by said committee indicate that a scarcity of facilities for rural housing, particularly for farm workers, may seriously affect agriculture in this State; and

WHEREAS, It has become necessary for said committee to conduct a survey of existing and needed facilities for rural housing, particularly for farm workers; and

WHEREAS, Producers of dairy products have requested the committee to investigate the methods of fixing the price of milk; and

WHEREAS, From various parts of the State requests have been made for a study of the sale and use of commercial fertilizers; and

WHEREAS, The funds made available to said committee are insufficient to make these surveys and studies; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the contingent funds of the Senate and the Assembly for the expenses of the Joint Legislative Committee on Agriculture and Livestock Problems (created by Senate Concurrent Resolution No. 54, Statutes of 1947, page 3750) and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from said contingent funds equally and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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## CHAPTER 63

*Senate Concurrent Resolution No. 22—Relative to a program of research on foot and mouth disease by the University of California.*

[Filed with Secretary of State March 27, 1948.]

Foot and mouth disease research

WHEREAS, Foot and mouth disease is a highly contagious and communicable disease of ruminant animals which, once established, can be eradicated only by the slaughter and destruction of infected animals and complete disinfection of the premises upon which such animals have been; and

WHEREAS, Said disease is endemic in many countries and, while the monetary loss in such countries is very great, no successful methods of treatment or cure have been devised; and

WHEREAS, The United States is confronted with a constant danger of an epidemic of foot and mouth disease which would have a devastating effect upon the livestock industry of this

Country, and long-range plans should be formulated to combat this disease if it enters the United States; and

WHEREAS, The existence of foot and mouth disease in Mexico has brought the danger of the entry into the United States much closer than before; and

WHEREAS, An appropriation is being made for research in said disease by the University of California with a view to the preparation of a long-range program so that the State may meet the problem if such disease enters California; and

WHEREAS, The University of California should give consideration to the possibilities of training and using young scientists as well as more experienced scientists of its staff for such research so that a thoroughly trained and capable staff will be ready to act in any foot and mouth disease emergency occurring in the future; and

WHEREAS, All such research should be conducted outside of the United States and under no circumstances should any live or viable virus be brought into this State; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Regents of the University of California are hereby requested to initiate and conduct a program of research in foot and mouth disease in Mexico or wherever else said disease exists, without bringing into the United States any live virus or other substance which might serve as a focus of infection, and to develop and train young scientists who will be ready to meet any emergency which may arise in this State because of said disease in the future; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit a copy of this resolution to the Regents of the University of California and the president of said university.

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## CHAPTER 64

*Senate Concurrent Resolution No. 26—Relative to the appropriation to the Division of Beaches and Parks for acquisition of additional redwood park areas.*

[Filed with Secretary of State March 27, 1948.]

Redwood park areas: Funds

WHEREAS, In the budget submitted by the Governor for the fiscal year July 1, 1947, to June 30, 1948, relating to the expenditure for capital outlay by the Division of Beaches and Parks, there was a proposal to expend the sum of fifty-two thousand two hundred twenty-three dollars ($52,223) for the acquisition of certain designated real property; and

WHEREAS, The Budget Bill (Senate Bill No. 666) as introduced contained Item 233 making an appropriation to that agency in the sum of fifty-two thousand two hundred twenty-three dollars ($52,223) which item was, however, amended in the course of passage to increase the amount of the appropriation to the extent of any balance remaining in Item 193 of the

Budget Act of 1945, the effect of which amendment was to make an appropriation in the total sum of one hundred four thousand four hundred forty-six dollars ($104,446); and

WHEREAS, A question has arisen whether it was the intention of the Legislature to restrict the expenditure of the entire amount appropriated by this item to the specific properties described in the Governor's Budget or whether it was intended to authorize the expenditure of the appropriation for the acquisition of other redwood park areas in accordance with the language of Item 233 of the Budget Act of 1947; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the Legislature hereby declares that it was the intent of the Legislature with reference to Item 233, as amended, of the Budget Act of 1947 that the funds so appropriated be available for the acquisition of additional redwood park areas in Humboldt and Del Norte Counties, pursuant to the language used in said item of the Budget Bill and without restriction or limitation of the use thereof for the acquisition of the specific real properties set forth in the Governor's Budget; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit copies of this resolution to the Director of Finance and to the State Park Commission.

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## CHAPTER 65

*Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to Section 8 of Article VI of the Constitution of the State of California, relating to vacancies occurring during the term of office of judges of superior courts.*

[Filed with Secretary of State March 27, 1948]

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its 1948 Regular Session, commencing on the first day of March, 1948, two-thirds of all the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that Section 8 of Article VI of the Constitution of the State of California be amended to read:

Constitution, Article VI, Sec. 8

SEC. 8. The term of office of judges of the superior courts shall be six years from and after the first Monday of January after the first day of January next succeeding their election. A vacancy in such office shall be filled at the next succeeding general state election after the first day of January next succeeding the accrual of such vacancy by the election of a judge for a full term to commence on the first Monday of January after the first day of January next succeeding his election. The Governor shall appoint a person to hold such vacant office until the commencement of such term.

Superior court judges: Terms

# CHAPTER 66

*Assembly Concurrent Resolution No. 20—Relative to purchase of a site in Los Angeles for a new state building.*

[Filed with Secretary of State March 27, 1948.]

New state building at Los Angeles

WHEREAS, A new state building in Los Angeles is essential to the efficient functioning of the State Government; and

WHEREAS, The property heretofore acquired as the site for a new state building in Los Angeles is inadequate and insufficient; and

WHEREAS, The purchase of additional property for such a site at this time would require a smaller expenditure than such purchase would require at some subsequent time when the present owner may have erected costly improvements on such property; and

WHEREAS, Funds are presently available, pursuant to Chapter 23 of the Statutes of 1944, Fourth Extra Session, for the purchase of such a site; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Assembly and the Senate of the State of California recommend to the State Public Works Board that funds presently available pursuant to Chapter 23 of the Statutes of 1944, Fourth Extra Session, be used to purchase additional property for the site of a new state building in Los Angeles; and be it further

*Resolved,* That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to each member of the State Public Works Board.