STATUTES OF CALIFORNIA

REGULAR SESSION 1956

Began Monday, March 5, 1956, and Adjourned Tuesday, April 3, 1956

STATUTES OF CALIFORNIA

PASSED AT THE 1956 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

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, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 13, 1956. Filed with Secretary of State April 13, 1956.]

In effect ımmediately

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

SECTION 1. This act shall be known and may be cited as Short title the "Budget Act of 1956."

SEC. 2. The following sums of money, or so much thereof Budget appropriation as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1956-57 Fiscal Year beginning July 1, 1956, and ending June 30, 1957. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury.

Whenever by constitutional or statutory provision the Special revenues or receipts of any institution, department, board, bureau, commission, officer, employee, or other agency, or any moneys in any special fund created by law therefor, are to be used for salaries, support or any proper purpose, expenditures shall be made therefrom for any such purposes to the extent only of the amount herein appropriated, unless otherwise stated herein, or authorized by the Governor and Director of Finance pursuant to Section 11006, Government Code.

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

STATE OPERATIONS SECTION

LEGISLATIVE

Item	Amount
1-For salaries of Senators	\$240,000 Legislature
2-For pay of officers, clerks, and all other em-	
ployees of the Senate	45,000
3-For mileage of Lieutenant Governor, Sena-	,
tors and statutory officers of the Senate	2,500
4—For expenses of Members of the Senate	67,200

	Item	Amount
	5—For contingent expenses of Senate and legis- lative committees thereof composed in whole	000 000
	or in part of Members of the Senateto be transferred by the State Controller to the Senate Contingent Fund.	900,000
	5.1—For contingent expenses of Senate and legis- lative committees thereof composed in whole or in part of Members of the Senate, payable	
	from the Motor Vehicle Fund, for a survey to be performed by an independent contractor_to be transferred by the State Controller to	10,000
	the Senate Contingent Fund. 6—For salaries of Assemblymen	480,000
	7—For pay of officers, clerks, and all other employees of the Assembly	45,000
	8—For mileage of Assemblymen and statutory	•
	officers of the Assembly9—For expenses of Members of the Assembly	5,000 $134,400$
	10—For contingent expenses of Assembly and leg-	20 2, 100
	islative committees thereof composed in whole or in part of Members of the Assembly	1,350,000
	to be transferred by the State Controller to the Assembly Contingent Fund.	
	10.1—For the payment of any and all expenses of	
	the Joint Legislative Audit Committee and its members, and the expenses and support of	
Legislitive Audit Bureau	Legislative Audit Bureau, and for any	
	charges, claims and expenses they may incur pursuant to law, to be payable equally from	
	the Contingent Funds of the Senate and	
	Assembly, subject to the provisions of Section 9130 of the Government Code, and dis-	
	bursed after certification by the chairman of	
	the Joint Legislative Audit Committee	150,000
	Notwithstanding any other provisions of this section, the amount made available by this	
	item is available for payment of expenditures	
	incurred during the 1955-56 and 1956-57 Fiscal Years.	
	11—For legislative printing, binding, mailing,	250,000
	and other necessary expensesto be transferred by the State Controller to	659,000
	the Legislative Printing Fund.	
	12—For contingent expenses of the State Capitol	1,500
	13—For support of Legislative Office in Alameda	·
	County14—For support of Legislative Office at Los	7,672
	Angeles	12,216
	15—For support of Legislative Office at San Diego	7,855
	0-	.,000

Item		Amount	
16—	-For support of Legislative Office at San Francisco	6,926	
17	-For support of Legislative Counsel Bureau, in accordance with the following schedule Schedule:	•	Legislative Counsel Bureau
	(a) Salaries and Wages 402,830 (b) Operating Expenses and Equipment 31,850		
	Total of schedule 434,680 Less estimated reimbursements 4,500		
18	Net appropriation 430,180 -For support of California Law Revision Commission in accordance with the following schedule		Law Revision Commission
	Schedule: (a) Salaries and Wages	,	
	Total of schedule49,277 -For support of California Commission on Uniform State Laws -For State's contribution to the Legislators' Retirement Fund in accordance with Section 9358 of the Government Code	4,650	Commission on Uniform State Laws Legislators' Retirement Fund
	JUDICIAL		
22-	-For support of Supreme Court of CaliforniaFor support of Judicial CouncilFor additional support of Judicial Council, to be expended for extra compensation and	585,373 114,501	Supreme Court Judicial Council
	traveling expenses of judges assigned by the Judicial Council	25,000	
24-	-For support of the District Court of Appeal, First Appellate District	253,014	District Courts of
25-	-For support of the District Court of Appeal, Second Appellate District	389,420	мурсан
26-	-For support of the District Court of Appeal,	•	
27-	Third Appellate District———————————————————————————————————	144,428	
	Fourth Appellate District	178,144	
	EXECUTIVE		
28–	-For support of the Governor and of the Governor's Office (exempt from the provisions of Sections 12410, 13320, and 16003 of the Gov-	400.000	Governor
	ernment Code)	429,960	

	Item	Amount
	29—For support of the Governor's residence (exempt from the provisions of Sections 12410, 13320, and 16003 of the Government Code)	17,400
	30—For special contingent expenses (secret service), Governor's Office (exempt from the provisions of Sections 12410, 13320, and 16003	,
Office of Civil Defense, Disaster	of the Government Code)31—For support of the Office of Civil Defense, California State Disaster Council, and advi-	7,500
Council, etc.	sory committees	908,055
Emergency fund	the identification of civil defense volunteer workers, Office of Civil Defense33—In the event that a state of extreme emergency, as defined in Sections 1505 and 1505.5	5,000
	of the Military and Veterans Code, should exist during the 1956-57 Fiscal Year, any money in the Revenue Deficiency Reserve	
	Fund, or so much thereof as may be deemed necessary, shall be transferred to the Emer- gency Fund specified in Item 290, upon the direction of the Governor, the State Control-	
	ler, and the Director of Finance and pursu- ant to the recommendation of the California State Disaster Council. The money so trans- ferred may be expended as provided in said	
	Item 290 to carry out the provisions of the California Disaster Act for the relief and alleviation of the state of extreme emergency.	
	Upon the termination of the period of the state of extreme emergency, the unencum- bered balance of the money so transferred shall be returned to the Revenue Deficiency	
Lacutenant Governor	Reserve Fund. 34—For salary and support of Lieutenant Governor in accordance with the following sched-	
	ule Schedule · (a) Salaries and Wages 33,326	51,971
	(b) Operating Expenses and Equipment 18,645	
	Total of schedule 51,971	
	GENERAL ADMINISTRATION	
Employees' Retirement System	35—For support of Board of Administration of the State Employees' Retirement System, in accordance with the following schedule	275,354

Item	Amount
Schedule: (a) Salaries and Wages 626,785 (b) Operating Expenses and	
Equipment 126,075	
Total of schedule 752,860 Less estimated reimbursements 477,506	
Net appropriation 275,354 36—For support of California Commission on Interstate Cooperation	Commission on Interstate 33,965 Cooperation
37—For support of State Personnel Board, in accordance with the following schedule.	1,771,593 Personnel Board
(a) Salaries and Wages	
Equipment 263,184	
Total of schedule 1,901,575 Less estimated reimbursements 129,982	
Net appropriation1,771,593 38—For support of Secretary of State, in accordance with the following schedule	Secretary of State
Schedule: (a) Salaries and Wages 227,963 (b) Operating Expenses and Equipment 52,790	
Total of schedule 280,753 Less estimated reimbursements 8,400	
Net appropriation 272,353 39—For printing constitutional amendments and other ballot measures, Secretary of State	136,000
40—For support of Division of Collection Agencies, Secretary of State's Office, payable from the Collection Agency Fund, in accordance	Division of Collection Agencies
with the following scheduleSchedule:	42,074
(a) Salaries and Wages 28,133 (b) Operating Expenses and Equipment 13,941	
Total of schedule 42,074	
AGRICULTURE	
41-For support of Department of Agriculture	Department of
and the State Livestock Sanitary Committee, in accordance with the following schedule	Agriculture 6,348,635
7—L-3546	

1	[tem	Schedule:	Amount
		(a) Salaries and Wages 5,078,981 (b) Operating Expenses and Equipment 1,940,656	
		Total of schedule 7,019,637 Less estimated reimbursements 671,002	
	42—	Net appropriation	
	43—	tural Code, Department of Agriculture————————————————————————————————————	72,500
		vesicular exanthema, Department of Agricultureprovided, that expenditures from the appropriation made by this item may be made to	100,000
		indemnify the owners of swine which were destroyed or otherwise disposed of prior to the effective date of this act.	
	44-	The unexpended balance as of June 30, 1956, of the appropriation made by Item 42 of the Budget Act of 1953, as amended by Item 41 of the Budget Act of 1954, and as amended by Item 42 of the Budget Act of 1955, is hereby reappropriated for moving expenses,	
	45—	Department of Agriculture. For support of Department of Agriculture, payable from the Department of Agriculture Fund, in accordance with the following schedule	5,331,064
		Schedule: (a) Salaries and Wages	
		Total of schedule 5,337,564 Less estimated reimbursements 6,500	
Poultry Improvement Commission	46	Net appropriation 5,331,064 -For support of Poultry Improvement Commission, payable from the Poultry Testing Project Fund, in accordance with the follow-	
		ing schedule	125,405

Item		Amount
	Schedule: (a) Salaries and Wages 53,319 (b) Operating Expenses and Equipment 74,169	
	Total of schedule 127,488 Less estimated reimbursements 2,083	
47-	Net appropriation 125,405 —For augmentation of the Poultry Testing Project Fund payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions Code to be transferred by the State Controller to the Poultry Testing Project Fund.	Poultry Testing Project Fund
	CORRECTIONS	
48–	-For support of Departmental Administration, and Board of Corrections, Department of Corrections, in accordance with the following schedule	Department of Corrections 497,564
	Total of schedule497,564 For transportation of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Sections 3300.4 and 3300.46 of the Health and Safety Code in accordance with the provisions of Section 26749 of the Government Code	59,1 00
30-	-For expenses of returning fugitives from justice from outside the State in accordance with the provisions of Section 1557 of the Penal Code	200,000
51-	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, Department of Corrections	25,000
52-	For support of the Medical Facility, Department of Corrections, in accordance with the	Medical Facility
	following schedule	2,268,002

	Item	Amount
	Schedule: (a) Salaries and Wages	
	Total of schedule 2,385,482 Less estimated reimbursements 117,480	
	Net appropriation 2,268,002 53—For expenses of moving of reception-guidance center employees and their belongings from the San Quentin area to the Vacaville area, Medical Facility, Department of Corrections_	5,000
Men's Colon y	54—For support of California Men's Colony, Department of Corrections, in accordance with the following schedule	1,537,590
	Schedule: (a) Salaries and Wages	
	Total of schedule 1,556,790 Less estimated reimbursements 19,200	
	Net appropriation 1,537,590 55—For purchase of materials and supplies to provide additional inventory, California Men's Colony, Department of Corrections	11,625
Institution for Men	56—For support of California Institution for Men, Department of Corrections, in accordance with the following scheduleSchedule: (a) Salaries and Wages 2,657,359	3,949,371
	(b) Operating Expenses and Equipment 1,583,882 (c) Inmate Pay-work Projects_ 96,185	
	Total of schedule 4,337,426 Less estimated reimbursements 388,055	
State prisons* Folsom	Net appropriation 3,949,371 57—For support of California State Prison at Folsom, Department of Corrections, in accordance with the following schedule Schedule:	2,989,382
	(a) Salaries and Wages 1,950,869 (b) Operating Expenses and Equipment 1,308,071	

Item (c) Inmate Pay-work Projects_ 75,665	Amount
Total of schedule 3,334,605 Less estimated reimbursements 345,223	
Net appropriation 2,989,382 58—For support of California State Prison at San Quentin, Department of Corrections, in ac- cordance with the following schedule Schedule:	San Quentin 4,856,408
(a) Salaries and Wages 3,065,607 (b) Operating Expenses and	
Total of schedule 5,321,056 Less estimated reimbursements 464,648	
Net appropriation 4.856,408 59—For support of California State Prison at Soledad, Department of Corrections, in ac- cordance with the following schedule Schedule:	Soledad 2,889,740
(a) Salaries and Wages 1,818,396 (b) Operating Expenses and	
Total of schedule 3,106,132 Less estimated reimbursements 216,392	
Net appropriation2,889,740 60—For support of Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule Schedule: (a) Salaries and Wages1,704,902	Deuel Yocational Institution 2,445,321
(a) Balanes and Wages 1,704,302 (b) Operating Expenses and Equipment 769,209 (c) Inmate Pay-work Projects 8,820	
Total of schedule 2,482,931 Less estimated reimbursements 37,610	
Net appropriation 2,445,321 61—For support of California Institution for Women, Department of Corrections, in accordance with the following schedule Schedule: (a) Salaries and Wages 603,130	Institution for Women 950,139
(a) Salaries and Wages 603,130	

	Item	Amount
	(b) Operating Expenses and Equipment 358,801 (c) Inmate Pay-work Projects_ 5,728	
	Total of schedule 967,659 Less estimated reimbursements 17,520	
Adult Authority	Net appropriation 950,139 62—For support of Adult Authority, Department of Corrections, in accordance with the following schedule	1,440,037
	Schedule: (a) Salaries and Wages 1,126,010 (b) Operating Expenses and	• •
	Equipment 327,392	
	Total of schedule 1,453,402 Less estimated reimbursements 13,365	
Institution for Women. Trustees	Net appropriation	118,899
	Schedule: (a) Salaries and Wages	·
	Total of schedule 119,504 Less estimated reimbursements 605	
	Net appropriation 118,899	
	YOUTH AUTHORITY	
Department of Youth Authority	64—For support of Departmental Administration, Department of the Youth Authority, in ac- cordance with the following schedule Schedule:	1 ,712,951
	(a) Salaries and Wages 1,289,393	
	(b) Operating Expenses and Equipment 424,948	
	Total of schedule 1,714,341 Less estimated reimbursements 1,390	
Youth Committee	Net appropriation	

Item		Amount	
66—	ferences of the California Youth Committee, created pursuant to Section 1520 of the Military and Veterans Code	4,000	
	the Department of the Youth Authority and expenses in connection with the Interstate Compact on Juveniles	32,000	
	the Department of the Youth Authority to or between its facilities, including the return of parole violators	62,600	
	For maintenance of persons committed to the Department of the Youth Authority and paroled to the custody of private foster homes—For support of Northern California Reception	101,000	Reception
00	Center and Clinic, Department of the Youth Authority, in accordance with the following schedule	(Center and
	Schedule: (a) Salaries and Wages 573,910 (b) Operating Expenses and Equipment 154,641		
	Total of schedule 728,551 Less estimated reimbursements 7,590		
70—	Net appropriation 720,961 For support of Southern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the fol-		Southern California
	lowing scheduleSchedule: (a) Salaries and Wages843,538	1,100,539	
	(b) Operating Expenses and Equipment 267,906		
	Total of schedule 1,111,444 Less estimated reimbursements 10,905		
71—	Net appropriation		Youth Authority Camps
	(a) Salaries and Wages 315,863 (b) Operating Expenses and Equipment 229,501		
	(c) Inmate Pay-work Projects 37,895		
	Total of schedule 583,259		

	Item	Amount
	Less estimated reimbursements 253,042	
Schools. Fricot Ranch	Net appropriation 330,217 72—For support of Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule Schedule: (a) Salaries and Wages 332,839 (b) Operating Expenses and	460,129
	Equipment 141,750	
	Total of schedule 474,589 Less estimated reimbursements 14,460	
Fred C. Nelles	Net appropriation 460,129 73—For support of the Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule	878,725
	Schedule: (a) Salaries and Wages 714,219 (b) Operating Expenses and Equipment 193,036	
	Total of schedule 907,255 Less estimated reimbursements 28,530	
Paso Robles	Net appropriation 878,725 74—For support of Paso Robles School for Boys, Department of the Youth Authority, in accordance with the following schedule	843,787
	Schedule: (a) Salaries and Wages 627,936 (b) Operating Expenses and Equipment 221,801	
	Total of schedule 849,737 Less estimated reimbursements 5,950	
Preston		1,682,347
	Schedule: (a) Salaries and Wages 1,337,603 (b) Operating Expenses and	
	Equipment 432,864	
	Total of schedule 1,770,467 Less estimated reimbursements 88,120	
	Net appropriation 1,682,347	

Item 76—For support of Los Guilucos School for Girls, Department of the Youth Authority, in accordance with the following schedule Schedule:	Amount Los Gullucos 674,366
(a) Salaries and Wages 511,334 (b) Operating Expenses and Equipment 170,632	
Total of schedule 681,966 Less estimated reimbursements 7,600	
Net appropriation674,366 77—For support of Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule Schedule:	Venture. 700,663
(a) Salaries and Wages	
Equipment 151,174	
Total of schedule 712,483 Less estimated reimbursements 11,820	
Net appropriation 700,663	
· EDUCATION	
78—For support of Department of Education, Superintendent of Public Instruction and State Board of Education, in accordance with the following schedule	Department of Education 2,736,683
(a) Salaries and Wages 2,330,881 (b) Operating Expenses and Equipment 774,949	
Total of schedule 3,105,830 Less estimated amounts available from other sources:	
(c) Reimbursements 307,336 (d) Amount payable from State School Building Aid Fund (Item 79) 61,811	
Net appropriation 2,736,683	
79—For additional support of Department of Education, payable from the State School Building Aid Fund	61,811

		-
	80—For payment of the State's share of the operating costs of the Western Interstate Commission for Higher Education, Department of	Amount
Vocational edu c ation	Education	7,000 737,457
Vocational	to be transferred to the Vocational Education Fund upon order of the State Controller. At the end of the fiscal year, any unencumbered balance of money so transferred shall revert to the General Fund to the credit of this item. Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Sec- tion 18004 of the Government Code. 82—For vocational rehabilitation, Department of	101,±01
rehabilita- tion	Education, in accordance with the following schedule	1,483,592
	Total of schedule 3,686,183 Less estimated amounts available from other sources: (c) Reimbursements 5,652 (d) Federal grants 2,196,939	
Division of Libraries	Net appropriation	586,623
	Total of schedule 592,223 Less estimated reimbursements 5,600	
	Net appropriation 586,623	

Item	Amount
84—For support of Chico State College, in accordance with the following scheduleSchedule:	1,666,241 State Colleges Chico
(a) Salaries and Wages 1,576.955	
(b) Operating Expenses and Equipment 297,808	
Total of schedule 1,874,763 Less estimated reimbursements 208,522	
Net appropriation 1,666,241	
85—For support of Fresno State College, in accordance with the following schedule.	2,692,040
(a) Salaries and Wages 2,680,282 (b) Operating Expenses and	
Equipment 494,027	
Total of schedule 3,174,309 Less estimated reimbursements 482,269	
Net appropriation2,692,040 85.5—For additional support, Fresno State College In making this appropriation, it is the inten- tion of the Legislature to establish a two-year	79,281
pilot study program at Bakersfield, California, for an off-campus center restricted to an instructional program in upper division education courses leading to an elementary teach-	
ing credential. 86—For additional support, Fresno State College,	
payable from the State College Fund, in accordance with the following schedule	439,072
(a) Salaries and Wages 317,903	
(b) Operating Expenses and Equipment 129,769	
Total of schedule 447,672 Less estimated reimbursements_ 8,600	
Net appropriation 439,072 87—For support of Humboldt State College, in accordance with the following schedule Schedule:	Humboldt 1,356,817
(a) Salaries and Wages 1,218,890	
(b) Operating Expenses and Equipment 248,911	
Total of schedule 1,467,801	

Item	Amount
Less estimated reimbursements 110,984	
Net appropriation1,356,817	
accordance with the following schedule	2,380,754
(a) Salaries and Wages 2,383,352	
Equipment 431,225	
Total of schedule 2,814,577	
Less estimated reimoursements 433,823	
Net appropriation 2,380,754 89—For support of Los Angeles State College of	
Applied Arts and Sciences, in accordance with the following schedule	3,701,327
(a) Salaries and Wages 3,499,369	
Equipment 803,840	
Total of schedule 4,303,209 Less estimated reimbursements 601,882	
Net appropriation 3,701,327	
accordance with the following schedule	2,063,022
(a) Salaries and Wages 1,987,868	
Equipment 376,772	
Total of schedule 2,364,640	
	
91—For support of San Diego State College, in accordance with the following schedule	3,556,824
(a) Salaries and Wages 3,551,150	
Equipment 572,143	
Total of schedule 4,123,293 Less estimated reimbursements 566,469	
Net appropriation 3,556,824 92—For support of San Francisco State College, in accordance with the following schedule	3,652,274
	Net appropriation

Item			Amount
	Schedule: (a) Salaries and Wages (b) Operating Expenses and Equipment		
	Total of schedule Less estimated reimbursements	4,483,255 830,981	
92.5-	Net appropriation For additional support, San Franci	isco State	81,573
	CollegeIn making this appropriation, it is to tion of the Legislature to establish a pilot study program at Santa Rosa nia, for an off-campus center restrict instructional program in upper divication courses leading to an elementating credential.	two-year , Califor- ted to an ision edu-	01,010
93–	-For support of San Jose State C accordance with the following scheen Schedule:	olle ge, in dule	San Jose $5{,}098{,}453$
	(a) Salaries and Wages (b) Operating Expenses and		
	Equipment	844,842	
	Total of schedule Less estimated reimbursements	5,892,916 794,463	
94-	Net appropriation For support, California State Po College, payable from any moneys in and Exposition Fund available to sunder the provisions of Section 196 Business and Professions Code, in a	olytechnic of the Fair aid school of the	Polytechnic
	with the following schedule		3,555,192
	(a) Salaries and Wages		
	Equipment	787,736	
	Total of schedule Less estimated amounts available from other sources:	4,197,163	
	(c) Reimbursements(d) Amount payable from		
	Item 95	260,527	
	Net appropriation	3,555,192	

	Item	Amount
	95—For additional support, California State Polytechnic College	260,527
	to be transferred to Item 94 by the State Controller.	200,021
Maritime Academy	96—For support of California Maritime Academy, in accordance with the following schedule	295,700
	Schedule: (a) Salaries and Wages 295,028	
	(b) Operating Expenses and Equipment 118,003	
	Total of schedule 413,031 Less estimated amounts available from other sources:	
	(c) Reimbursements 92,331 (d) Federal grants 25,000	
School for Blind	Net appropriation 295,700 97—For support of California School for the Blind, in accordance with the following schedule	478,912
	Schedule: (a) Salaries and Wages 409,029 (b) Operating Expenses and Equipment 103,400	2,0,022
	Total of schedule 512,429	
	Less estimated reimbursements 33,517	
Schools for Deaf: Berkeley	Net appropriation 478,912 98—For support of California School for the Deaf, Berkeley, in accordance with the following schedule	1,114,467
	Schedule: (a) Salaries and Wages 900,601	
	(b) Operating Expenses and Equipment 264,304	
	Total of schedule	
Riverside	Net appropriation	961,250
	Schedule: (a) Salaries and Wages 789,133	

Item	Amount
(b) Operating Expenses and Equipment 190,878	
Total of schedule 980,011 Less estimated reimbursements 18,761	
Net appropriation 961,250 100—For support of School for Cerebral Palsied Children, Northern California, in accordance with the following schedule Schedule:	Schools for Cerebral Palsied Civildren Northein Califorma
(a) Salaries and Wages 288,990 (b) Operating Expenses and Equipment 72,393	
Total of schedule 361,383 Less estimated reimbursements 3,679	
Net appropriation 357,704 101—For support of School for Cerebral Palsied Children, Southern California, in accordance with the following schedule Schedule:	Southern Califorma 346,201*
(a) Salaries and Wages 242,373 (b) Operating Expenses and Equipment 108,748	
Total of schedule 351,121 Less estimated reimbursements 4,920	
Net appropriation 346,201 102—For support of Oakland Orientation Center, in accordance with the following schedule Schedule:	Oakland Orlentation 298,892 Center
(a) Salaries and Wages 222,719 (b) Operating Expenses and Equipment 100,507	
Total of schedule 323,226 Less estimated reimbursements 24,334	
Net appropriation 298,892 103—For support of Los Angeles Center, California Industries for the Blind, in accordance with the following schedule Schedule:	Industries for Bland Centers 120,761
(a) Salaries and Wages 93,939 (b) Operating Expenses and Equipment 26,822	
Total of schedule 120,761	

	Item		Amount
Oakland	104-	-For support of Oakland Center, California Industries for the Blind, in accordance with the following schedule.	90,114
		(a) Salaries and Wages 53,226	
		(b) Operating Expenses and Equipment 36,888	
San Diego	105-	Total of schedule 90,114 -For support of San Diego Center, California Industries for the Blind, in accordance with the following schedule	47,785
		Schedule: (a) Salaries and Wages 35,908	,
		(b) Operating Expenses and Equipment 11,877	
	100	Total of schedule 47,785	
Teachers' Retirement System	106	-For support of State Teachers' Retirement System, in accordance with the following	100 990
		scheduleSchedule: (a) Salaries and Wages 146,446 (b) Operating Expenses and	188,330
		Equipment 41,884	
		Total of schedule 188,330	
Scholarship Commission	107—	-For support of the State Scholarship Commission, in accordance with the following schedule	44,365
		(a) Salaries and Wages 14,856	
		(b) Operating Expenses and Equipment 29,509	
	100	Total of schedule44,365	
University of California	108—	-For support of University of California, exempt from Section 23 of this act	68,334,663
Institute of Real Estate	109—	-For support of an institute of real estate, University of California, payable from the	, , , -
		Real Estate Fund, to be expended during the period July 1, 1956, to June 30, 1959, exempt from the provisions of Section 23 of this act; provided, however, that not more than \$100,000 may be expended during the Fiscal	500.000
Research Nematode control	110	Year 1956-57	300,000

Item	Amount	
 (c) of Section 19626 of the Business and Professions Code, exempt from Section 23 of this act	80,000	Spotted alfalfa aphid control
Section 23 of this act	58,792	Sea water reduction
fornia, exempt from Section 23 of this act 112—For support of Hastings College of Law, ex- empt from Section 23 of this act	25,000 4 9,000	Hastings
FISCAL AFFAIRS		
113—For support of State Board of Control, in accordance with the following schedule Schedule:	22,095	Board of Control
(a) Salaries and Wages 11,106 (b) Operating Expenses and Equipment 10,989		
Total of schedule 22,095 114—For support of the State Controller, in accordance with the following schedule Schedule: (a) Salaries and Wages 1,929,439 (b) Operating Expenses and Equipment 590,238	2,431,249	Conti oller
Total of schedule 2,519,677 Less estimated amounts available from other sources: (c) Amount payable from the Postwar Unemployment and Construction Fund, Item 118 10,407 (d) Amount payable from the State School Building Aid Fund, Item 119 78,021		
Net appropriation 2,431,249 115—For support of Tax Collection and Refund Division and Bureau of Highway Accounts and Reports, State Controller, payable from the Motor Vehicle Transportation Tax Fund_	142,328	Tax Collection and Refund Division Bureau of Highway Accounts and Reports

Controller	Item 116—For additional support of the State Controller, payable from the Motor Vehicle Fuel	Amount
	Fund, in accordance with the following scheduleSchedule: (a) Salaries and Wages 444.551	460,041
	(b) Operating Expenses and Equipment 172,105	
	Total of schedule 616,656	
	Less estimated amounts available from other sources: (c) Amount payable from the General Fund, Item 114	
	Net appropriation 460,041 117—For additional support of the State Controller, payable from the State Redemption Tax Fund, in accordance with the following schedule	170,682
	Schedule: (a) Salaries and Wages 152.773 (b) Operating Expenses and	,
	Equipment 41,202	
	Total of schedule 193,975 Less estimated amounts available	
	from other sources: (c) Reimbursements 20,000 (d) Amount payable from the	
	Motor Vehicle Fuel Fund, Item 116 3,293	
	Net appropriation 170,682 118—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	10,854
	119—For additional support of State Controller, payable from the State School Building Aid Fund	78,995
Board of Equalization	120- For support of State Board of Equalization, in accordance with the following schedule :	11,497,797

Item	Amount
Schedule: (a) Salaries and Wages10.566,329 (b) Operating Expenses and Equipment1,817,294	
Total of schedule12,383,623 Less estimated amounts available from other sources: (c) Amount payable from the Motor Vehicle Transporta- tion Tax Fund, Item 121 387,868 (d) For mapping services to counties, services to Depart- ment of Alcoholic Beverage Control, and services to	
other state and public agencies 497,958	
Net appropriation11,497,797 120.1—For additional support of State Board of Equalization to be allocated by the Department of Finance, for emergency work in connection with assessment of property in flood stricken areas 121—For support of Division of Highway Taxes, State Board of Equalization, payable from the Motor Vehicle Transportation Tax Fund, in accordance with the following schedule Schedule: (a) Salaries and Wages 1,051,855 (b) Operating Expenses and Equipment 514,906	100,000 Division of Highway Taxes 814,716
Total of schedule	
Less estimated amounts available from other sources: (c) Amount payable from the Itinerant Merchants Fund, Item 122 21,934 (d) Amount payable from the Motor Vehicle Fuel Fund, Item 123 730,111	
Net appropriation 814,716	
122—For additional support of Division of Highway Taxes, State Board of Equalization, payable from the Itinerant Merchants Fund 123—For additional support of Division of High-	21,934
way Taxes, State Board of Equalization, payable from the Motor Vehicle Fuel Fund	730,111

	Item	Amount
Department of Finance	124—For support of Department of Finance in accordance with the following schedule Schedule:	6,221,919
	(a) Salaries and Wages 7,138,386	
	(b) Operating Expenses and Equipment 2,311,340	
	Total of schedule 9,449,726 Less estimated amounts available from other sources:	
	(c) Reimbursements 2,655,284 (d) Amount payable from Fair and Exposition Fund (Item	
	125) 70,000 (e) Amount payable from the Postwar Unemployment and	
	Construction Fund (Item 126) 18,559 (f) Amount payable from the	
	State School Building Aid Fund (Item 127) 483,964	
Audits Division	Net appropriation 6,221,919 125—For support of the Audits Division, Department of Finance, payable from the Fair and	
Department of Finance	Exposition Fund 126—For additional support of Department of Finance, payable from the Postwar Unemploy-	70,000
	ment and Construction Fund	18,559
	ing Aid Fund	483,964
	and salaries and expenses incident to investi- gation, adjustment and defense thereof, or for premiums for automobile liability insurance, Department of Finance, in accordance with the following schedule	910 099
	Schedule: (a) Operating Expenses 472,360 Less estimated reimbursements 261,428	210,932
	Net appropriation 210,932 129—For the purchase of insurance to insure the liability of the State and its officers and employees for damage or injury to persons or property resulting from the dangerous or defective condition of state-owned or -controlled property, under the jurisdiction of the De-	
	partment of Finance, Department of Finance	2,500

Item	Amount	
130—For maintenance of the state burying ground in San Mateo County, known as the Union Cemetery, as provided by Chapter 1096 and Chapter 1238, Statutes of 1947, Department		
of Finance	2,000	
131—For support of the Fairs and Expositions Di-		Fairs and Expositions
vision, Department of Finance, payable from		Division
the Fair and Exposition Fund, in accordance with the following schedule	111,093	
Schedule:	111,000	
(a) Salaries and Wages 93,462		
(b) Operating Expenses and		
Equipment 25,343		
Total of schedule 118,805		
Less estimated reimbursements 7,712		
Net appropriation 111,093		
131.1—For customer surveys and research, state,		
district, and county fairs, Department of		
Finance, payable from any money in the Fair		
and Exposition Fund available for capital		
outlay for fair purposes under paragraph		
(c) of Section 19626 of the Business and		
Professions Code; provided, however, one-half		
of the cost of any such surveys and research shall be paid by the district, county, state, or		
other fairs for which such surveys and re-		
search are made	5,000	
132—For support of California State Fair and	0,000	State Fair
Exposition, Fairs and Expositions Division,		and Exposition
Department of Finance, payable from the		
State Fair Fund	2,070,502	
133—For augmentation of the State Fair Fund,		
payable from any moneys in the Fair and		
Exposition Fund available for capital outlay		
for fair purposes under paragraph (c) of Section 19626 of the Business and Professions		
Code	562,000	
to be transferred to the State Fair Fund by	00,000	
the State Controller.		
134—For support of Sixth District Agricultural		Sixth District
Association, Fairs and Expositions Division,		Agricultural
Department of Finance, payable from the		Association
Sixth District Agricultural Association Fund, in accordance with the following schedule	167 000	
in accordance with the following schedule-	167,838	

	Item		Amount
		Schedule: (a) Salaries and Wages 125,731	
		(b) Operating Expenses and Equipment 42,107	
	135-	Total of schedule	111,000
State Lands Division	136–	cultural Association Fund by the State Controller. -For support, State Lands Division, State Lands Commission, Department of Finance, payable from the State Lands Act Fund, in accordance with the following schedule	631,806
		Schedule: (a) Salaries and Wages	002,000
		Total of schedule 663,249 Less estimated reimbursements 31,443	
	136.	Net appropriation631,806 I—For removal of abandoned structures upon the state-owned tide and submerged lands adjacent to and opposite the Summerland Community in Santa Barbara County, State Lands Division, State Lands Commission, Department of Finance, payable from the State	
Franchise Tax Board	137-	Lands Act Fund -For support of Franchise Tax Board, in	25,000
2112 20410		accordance with the following schedule	5.111,531
Treasurer	138–	Total of schedule 5,111,531 For support of the State Treasurer, in accordance with the following schedule Schedule:	337,537
		(a) Salaries and Wages 202,895 (b) Operating Expenses and Equipment 148,642	
		Total of schedule 351,537	

Item Less estimated reimbursements 14,000	Amount
Net appropriation 337,537	
HIGHWAY PATROL	
139—For support of the Department of the California Highway Patrol, payable from the Motor Vehicle Fund, in accordance with the following scheduleprovided, that no part of this appropriation shall be expended in payment for services of personnel assigned to enforce the provisions of the ordinances of any city or county; provided further, however, that this restriction shall not limit the authority of members of the California Highway Patrol to enforce any city or county ordinance as an incident to their assigned duties with respect to traffic	Highway Patrol 17,491,404
law enforcement; provided further, that no expenditure shall be made from the appropriation made by this item in connection with the activities of the California Highway Patrol Auxiliary. Schedule: (a) Salaries and Wages12,749,920	
(b) Operating Expenses and Equipment 4,872,154	:
Total of schedule17,622,074 Less estimated reimbursements 130,670	
Net appropriation17,491,404	:
INDUSTRIAL RELATIONS	
140—For support of Department of Industrial Relations, in accordance with the following schedule	or Industrial Relations
(a) Salaries and Wages 5,252,010 (b) Operating Expenses and Equipment 1,137,648	
Total of schedule 6,389,658 Less estimated reimbursements 82,948	} -
Net appropriation 6,306,715 141—For support of State Fire Marshal, in accord ance with the following schedule	- Fire Marshal

	Item			Amount
		Schedule: (a) Salaries and Wages (b) Operating Expenses and	288,345	
		Equipment	94,036	
		Total of schedule	382,381	
		from other sources: (c) Reimbursements (d) Amount payable from Fair	10,000	
		and Exposition Fund (Item 142) (e) Amount payable from Divi-	10,427	
		sion of Architecture Public Building Fund (Item 143)	64,422	
	142-	Net appropriation For additional support of the State I shal, payable from any moneys in and Exposition Fund available fo outlay purposes under paragraph (continuous paragraph)	Fire Mar- the Fair r capital	
		tion 19626 of the Business and Pr Code	rofessions	10,427
	143	-For additional support of the State I shal, payable from Division of Arc Public Building Fund	hitecture	64,422
		JUSTICE		
Department of Justice	144	-For support of Department of Justi cordance with the following schedul Schedule:	ce, in ac-	3,848,624
		(a) Salaries and Wages (b) Operating Expenses and Equipment		
		Total of scheduleLess estimated reimbursements	4,471,458 622,834	
	144.1	Net appropriation —For expenses and legal services in tion with litigation relative to the di of income from the extraction of oil from lands under the control of the Long Beach, California, Departmentice	n connec- isposition I and gas e City of	50,000
	144.2	provided, that none of the moneys a ated by this item shall be expended the approval of the Department of —For consultants and other expense to participation by the Department of	l without Finance.	23,000

in proceedings before the Federal Power Commission, Department of Justice	Amount 30,000 2,500 343,654
MENTAL HYGIENE	
147—For support of Department of Mental Hygiene, in accordance with the following schedule: (a) Salaries and Wages 1,983,141 (b) Operating Expenses and Equipment 532,872	Department of Mental Hygiene 2,516,013
Total of schedule 2,516,013 148—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, in accordance with the following schedule Schedule: (a) Operating Expenses 148,969 Less estimated reimbursements 63,193	85,776
Net appropriation 85,776 149—For expenses of deportation and transfer of patients of the Department of Mental Hygiene, Department of Mental Hygiene 150—For family care of patients paroled or on leave of absence from state institutions of the Department of Mental Hygiene pursuant to Section 6726 and Section 7012.5 of the Wel-	105,275
fare and Institutions Code, Department of Mental Hygiene 151—For support of Outpatient Mental Hygiene Clinics, Department of Mental Hygiene, in accordance with the following schedule	789,420 Outpatient climes 576,648

Item		Amount
Schedule: (a) Salaries and Wages	576,617	
(b) Operating Expenses and Equipment	190,767	
Total of schedule Less estimated reimbursements	$ \begin{array}{ccc} & 767,384 \\ & 190,736 \end{array} $	
Net appropriation Langley Porter Clinic San Francisco, in accordance with ing schedule	ter Clinic at h the follow-	1,110,188
Schedule: (a) Salaries and Wages (b) Operating Expenses and Equipment	•	
Total of schedule Less estimated reimbursements	1.121.528	
Net appropriation Neuro- psychiatric Institute	Angeles, De- accordance	114,256
Schedule: (a) Salaries and Wages (b) Operating Expenses and Equipment	99,668 14,588	
State hospitals Agnews State coordance with the following so Schedule:	Hospital, in	6,147,844
(a) Salaries and Wages (b) Operating Expenses and Equipment	4,705,251 1,526,245	
Total of schedule Less estimated reimbursements	83,652	
Net appropriation Alascadero 155—For support of Atascadero State accordance with the following so Schedule:	Hospital, in	2,087,376
(a) Salaries and Wages(b) Operating Expenses and		
Equipment Total of schedule		

Item	Amount
Less estimated reimbursements 36,377	
Net appropriation 2,087,376 156—For support of Camarillo State Hospital, in accordance with the following schedule Schedule:	Camarillo 8,763,742
(a) Salaries and Wages 6,703,638 (b) Operating Expenses and	
Equipment 2,229,463	
Total of schedule 8,933,101 Less estimated reimbursements 169,359	
Net appropriation 8,763,742 157—For support of DeWitt State Hospital, in accordance with the following schedule	DeWitt 4,049,429
Schedule: (a) Salaries and Wages 2,895,669 (b) Operating Expenses and	
Equipment 1,228,866	
Total of schedule 4,124,535 Less estimated reimbursements 75,106	
Net appropriation 4,049,429 158—For support of Mendocino State Hospital, in accordance with the following schedule Schedule:	Mendocino 3,813,007
(a) Salaries and Wages 2,868,811(b) Operating Expenses and	
Equipment 1,022,233	
Total of schedule 3,891,044 Less estimated reimbursements 78,037	
Net appropriation 3,813,007 159—For support of Metropolitan State Hospital, in accordance with the following schedule Schedule:	Metropolitan 4,182,147
(a) Salaries and Wages 3,354,339	
(b) Operating Expenses and Equipment 908,186	
Total of schedule4,262,525 Less estimated reimbursements 80,378	
Net appropriation4,182,147 160—For support of Modesto State Hospital, in accordance with the following schedule	Modesto 4,716,815

	Item		Amount
		Schedule: (a) Salaries and Wages 3,496,867	
		(b) Operating Expenses and Equipment 1,284,440	
		Total of schedule 4,781,307 Less estimated reimbursements 64,492	
Napa	161–	Net appropriation 4,716,815 For support of Napa State Hospital, in accordance with the following schedule Schedule:	7,491,004
		(a) Salaries and Wages 5,768,272 (b) Operating Expenses and Equipment 1,835,439	
		Total of schedule 7,603,711 Less estimated reimbursements 112,707	
Patton	162–	Net appropriation 7,491,004 -For support of Patton State Hospital, in accordance with the following schedule	6,469,128
		Schedule: (a) Salaries and Wages 5,058,765 (b) Operating Expenses and Equipment 1,480,745	
		Total of schedule 6,539,510 Less estimated reimbursements 70,382	
Stockton	163-	Net appropriation 6,469,128 -For support of Stockton State Hospital, in accordance with the following schedule Schedule:	6,958,179
		(a) Salaries and Wages 5,406,911 (b) Operating Expenses and Equipment 1,648,552	
		Total of schedule 7,055,463 Less estimated reimbursements 97,284	
Fairview	164	Net appropriation 6,958,179 -For support of Fairview State Hospital, in accordance with the following schedule Schedule:	164,837
		(a) Salaries and Wages 125,537 (b) Operating Expenses and Equipment 39,300	
Pacific	165—	Total of schedule164,837 -For support of Pacific State Hospital, in ac-	£ 100 500
		cordance with the following schedule	5,100,709

Item		Amount
	Schedule: (a) Salaries and Wages	
	Total of schedule 5,174,740 Less estimated reimbursements 74,031	
166	Net appropriation 5,100,709 -For support of Porterville State Hospital, in accordance with the following schedule Schedule:	Porterville 4,117,827
	(a) Salaries and Wages 3,233,960 (b) Operating Expenses and Equipment 924,483	
	Total of schedule4,158,443 Less estimated reimbursements 40,616	
167-	Net appropriation 4,117,827 -For support of Sonoma State Hospital, in accordance with the following schedule Schedule:	Sonoma 5,720,438
	(a) Salaries and Wages 4,524,572 (b) Operating Expenses and Equipment 1,265,968	
	Total of schedule 5,790,540 Less estimated reimbursements 70,102	
168-	Net appropriation 5,720,438 For support of Alcoholic Rehabilitation Commission, in accordance with the following schedule	Alcoholic Rehabilitation Commission
	Schedule: (a) Salaries and Wages 43,968 (b) Operating Expenses and Equipment 660,830	
	Total of schedule 704,798	
	MILITARY AFFAIRS	
169-	For support of the Military Department, exclusive of the California Cadet Corps, in accordance with the following schedule provided, 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	, ,

	Item		Amount
		appropriation, would be available to the Adjutant General, the California National Guard or the California National Guard Reserve from the Federal Government. Schedule:	
		(a) Salaries and Wages 1,600,433 (b) Operating Expenses and	
		Equipment	
		Total of schedule 2,729,723 Less estimated reimbursements 308,577	
		Net appropriation 2,421,146	
California Cadet	170-	-For maintenance of California Cadet Corps,	
Corps		Military Department, in accordance with the following schedule	283,833
		Schedule:	ŕ
		(a) Salaries and Wages 105,063 (b) Operating Expenses and	
		Equipment 178,770	
		Total of schedule 283,833	
		MOTOR VEHICLES	
Department of Motor Vehicles	171	-For support of Department of Motor Vehicles, payable from the Motor Vehicle Fund, in accordance with the following schedule _ Schedule: (a) Salaries and Wages13,949,199 (b) Operating Expenses and Equipment4,365,151	15,466,432
		Total of schedule18,314,350	
		Less estimated amounts available from other sources:	
		(c) Reimbursements 117,426 (d) Amount payable from Motor	
		Vehicle License Fee Fund, Item 172 2,715,492 (e) Amount payable from General Fund, Item 173 15,000	
			
	172—	Net appropriation15,466,432 -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 171, as provided by Section 11003 of the Revenue and Taxation Code.	2,715,492

174—	For additional support, Department of Motor Vehicles to be transferred to the Motor Vehicle Fund in augmentation of Item 171 in the amounts ordered by the Department of Finance. For payment of deficiencies in appropriations for the Department of Motor Vehicles which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the	Amount 15,000	
	sum of \$100,000, or so much thereof as may be necessary, payable from the Motor Vehicle Fund. NATURAL RESOURCES		
	For support of Department of Fish and Game, 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:		Department of Fish and Game
	(a) Salaries and Wages 4,364,191 (b) Operating Expenses and		
176	Net appropriation 7,392,478 -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, Department of Fish and Game, payable from the Fish and		
177	Game Preservation Fund	280,019	
178	the Fish and Game Preservation Fund For State's share of the expenses of the Pacific Marine Fisheries Commission, in accordance with the Pacific Marine Fisheries Compact, Department of Fish and Game, payable from the Fish and Game Preservation Fund	77,597 17,600	Pacific Marine Fisheries Commission
179	-For studies and investigations of the kelp beds in the coastal waters of California, De-	,.,.	Department of Fish and Game

	Item		Amount
Marine Research Committee	180-	partment of Fish and Game, payable from the Fish and Game Preservation Fund	30,000
		rine products, Marine Research Committee, payable from the Fish and Game Preservation Fund	100,000
Department of Natural Resources: Division of	181–	-For support of Division of Administration, Department of Natural Resources, in accordance with the following schedule	279,580
Administra- tion		Schedule: (a) Salaries and Wages 351,769 (b) Operating Expenses and	210,000
		Equipment 44,294	
		Total of schedule 396,063 Less estimated reimbursements 116,483	
	182—	Net appropriation	
		poses under paragraph (c) of Section 19626 of the Business and Professions Code, in accordance with the following schedule	4,7 60
		Schedule: (a) State Fair exhibits 7,000 Less estimated reimbursements 2,240	
Division of Beaches and	183	Net appropriation 4,760 For support of Division of Beaches and Parks,	
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.	338,234
		Schedule: (a) Salaries and Wages 2,518,488 (b) Operating Expenses and	
		Equipment1,188,472	
		Total of schedule 3,706,960 Less amounts available from other	
		sources: (c) Reimbursements 118,600 (d) Amount payable from the	
		State Park Fund (Item 184) 2,166,751	

Amount Item (e) Amount payable from the State Beach Fund (Item 185) 1,083,375 Net appropriation ____ 338,234 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 or maintenance of this division for the 1956-57 Fiscal Year. 184—For additional support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund, to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 183 _____ 2,166,751 184.1—For additional support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund, to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 183_____ 112,631 184.2—For additional support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund, to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 183______ 100,000 185—For additional support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund, to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 183 _____ 1,083,375 185.2-For additional support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund, to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 183 upon executive order of the Director of Finance_____ 100,000 185.3—For additional support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund, to be transferred by the State Controller to the State Park Maintenance Fund for credit to Item 183 upon executive order of the Director of Finance_____ 200,000

	Item	Amount
Division of Forestry	186—For support of Division of Forestry, Depart-	
	ment of Natural Resources, in accordance with the following schedule	10.385.414
	Schedule:	10,000,111
	(a) Salaries and Wages 9,173,237	
	(b) Operating Expenses and	
	Equipment 3,746,036	
	Total of schedule12,919,273	
	Less estimated reimbursements 2,533,859	
	70.907.414	
	Net appropriation10,385,414 186.1—For additional support, Division of For-	
	estry, Department of Natural Resources, to	
	be transferred to and in augmentation of	
	Item 186 by executive order of the Director	
	of Finance	$782,\!815$
	187—For allotment pursuant to Section 4006 of the	
	Public Resources Code for the prevention and suppression of forest fires on state responsi-	
	bility lands within the counties shown below,	
	Division of Forestry, Department of Natural	
	Resources, in accordance with the following	
	schedule	979,472
	Schedule: (a) Contra Costa County	
	(b) Kern County 253,596	
	(c) Los Angeles County 324,767	
	(d) Marin County 80,792	
	(e) San Mateo County 84,328	
	(f) Santa Barbara County 115,206 (g) Ventura County 117,496	
	(g) Ventura County 117,450	
	Total of schedule 979,472	
	188-For direct allotment to the United States For-	
	est Service, for prevention and suppression of	
	forest fires on private and state-owned lands located within and adjacent to the boundaries	
	of United States National Forests within this	
	State, Division of Forestry, Department of	
	Natural Resources	813,677
	provided, that with the approval of the De-	
	partment of Finance, any amount appropri- ated by this item may be transferred to Item	
	186, for the estimated cost of protection of	
	these lands by the Division of Forestry.	
	189-For watershed research at the San Dimas Ex-	
	perimental Forest in cooperation with the	
	California Forest and Range Experiment Sta- tion of the United States Department of Agri-	
	non or the Office States Department of Agri-	

Item		Amount	
	culture, Division of Forestry, Department of Natural Resources	24,000	
190-	-For white pine blister rust control on state	,	
	and private lands, Division of Forestry, De-		
	partment of Natural Resources; provided,		
	that any amount expended from this item for		
	the control of white pine blister rust on pri-		
	vate lands must be matched by an expendi- ture of an equal amount from sources other		
	than the appropriation made by this item.		
	Control to be effected in accordance with Sec-		
	tions 4451 through 4459, Public Resources		
	Code, and may be pursuant to an agreement		
	which may provide for the advance of the		
	State's contribution or any part thereof to	105.000	
101	the Federal Government	125,000	
191—	-For emergency fire suppression and detection, Division of Forestry, Department of Natural		
	Resources, which may be transferred to Item		
	186 upon executive order of the Director of		
	Finance	320,000	
192-	-For forest insect control, Division of For-		
	estry, Department of Natural Resources, to be		
	expended in accordance with Chapter 3 of Division 4 of the Public Resources Code	35,000	
193_	-For wild land vegetation and soil mapping	55,000	
100-	project in cooperation with the California		
	Forest and Range Experiment Station of the		
	United States Department of Agriculture		
	and the University of California, Division of		
104	Forestry, Department of Natural Resources	92,741	
194—	-For direct allotment to the United States		
	Weather Bureau, for forecasts of fire weather indices, and for research in fire weather index		
	and modification data for areas containing		
	state responsibility lands, Division of For-		
	estry, Department of Natural Resources	10,000	
195	-For support of Division of Mines, Depart-		Division of Mines
	ment of Natural Resources, in accordance	470 550	1111100
	with the following scheduleand in addition thereto any amounts received	478,553	
	from sale of mineral information service are		
	hereby appropriated for expenditure in ac-		
	cordance with this item.		
	Schedule:		
	(a) Salaries and Wages 311,100		
	(b) Operating Expenses and		
	Equipment 183,953		
	Total of schedule 495,053		

	Item		Amount
		Less estimated reimbursements	
		from sale of mineral information	
		service 16,500	
		Net appropriation 478,553	
	196–	-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	
	107	in this State for this purpose	35,000
Division of Oil and Gas	197-	-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	582,091
		Schedule:	
		(a) Salaries and Wages 436,659 (b) Operating Expenses and	
		Equipment 146,532	
		Total of schedule 583,191 Less estimated reimbursements 1,100	
		Less estimated reimbursements 1,100	
		Net appropriation 582,091	
Division of Soil	198—	-For support of Division of Soil Conservation,	
Conservation		Department of Natural Resources, in accordance with the following schedule	60 641
		Schedule:	68,641
		(a) Salaries and Wages 48,991	
		(b) Operating Expenses and	
		Equipment 22,313	
		Total of schedule 71,304	
		Less estimated reimbursements 2,663	
		Net appropriation 68,641	
	199	For the Division of Soil Conservation, De-	
		partment of Natural Resources, payable from	
		the Soil Conservation Development Fund, to	
		be expended on a matching basis under co- operative agreement with the United States	
		Soil Conservation Service for the operation of	
		the nursery of the latter at Pleasanton	30,000
		PUBLIC HEALTH	
Department	200—	-For support of Department of Public Health,	
of Public Health		in accordance with the following schedule	4,428,997

Item	Amount
Schedule: (a) Salaries and Wages 4,829,0 (b) Operating Expenses and Equipment 1,730,1	
Total of schedule 6,559,1 Less estimated amounts available	_
from other sources: (c) Reimbursements 444,0 (d) Estimated grants from the Federal Government or agen-	73
cies thereof 1,686,0	93
Net appropriation 4,428,9 201—For care of recalcitrant tuberculous patien as provided by Section 3300.4 of the Heal and Safety Code, Department of Pub Health	$rac{ ext{tts}}{ ext{th}}$
202—For support of the State Water Polluti Control Board and the regional water poll tion control boards, in accordance with t	on State Water Pollution U- Control Board
following schedule Schedule: (a) Salaries and Wages 308,6 (b) Operating Expenses and Equipment 102,6	96
Total of schedule411,3 203—For research, studies, and investigations re tive to the technical phases of the control water pollution, State Water Pollution Co	la- of on-
trol Board	be not th, ent se, he rol
boards, State Water Pollution Control Boa	rd 1 33,459
PUBLIC WORKS	
205—For pro rata support of Departmental Admistration, Department of Public Works, accordance with the following schedule	in or Public Works

	Item		Amount
		Schedule: (a) Salaries and Wages 262,292 (b) Operating Expenses and Equipment 40,195	
		Total of schedule 302,487 Less estimated reimbursements 232,823	
Davision of Architecture State Buildings Standards Commission	206-	Net appropriation 69,664 For support of Division of Architecture, Department of Public Works, and the State Building Standards Commission, in accordance with the following schedule Schedule:	106,199
		(a) Salaries and Wages 112,949 (b) Operating Expenses and Equipment 29,250	
		Total of schedule 142,199 Less estimated reimbursements 36,000	
Division of Architecture	207—	Net appropriation 106,199 -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	856,330
		Schedule: (a) Salaries and Wages 683,947 (b) Operating Expenses and Equipment 172,383	ŕ
Division of Water Resources	208	Total of schedule 856,330 -For support of Division of Water Resources, Department of Public Works, including cooperative work with other agencies, in accordance with the following schedule	2,169,863
		Schedule: (a) Salaries and Wages	
		Total of schedule 2,349,368 Less estimated amounts available from other sources:	
		(d) Payable from State Water- master Service Fund (Item 213) 91,415 (e) Reimbursements 88,090	
		Net appropriation 2,169,863	

Item	Amount
209—For work in cooperation with the Federal Government, Division of Water Resources, Department of Public Works, to be expended in accordance with the following schedule Schedule:	581,550
(a) Yuba River debris control 15,000 (b) Topographic mapping 300.000 (c) Stream gaging 178,975 (d) Irrigation investigations 15,000 (e) Establishment of gaging stations 10,700 (f) Ground water basin and sub-	
Total of schedule 581,550 provided, that any amount withdrawn from this item must be matched by an expendi- ture of like amount by the Federal Govern- ment in this State for this purpose; and further provided, that the amount for item (a) in the above schedule, Yuba River debris control, shall be available subject to the pro- visions of Sections 2, 3, and 4 of Chapter 686, Statutes of 1935. 210—For investigation of beach erosion, Division of Water Resources, Department of Public	
Works	7,500
gation	6,000 65,000
DIAIDION OF MATER TICEOUTICES	99,000

	Item	Amount
	provided, that any amount withdrawn from this item must be matched by an expenditure of like amount by the Federal Government in this State for this purpose. 213—For additional support of the Division of Water Resources, Department of Public Works, payable from the State Watermaste Service Fund which sum shall be augmented by the transfer	ee n of ic er 42,765
	made from the General Fund in accordance with the provisions of Section 4360 of the Water Code. 214—The unexpended balance of the appropriation made by Chapter 1478, Statutes of 1951, for the purpose of carrying out the objectives of	ce ne on or of
	Section 2 of Chapter 1478, Statutes of 195 shall revert to the General Fund. 214.1—For expenses in connection with and repa of flood damage related to floods of 1955-5 Division of Water Resources, Department of Public Works	ir 6, of 309,375
Aeronautics Commission	habilitation of the Sacramento River Floo Control Project, and restoration of gagin stations in cooperation with the United State Geological Survey. 215—For support of the California Aeronautic Commission, in accordance with the following	od og es cs
	Schedule: (a) Salaries and Wages 28,41 (b) Operating Expenses and Equipment 22,46	.3
Colorado River Board	Total of schedule 50,88 216—For support of Colorado River Board of Cal fornia, in accordance with the followin schedule Schedule: (a) Salaries and Wages 136,35	i- lg 239,553
	(b) Operating Expenses and Equipment 103,20	
Klamath River Commission California- Nevada	Total of schedule 239,55 217—For support of the California Klamath Rive Commission	er 64,871
Interstate Compact	218—For support of the California-Nevada Interstate Compact Commission	
Commission Reclamation Board	219—For support of Reclamation Board, in accordance with the following schedule	i -

Item	Amount
Schedule: (a) Salaries and Wages 213,495 (b) Operating Expenses and	
Equipment 56,517	
Total of schedule 270,012 Less estimated reimbursements 58,720	
Net appropriation 211,292 220—The unexpended balance as of June 30, 1956, of the appropriation made by Chapter 1212, Statutes of 1953, is hereby reappropriated for support of the San Francisco Bay Area Rapid Transit Commission. 221—For support of the State Water Resources	San Francisco Bay Area Rapid Transit Commission
Board	90,148 Resources
222—For conducting water resources investiga- tions, 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,	
State Water Resources Board	15,000
223—For conducting investigations in the North Coastal Area and Sacramento Valley Basin, for major water resource developments in California including preparation of plans and estimates, making reports thereon, and otherwise performing all work necessary for these investigations; for investigations of projects to meet local water needs in the "areas of origin"; for geological exploration on major structures proposed for the California Water Plan; and for continuing comprehensive state-wide collection, compilation, and publication of basic restor resources, late State	
lication of basic water resources data, State Water Resources Board 223.1—For completion of engineering and geological investigations, studies, and reports with recommendations for a construction program for multipurpose water development and flood control projects in the Upper Feather	1,041,551 Division of Water Resources
River Service Area, Division of Water Resources, Department of Public Works 224—For minor investigations, studies, and reports on water resources, State Water Resources	385,000 State Water Resources Board
Board; provided, that any sums expended from this item shall be matched by a like amount from local agencies or other sources, provided, that moneys heretofore deposited by the County of Yolo with the Department of	e _ 60,350 7

	Item		Amount
Water Project Authority	225-	Public Works may be considered as matching funds under the terms of this item. For investigation and study of the Junction Point Barrier and Chipps Island Barrier and appurtenant facilities pursuant to the provisions of Chapter 1434, Statutes of 1955, Water	200 000
	226	Project Authority	200,000
	227	Authority	207,014
	228-	Authority For collection and analysis of data on water supply, water utilization, water quality, and water rights; and for other necessary expenses related to the negotiation of an agreement concerning the diversion and use of the waters	20,275
Los Angeles Metropolitan Transit Authority	228.5	of the American and Feather Rivers, Water Project Authority ——For administrative expenses, engineering studies and appraisals, Los Angeles Metro- politan Transit Authority	33,767 70,000
		REGULATION AND LICENSING	10,000
Department of Alcoholic Beverage Control	229-	For support of the Department of Alcoholic Beverage Control, in accordance with the following schedule Schedule: (a) Salaries and Wages 2,313,532	2,817,911
		(b) Operating Expenses and Equipment 504,379	
Alcoholic Beverage Control Appeals Board	230—	Total of schedule 2,817,911 -For support of the Alcoholic Beverage Control Appeals Board, in accordance with the following schedule	87,681
		Schedule: (a) Salaries and Wages 67,130 (b) Operating Expenses and Equipment 20,551	
Districts Securities	231	Total of schedule 87,681 -For support of California Districts Securities	
Commission		Commission, in accordance with the following schedule	49,853

Item	Amount
Schedule: (a) Salaries and Wages 37,966 (b) Operating Expenses and Equipment 11,887	
Total of schedule 49,853 232—For support of California Horse Racing Board, payable from the Fair and Exposition Fund, in accordance with the following schedule	Horse Racing Board
Schedule: (a) Salaries and Wages	
Total of schedule152,727 233—For support of State Banking Department, Department of Investment, payable from the State Banking Fund, in accordance with the following schedule Schedule: (a) Salaries and Wages 344,330 (b) Operating Expenses and Equipment 84,716	Department of Invest- ment Banking Department 429,046
Total of schedule 429,046 234—For support of Division of Corporations, Department of Investment, in accordance with the following schedule Schedule: (a) Salaries and Wages 932,265 (b) Operating Expenses and Equipment 143,245	Division of Corporations 839,260
Total of schedule 1,075,510 Less estimated reimbursements 236,250	
Net appropriation 839,260 235—For support of the Department of Insurance, payable from the Insurance Fund, in accordance with the following schedule. Schedule:	Department of Insurance 1,472,707
(a) Salaries and Wages 1,140,558 (b) Operating Expenses and Equipment 351,037	
Total of schedule 1,491,595 Less estimated reimbursements 18,888	
Net appropriation 1,472,707	

	Item		.Amount
Division of Real Estate		-For support of the Division of Real Estate, Department of Investment, payable from the Real Estate Fund, in accordance with the fol- lowing schedule	1,154,807
Savings and Loan	201	Department of Investment, payable from the Savings and Loan Inspection Fund, in accordance with the following schedule. (a) Salaries and Wages	315,614
		Total of schedule 315,964 Less estimated reimbursements 350	
Board of Osteopathic Examiners	238	Net appropriation 315,614 -For support of Board of Osteopathic Examiners of the State of California, payable from the Contingent Fund of the Board of Osteopathic Examiners, in accordance with the following schedule Schedule: (a) Salaries and Wages 34,619	53,350
		(b) Operating Expenses and Equipment 18,731	
Board of Pilot Com- missioners: San Diego Harbor San Fran- cisco, etc , Bays		Total of schedule 53,350 -For support of the Board of Pilot Commissioners for the Harbor of San DiegoFor support of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, payable from the Board	1,000
		of Pilot Commissioners' Special Fund, in accordance with the following schedule. Schedule: (a) Salaries and Wages	13,061
Department of Profes- sional and Vocational Standards Division of Adminis-	241—	Total of schedule 13,061 -For support of Division of Administrative Procedure, Department of Professional and Vocational Standards, in accordance with the	
tr ative Procedure		following schedule	142,968

Item	Amount
Schedule: (a) Salaries and Wages 148,83	7
(b) Operating Expenses and Equipment 80,019	
Total of schedule 228,858 Less estimated reimbursements 85,886	
Net appropriation 142,966 242—For support of State Board of Accountancy payable from the Accountancy Fund, in accordance with the following schedule Schedule:	Boards: Accountancy
(a) Salaries and Wages 60,49	1
(b) Operating Expenses and Equipment 106,54	3
Total of schedule 167,03' 243—For support of California State Board o Architectural Examiners, payable from th California State Board of Architectura Examiners Fund, in accordance with the fol lowing schedule	f Architectural Examiners I
Schedule: (a) Salaries and Wages 35,350 (b) Operating Expenses and Equipment 21,120	3
Total of schedule 56,483 244—For support of State Athletic Commission payable from the Athletic Commission Fund	, Athletic Commission
in accordance with the following schedule Schedule:	·
(a) Salaries and Wages 88,324 (b) Operating Expenses and Equipment 33,134	1 O
Total of schedule 121,45- 245—For support of State Board of Barber Exam iners, payable from the State Board of Barbe Examiners' Fund, in accordance with the fol	- Barber Examiners
lowing scheduleSchedule:	121,694
(a) Salaries and Wages 74,676 (b) Operating Expenses and Equipment 47,018	
Total of schedule 121,69	
246—For support of Cemetery Board, Departmen of Professional and Vocational Standards	t Cemetery Board

	Item		Amount
		payable from Cemetery Fund, in accordance with the following schedule	35,163
		Schedule: (a) Salaries and Wages 17,826 (b) Operating Expenses and	
		Equipment 17,337	
Chiropraetic Examiners	247—	Total of schedule 35,163 -For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners' Fund, in accordance with the following schedule	59,486
		Schedule: (a) Salaries and Wages 29,394 (b) Operating Expenses and	
		Equipment 30,092	
Registration for Civil and Professional Engineers	248	Total of schedule 59,486 -For support of State Board of Registration for Civil and Professional Engineers, payable from the Professional Engineers' Fund, in	
		accordance with the following scheduleSchedule:	247,568
		(a) Salaries and Wages 159,834(b) Operating Expenses and	
		Equipment 87,734	
Contractors' License		Total of schedule247,568 For support of Contractors' State License Board, payable from the Contractors' License Fund, in accordance with the following	
		schedule:	719,812
		(a) Salaries and Wages 468,819(b) Operating Expenses and	
		Equipment 250,993	
Cosmetology		Total of schedule 719,812 For support of State Board of Cosmetology, payable from the Board of Cosmetology's Contingent Fund, in accordance with the fol-	
		lowing scheduleSchedule:	207,127
		(a) Salaries and Wages 123,231 (b) Operating Expenses and Equipment 83,896	
Dental	951	Total of schedule 207,127 For support of Board of Dental Examiners	
Examiners	201	of California, payable from the State Den-	

Item		Amount
	tistry Fund, in accordance with the following scheduleSchedule:	95,602
	(a) Salaries and Wages 62,483	
	(b) Operating Expenses and	
	Equipment 33,119	
050	Total of schedule95,602	_
252—	-For support of State Board of Dry Cleaners, payable from the Dry Cleaners' Fund, in	Dry Cleaners
	accordance with the following schedule	183,114
	(a) Salaries and Wages 115.336	
	(b) Operating Expenses and Equipment67,778	
กรว	Total of schedule	Firmani
400-	rectors and Embalmers, payable from the	Funeral Directors and
	State Funeral Directors and Embalmers Fund, in accordance with the following	Embalmers
	Fund, in accordance with the following schedule	49,283
	Schedule:	49,200
	(a) Salaries and Wages 27,516	
	(b) Operating Expenses and Equipment 21,767	
954	Total of schedule 49,283	Euroltono
204-	-For support of Bureau of Furniture and Bed- ding Inspection, Department of Professional	Furniture and Bedding Inspection
	and Vocational Standards, payable from the	Парссион
	Bureau of Furniture and Bedding Inspection	
	Fund, in accordance with the following schedule	230,930
	Schedule:	200,000
	(a) Salaries and Wages 168,044	
	(b) Operating Expenses and Equipment 62,886	
955	Total of schedule 230,930 -For support of State Board of Guide Dogs	Guide Dogs
	for the Blind	751 for the Blind
256-	-For support of California State Board of	Landscape Architects
	Landscape Architects, payable from the California State Board of Landscape Architects	121 (11200000
	Fund, in accordance with the following sched-	
	ule	13,159

	Item		Amount
		Schedule: (a) Salaries and Wages 5,956 (b) Operating Expenses and Equipment 7,203	
Medical Examiners	257-	Total of schedule 13,159 For support of State Board of Medical Examiners, payable from the Contingent Fund of the Board of Medical Examiners, in accordance with the following schedule Schedule:	248,375
		(a) Salaries and Wages 121,272 (b) Operating Expenses and Equipment 127,103	
	258–	Total of schedule 248,375 For additional support of the State Board of Medical Examiners, payable from the Contingent Fund of the Board of Medical Examiners from those moneys deposited under the provisions of Section 2614 of the Business and Professions Code, in accordance with the	
		following schedule Schedule: (a) Salaries and Wages 4,712 (b) Operating Expenses and Equipment 5,003	9,715
	259-	Total of schedule9,715 For support of State Board of Medical Examiners, payable from the Physical Therapy Fund, in accordance with the following schedule	13,455
		Schedule: (a) Salaries and Wages8,434 (b) Operating Expenses and Equipment5,021	20,200
Nurse Exammers	260-	Total of schedule13,455 -For support of Board of Nurse Examiners of the State of California, payable from the Board of Nurse Examiners' Fund, in accord-	450 890
		ance with the following schedule	159,320
Optometry	261–	Total of schedule 159,320 For support of State Board of Optometry, payable from the State Optometry Fund, in	
		accordance with the following schedule	37,923

Item	Amount
Schedule: (a) Salaries and Wages	
Total of schedule 37,923 262—For support of California State Board of Pharmacy, payable from the Pharmacy Board Contingent Fund, in accordance with the following schedule	Pharmacy 220,742
(a) Salaries and Wages 140,082 (b) Operating Expenses and Equipment 80,660	
Total of schedule 220,742 263—For support of Bureau of Private Investigators and Adjusters, Department of Professional and Vocational Standards, payable from the Private Investigator and Adjuster Fund, in accordance with the following schedule	Private Investigators and Adjusters
Schedule: (a) Salaries and Wages	
Total of schedule 33,349 264—For support of Certified Shorthand Reporters Board, payable from the Shorthand Reporters' Fund, in accordance with the following schedule Schedule:	Certified Shorthand Reporters 14,132
(a) Salaries and Wages 7,840 (b) Operating Expenses and Equipment 6,292	
Total of schedule 14,132 265—For support of the Board of Social Work Examiners of the State of California, payable from the Registered Social Workers' Fund, in accordance with the following schedule Schedule:	Social Work Examiners 19,848
(a) Salaries and Wages 12,225 (b) Operating Expenses and Equipment 7,623	
Total of schedule 19,848 266—For support of Structural Pest Control Board, payable from the Structural Pest Con-	Structural Pest Control

	Item		Amount
		trol Fund, in accordance with the following schedule	56,250
		Schedule: (a) Salaries and Wages 29.269	,
		(b) Operating Expenses and Equipment 26,981	
Board of Examiners in Veterinary Medicine	267–	Total of schedule 56.250 For support of Board of Examiners in Veterinary Medicine, payable from the Board of Veterinary Examiners' Contingent Fund, in accordance with the following schedule Schedule:	18,555
		(a) Salaries and Wages 7,696	
		(b) Operating Expenses and Equipment 10,859	
Vocational Nurse Examiners	268-	Total of schedule	
		in accordance with the following schedule	42,510
		Schedule: (a) Salaries and Wages 25,334 (b) Operating Expenses and	
		Equipment 17,176	
		Total of schedule 42,510	
Yacht and Ship Brokers Commission	269—	-For support of Yacht and Ship Brokers Commission, payable from the Yacht and Ship Brokers Fund, in accordance with the following schedule	17,264
		Schedule: (a) Salaries and Wages 9,669	
		(b) Operating Expenses and	
		Equipment 7,595	
		Total of schedule 17,264	
Public Utilities Commission	270—	-For support of the Public Utilities Commission of the State of California, in accordance with the following scheduleSchedule:	2,197,427
		(a) Salaries and Wages 2,766,683 (b) Operating Expenses and	
		Equipment 379,070	
		Total of schedule 3.145,753 Less estimated reimbursements 948,326	
		Net appropriation 2,197,427	

271—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. Schedule: (a) Salaries and Wages	1,792,564
272. For support of Danartment of Social Welfare	9 989 107 Department
272—For support of Department of Social Welfare Such appropriation, together with any grants made available by the Federal Government for support of the Department of Social Welfare during the 1956-57 Fiscal Year, shall be expended in accordance with the following schedule: Schedule:	2,282,197 Department of Social Welfare
(a) Salaries and Wages 2,523,567	
(b) Operating Expenses and Equipment 838,102	
Total of schedule 3,361,669	
Less estimated amounts payable from federal grants 1,079,472	
Net appropriation 2,282,197 273—For support of the Recreation Commission and the Director of Recreation, in accordance with the following schedule	Recreation Commission 94,698
Schedule: (a) Salaries and Wages 58,399	
(b) Operating Expenses and Equipment 36,299	
Total of schedule 94,698 274—For support of the Citizens' Advisory Committee on Aging, in accordance with the following schedule	Citizens' Advisory Committee 21,425 on Aging
(a) Salaries and Wages 11,832	
(b) Operating Expenses and Equipment 9,593	
Net appropriation 21,425	

VETERANS AFFAIRS

	VETERANS AFFAIRS	
	Item	Amount
Department	275—For support of Department of Veteran	ıs Af-
of Veterans Affairs	fairs, in accordance with the following	
_	schedule	
	Schedule:	,
	(a) Salaries and Wages 3:	10 319
	(b) Operating Expenses and	10,010
	Equipment	00.400
	redarbment	96,422
		00.541
	Total of schedule 40	06,741
	Less estimated amounts available	
	from other sources:	
	(c) From Veterans' Dependents'	
		22,200
	(d) From Farm and Home	
	Building Fund of 1943	64,050
	Net appropriation 32	20,491
	276—For educational assistance to veterans	s, De-
	partment of Veterans Affairs, to b	e ex-
	pended under the provisions of Article	e 2 of
	Chapter 6 of Division 4 of the Military	y and
	Veterans Code	2,775,000
	277—For veterans' claims and rights service	e. De-
	partment of Veterans Affairs, to be expe	
	under the provisions of Section 699.5 of	
_	Military and Veterans Code	
	278—For additional support of Department of	
	erans Affairs, payable from the Vete	
	Dependents' Education Fund	
	to be transferred to the General Fund in	
	mentation of Item 275.	1 445
	279—For educational assistance to veterans	s' de-
	pendents, Department of Veterans A	ffaire
	payable from the Veterans' Dependents'	
	cation Fund	321,200
	to be expended under the provisions of A	021,200
	2 of Chapter 4 of Division 4 of the Mi	litory
	and Veterans Code.	ilitary
Veterans'		omio
Home	280—For support of Veterans' Home of California school	
	in accordance with the following schedu	
	provided, that none of the funds herei	
	propriated shall be expended for the pay	
	of sick leave pay for member employees	•
	Schedule: (a) Salaries and Wages 2,57	74.017
	(a) Salaries and Wages 2,57 (b) Operating Expenses and	14,011
	Equipment 1,02	27 047
		-1,011
	Total of schedule 3,60)1.964
	20102 02 001004110 0,00	,

Item		Amount
	Less estimated amounts available from other sources: (c) Reimbursements 70,215 (d) Estimated receipts from Federal Government 1,390,725 (e) From Athletic Commission Fund (Item 281) 35,000	
282—	Net appropriation 2,106,024 For additional support of Veterans' Home of California, payable from the Athletic Commission Fund to be transferred in such amounts as the Department of Finance may authorize to the General Fund in augmentation of Item 280. For hospitalization and care of members, to be expended pursuant to Sections 1086.1 and 1086.2 of the Military and Veterans Code, and maintenance of physical facilities, Woman's Relief Corps Home	35,000 Woman's Relief Corps Home 39,500
	MISCELLANEOUS	
	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 1956-57 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 for premiums on insurance therefor; or for transfer by the State Controller, in such amounts as the Department of Finance in writing may authorize to any appropriation for support or for other purposes payable from the General Fund, from the Vocational Education Fund from which the cost of such salary is payable. The State Compensation Insurance Fund may withdraw a revolving fund from the appropriation under the provisions of Article 5, Chapter 2, Part 2, Division 4, Title 2 of the Government Code upon the approval of the Department of Finance	Compensation benefits to state officers and employees
	trial Relations	416,000

	Item		Amount
Refunds	285—For refunding of payments of taxes, fees and other receipts which have roneously collected and deposited in eral Fund for the refund of which provision is made by law and for payprior judgments, liens or encumbrate suant to Section 12516, Government (been er- the Gen- no other yment of nees pur-	15,000
Claims Board of Control	286—For claim of the Secretary of the Sta of Control, to be paid from the sever	te Board	15,000
	in accordance with the following sch	$edule_{}$	147 ,783
	Schedule:		
	(a) General Fund(b) Fair and Exposition Fund available to California Poly-	119,787	
	technic School under the		
	provisions of paragraph (a)		
	of Section 19626, Business		
	and Professions Code (c) Fish and Game Preservation	946	
	Fund	1,718	
	(d) State Highway Fund	4,626	
	(e) Motor Vehicle Fund	7,633	
	(f) Motor Vehicle Fuel Fund	11,214	
	(g) Motor Vehicle License Fee	11,211	
		264	
	Fund of the	364	
	(h) Contingent Fund of the		
	Board of Osteopathic Exam-	00	
	iners	20	
	(i) Division of Architecture Re-		
	volving Fund	755	
	(j) San Francisco Harbor Im-		
	provement Fund	191	
	(k) Unclaimed Property Fund	38	
	(l) Unemployment Fund	160	
	(m) Unemployment Administra-		
	tion Fund	3 31	
	non rang	001	
	Total of schedule	147 799	
urchasing	287—The unexpended balance remaining		
evolving			
und	30, 1956, of the appropriation made	by riem	
	273.5, Budget Act of 1955, is hereby		
	priated for augmentation of Purchas		
	volving Fund, to be transferred by the	ne State	
	Controller in such amounts and f		
	periods as the Director of Finance	may au-	
	thorize.	.	
	288—For augmentation of the Purchasing		
	ing Fund, to be transferred by the Sta		
	troller in such amounts and at such		
	funds are made available. Upon app	roval of	
	the Board of Control, the State Co		

Amount Item

shall transfer to this item from any appropriation made from the General Fund by the provisions of Section 2 of this act that part of such appropriation which is intended to be used and is available for the purchase or replacement of automobiles.

PROVISION FOR SALARY INCREASES

289—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 or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service whose compensation, or a portion thereof, is payable from the General Fund, the increase in compensation provided for in any increased salary range established during the 1955-56 or 1956-57 Fiscal Year by the Personnel Board or other salary-fixing authority_____ 17,091,532

For state officers and employees whose compensation, or portion thereof, is payable from special funds, there is hereby 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 or for other purposes.

Allocations to the University of California shall be made by the Department of Finance only upon certification by the executive officer of the State Personnel Board that proposed salary ranges are comparable to those granted civil service employees or are supported by the findings of a survey of wage rates in comparable employments.

Before the State Personnel Board or other administrative salary-fixing authority establishes any increased salary range during the 1956-57 Fiscal Year, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds Salary Increase Fund

Special funds

Item Amount

authorized for the agencies or may be made available from the appropriation in this item, to meet the cost of the increased salary range; provided, that, except for increases authorized under Section 18853 of the Government Code or by specific statute, increases in compensation provided by increased salary ranges established during the 1956-57 Fiscal Year by the Personnel Board for each state officer or employee in the state civil service whose compensation, or portion thereof, is payable from the General Fund shall not result in total annual salary increases of more than \$12,600,000. For purposes of determination of such annual cost, computations may be based upon the number of employees in such classes as of June 30, 1956, as reported by the State Personnel Board. Salary adjustments payable from funds other than the General Fund and salary adjustments fixed by other than the Personnel Board shall be limited so as to provide equitable treatment as to the foregoing limitation.

RESERVE FOR CONTINGENCIES

Emergency fund 290—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies 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 conditions 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. Emergencies within the meaning of this provision are hereby defined as contingencies for which no appropriation, or insufficient appropriation, has been made by law.

290.1—The unexpended balance of each special fund, exclusive of the Motor Vehicle Fund and State Highway fund, is hereby appropriated in augmentation of the respective appropriations made from such fund by items of appropriation in this act, to be expended only on written authorization of the Department of Finance, payable from the special

1,000,000

Amount Item fund from which such appropriation is made, and in such amount or amounts as the Director of Finance determines is necessary to effectuate the purpose for which the particular appropriation from the fund is made. 290.2—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies, in augmentation of the appropriation made by Item 276, 220,234 Budget Act of 1955______ Notwithstanding other provisions of this section, the amount made available by this item is available for payment of expenditures incurred during the 1955-56 Fiscal Year. CAPITAL OUTLAY SECTION AGRICULTURE Department 291—For minor construction, improvements, reof Agrapairs, and equipment, Department of Agriculture, payable from the Capital Outlay and Savings Fund ______ 1,975 292-For minor construction, improvements, repairs and equipment. Department of Agriculture, payable from any moneys in the Fair and Exposition Fund available for Capital Outlay for fair purposes under paragraph (c) of Section 19626 of the Business and 4,933 Professions Code ______ 292.5—For major construction, improvements, and equipment, Department of Agriculture, in accordance with the following schedule, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions Code _____ 50,000 Schedule: (a) Construct poultry disease laboratory at Turlock_____ 50,000 Total of schedule_____ 50,000 293-For major construction, improvements and Poultry Improvement equipment, Poultry Improvement Commis-Commission sion, in accordance with the following schedule, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions

Code _____

45,850

	Item		Amount
		Schedule: (a) Relocation and improvement of chicken testing buildings and facilities 45,850	
	294–	Total of schedule 45,850 For minor construction, improvements, repairs and equipment, Poultry Improvement Commission, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions Code	12,500
		CORRECTIONS	
Department of Cor- rections. Medical Facility	295–	-For minor construction, improvements, repairs and equipment, Medical Facility, Department of Corrections, payable from the	10,000
Men's Colony	296—	Capital Outlay and Savings Fund For major construction, improvements and equipment, California Men's Colony, Department of Corrections, in accordance with the following schedule, nearly from the Capital	12,000
		following schedule, payable from the Capital Outlay and Savings Fund	863,230
	297—	-For minor construction, improvements, repairs and equipment, California Men's Colony, Department of Corrections, payable from	
Institution for Men	298—	the Capital Outlay and Savings Fund For major construction, improvements and equipment, California Institution for Men, including Tehachapi Farm Branch, Department of Corrections, in accordance with the following schedule, payable from the Capital	5,000
		Outlay and Savings FundSchedule:	98,110
		 (a) Construct additional domestic well and provide pump 54,360 (b) Construct sewage disposal 	
		Total of schedule 98,110	
		Total of schedule 98,110	

Item	Amount
299—For minor construction, improvements, repairs and equipment, California Institution for Men, including Tehachapi Farm Branch, Department of Corrections, payable from the Capital Outlay and Savings Fund————————————————————————————————————	154,095 Prisons: Folsom 228,490
Total of schedule 228,490	
301-For minor construction, improvements, repairs and equipment, California State Prison at Folsom, Department of Corrections, payable from the Capital Outlay and Savings	
Fund	102,780 San Quentin
pairs and equipment, State Prison at San Quentin, Department of Corrections, payable	
from the Capital Outlay and Savings Fund	56,215
303—For major construction, improvements and equipment, State Prison at Soledad, Department of Corrections, in accordance with the following schedule, payable from the Capital	Soledad
Outlay and Savings FundSchedule:	609,350
(a) Equip cell buildings 500,000(b) Install water closets and lav-	
atories in existing cells (second increment) 109,350	
Total of schedule 609,350	
304—For minor construction, improvements, repairs and equipment, California State Prison at Soledad, Department of Corrections, payable from the Capital Outlay and Savings	
Fund	. 38,370 Deuel
305—For minor construction, improvements, repairs and equipment, Deuel Vocational Institution, Department of Corrections, payable	Vocational Institution
from the Capital Outlay and Savings Fund	24,230
306—For major construction, improvements and equipment, California Institution for Women, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	Institution for Women 813,600
cabran canal and sautable rand	010,000

	Item	Amount
	Schedule: (a) Construct additions to four inmate cottages and related facilities	
	Total of schedule 813,600 307—For minor construction, improvements, repairs, and equipment, California Institution for Women, Department of Corrections, payable from the Capital Outlay and Savings Fund	4,950
	YOUTH AUTHORITY	
Department of Youth Authority: Youth Training School	308—For major construction, improvements and equipment, Youth Training School, Department of the Youth Authority, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	5,938,300
Reception Centers and Clinics. Northern California	Total of schedule5,938,300 309—For major construction, improvements and equipment, Northern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	382,400
Southern California	Total of schedule382,400 310—For minor construction, improvements, repairs and equipment, Northern California Reception Center and Clinic, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund311—For minor construction, improvements, repairs and equipment, Southern California Reception Center and Clinic, Department of	2,000

Item	Amount
the Youth Authority, payable from the Capital Outlay and Savings Fund	24,460
312—For minor construction, improvements, repairs and equipment, Youth Authority Camps, Department of the Youth Authority, payable from the Capital Outlay and Savings	Youth Authority Camps
Fund	10,950 Schools: Fricot Ranch
cordance with the following schedule, payable from the Capital Outlay and Savings Fund Schedule:	72,850
(a) Construct two classrooms 41,700 (b) Equip two classrooms 3,100 (c) Remodel and repair residence 25,950 (d) Equip remodeled residence 2,100	
Total of schedule 72,850	
314—For minor construction, improvements, repairs and equipment, Fricot Ranch School for Boys, Department of the Youth Authority, payable from the Capital Outlay and Savings	40.000
Fund	42,300 Fred C. Nelles
cordance with the following schedule, payable from the Capital Outlay and Savings FundSchedule:	54,995
(a) Replace street lighting system 33,850	
(b) Scullery alterations 21,145	
Total of schedule 54,995 316—For minor construction, improvements, repairs and equipment, Fred C. Nelles School	
for Boys, Department of the Youth Authority, payable from the Capital Outlay and Savings	49,535
317—For major construction, improvements and equipment, Paso Robles School for Boys, Department of the Youth Authority, in accordance with the following schedule, payable	Paso Robles
from the Capital Outlay and Savings Fund Schedule:	1,056,300 •
(a) Construct two dormitories 494,050 (b) Equip two dormitories 17,600 (c) Construct dining room and dining room alterations 72,500	
(d) Equip dining room 2,600	

	I tem	ı	Amount
		(e) Construct classrooms, voca-	
		tional building, and voca-	
		tional building alterations 203.200	
		(f) Equip classrooms 14,900	
		(g) Construct security fence im-	
		provements and additions 77,500	
		(h) Construct administration and	
		commissary building addi-	
		tions and alterations 114,050 (i) Equip administration and	
		commissary building addi-	
		tions 5,700	
		(j) Improve water supply and	
		distribution system 54,200	
			
		Total of schedule 1,056,300	
	318-	-For minor construction, improvements, repairs	
		and equipment, Paso Robles School for Boys,	
		Department of the Youth Authority, payable from the Capital Outlay and Savings Fund_	91 750
Preston	319_	For major construction, improvements and	21,750
	010	equipment, Preston School of Industry, De-	
		partment of the Youth Authority, in accord-	
		ance with the following schedule, payable	
		from the Capital Outlay and Savings Fund	714,850
		Schedule:	
		(a) Construct water reservoir 145,850	
		(b) Construct administration building 315,950	
		building 315,950 (c) Equip administration build-	
		ing 8,500	
		(d) Relocate security fence 39,950	
		(e) Construct firehouse 43,200	
		(f) Equip firehouse 900	
		(g) Remodel dormitory 37,900	
		(h) Equip dormitory 850	
		(i) Replace and rebuild boilers_ 121,750	
		Total of schedule 714,850	
	320-	-For minor construction, improvements, re-	
		pairs and equipment, Preston School of In-	
		dustry, Department of the Youth Authority,	
		payable from the Capital Outlay and Sav-	
		ings Fund	23,500
Los Guilucos	321—	For minor construction, improvements, re-	
•		pairs and equipment, Los Guilucos School	
		for Girls, Department of the Youth Authority, payable from the Capital Outlay and	
		Savings Fund	4,100
Ventura	322—	For major construction, improvements, re-	_,_ ~
		pairs and equipment, Ventura School for	

Item	Amount
Girls, Department of the Youth Authority, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	50,000
(a) Temporary rehabilitation and repairs to existing institution tution 50,000	
Total of schedule 50,000 provided, that, notwithstanding the provisions of Section 6 of this act, this item shall be available for expenditure during the 1956-57 Fiscal Year only.	
EDUCATION	
323—For major construction, improvements and equipment, Chico State College, in accordance with the following schedule, payable from the Capital Outlay and Savings FundSchedule:	State Colleges: Chico
(a) Construct social science classroom building 854,000 (b) Equip industrial arts building 190,000	
Total of schedule1,044,000 324—For minor construction, improvements, repairs and equipment. Chico State College, payable from the Capital Outlay and Savings Fund	6 1, 630 _
325—For major construction, improvements and equipment, Fresno State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund_	Fresno 1,800,150
Schedule: (a) Construct art-homemaking building and a home man-	
agement cottage 837,950 (b) Construct student health services building 146,800 (c) Equip student health serv-	
ices building 35,500 (d) Equip physics building 31,900 (e) Equip cafeteria 36,000 (f) Equip classroom building 115,000 (g) Construct engineering build-	
ing 597,000	
Total of schedule 1,800,150	

	Item	Amount
	326-For minor construction, improvements, re-	
	pairs and equipment, Fresno State College,	
	payable from the Capital Outlay and Savings	
	Fund	11,800
	327—For minor construction, improvements, re-	•
	pairs and equipment, Fresno State College,	
	payable from the State College Fund	52,200
Humboldt	328—For major construction, improvements and	·
	equipment, Humboldt State College, in ac-	
	cordance with the following schedule, payable	
	from the Capital Outlay and Savings Fund	255,5 00
	Schedule:	
	(a) Working drawings for	
	speech-little theater build-	
	ing 50,000	
	(b) Construct physical educa-	
	tion playfields 74,500	
	(c) Equip wild life facilities 6,000	
	(d) Equip music building 75,000	
	(e) Equip art and home eco-	
	nomics building 50,000	
	Total of schedule 255,500	
	329—For minor construction, improvements, re-	
	pairs and equipment, Humboldt State Col-	
	lege, payable from the Capital Outlay and	
	Savings Fund	83,575
Long Beach	330—For major construction, improvements and	00,010
	equipment, Long Beach State College, in ac-	
	cordance with the following schedule, payable	
	from the Capital Outlay and Savings Fund	4,890,850
	Schedule:	
	(a) Construct science building	
	addition 2,614,500	
	(b) Construct fine arts building 606,800	
	(c) Construct swimming pool 135,050	
	(d) Equip swimming pool 11,500	
	(e) Equip men's physical educa-	
	tion building 23,000	
	(f) Construct library addition 1,500,000	
	Total of schedule 4,890,850	
	331—For minor construction, improvements, re-	
	pairs and equipment, Long Beach State Col-	
	lege, payable from the Capital Outlay and	
	Savings Fund	69,725
Los Angeles	332—For major construction, improvements and	, ,
=	equipment, Los Angeles State College of	
	Applied Arts and Sciences, in accordance	
	with the following schedule, payable from the	
	Capital Outlay and Savings Fund	12,787,650

Item

Amount

2001	имочне
Schedule:	
(a) Construct library building	
on Ramona Campus 1,530,950	
(b) Construct science building	
on Ramona Campus 2,756,800	
(c) Construct fine arts building	
on Ramona Campus 1,086,800	
(d) Construct industrial arts	
building on Ramona Campus 2,659,300	
(e) Construct music building on	
Ramona Campus 2,087,700	
(f) Construct speech-drama	
building on Ramona Campus 1,261,400	
(g) Site development on Ramona	
Campus 1,000,000	
(h) Working drawings for ad-	
ministration building on Ra-	
mona Campus 40,000	
(i) Working drawings for cafe-	
teria on Ramona Campus 50,000	
(j) Working drawings for physi-	
cal education building on	
Ramona Campus 76,700	
(k) Equip temporary buildings	
on San Fernando Valley	
Campus 238,000	
Total of schedule12,787,650	
333—For minor construction, improvements, re-	
pairs and equipment, Los Angeles State Col-	
lege of Applied Arts and Sciences, payable	
from the Capital Outlay and Savings Fund	56,500
334—For major construction, improvements and	Sacramento
equipment, Sacramento State College, in ac-	
cordance with the following schedule, payable	
from the Capital Outlay and Savings Fund	2,246,100
Schedule:	
(a) Equip life science building. 194,000	
(b) Construct corporation yard 205,650	
(c) Equip corporation yard 11,500	
(d) Construct student health	
service building 158,250	
(e) Equip student health service	
building 38,000	
(f) Construct general classroom	
building 638,700	
(g) Construct library addition_ 1,000,000	
Total of schedule 2,246,100	

	Item	Amount
	335—For minor construction, improvements, repairs and equipment, Sacramento State College, payable from the Capital Outlay and Savings Fund	47,300
San Diego	336—For major construction, improvements and equipment. San Diego State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	2,104,750
	Schedule: (a) Construct library addition 1,680,750	, ,
	(b) Working drawings for sci-	
	ence building addition 90,000 (c) Equip classroom building 199,000 (d) Favir asfetoria 65,000	
	(d) Equip cafeteria 65,000 (e) Install equipment, speech	
	building addition, additional cost 70,000	
	Total of schedule	
	337—For minor construction, improvements, repairs and equipment, San Diego State Col-	
	lege, payable from the Capital Outlay and Savings Fund	66,825
San Francisco	338—For major construction, improvements and equipment, San Francisco State College, in	
	accordance with the following schedule, payable from the Capital Outlay and Savings	
	FundSchedule:	1,783,650
	(a) Equip classroom building_ 81,000 (b) Construct library addition_ 1,677,650	
	(c) Working drawings for ad-	
	ministration building addition 25,000	
	Total of schedule	
	339—For minor construction, improvements, repairs and equipment, San Francisco State	
	College, payable from the Capital Outlay and Savings Fund	9,650
San Jose	340—For major construction, improvements and equipment, San Jose State College, in accord-	
	ance with the following schedule, payable from the Capital Outlay and Savings Fund	1,107,600
	Schedule: (a) Equip administration build-	
	ing 120,000 (b) Construct cafeteria 987,600	
	Total of schedule 1,107,600	

Item	Amount
341—For minor construction, improvements, re-	
pairs and equipment, San Jose State College,	
payable from the Capital Outlay and Sav-	22 222
ings Fund	66,860
342—For major construction, improvements and	Polytechnic
equipment, California State Polytechnic Col-	
lege, in accordance with the following schedule, payable from the Capital Outlay and	
Savings Fund	4,088,075
Schedule:	4,000,010
(a) Equip engineering building	
at San Luis Obispo campus_ 500,000	
(b) Site development at San	
Luis Obispo campus 187,575	
(c) Equip physical education	
facilities at Kellogg-Voorhis	
campus 58,000 (d) Equip agricultural produc-	
tion units at Kellogg-Voorhis	
campus 43,000	
(e) Construct engineering build-	
ing at Kellogg-Voorhis Cam-	
pus 2,210,900	
(f) Construct animal husbandry	
production units at Kellogg-	
Voorhis Campus 514,600	
(g) Site development—partial at	
Kellogg-Voorhis Campus 574,000	
Total of schedule 4,088,075	
342.1—For selection of a site, preparation of a mas-	
ter plan and preliminary plans for a college	
of agriculture, as a branch of the California	
State Polytechnic College, to be located in Im-	
perial County, California State Polytechnic	
College, payable from the Polytechnic College	90.000
reserve in the State College Fund343—For minor construction, improvements, re-	30,000
pairs and equipment, California State Poly-	
technic College, payable from the Capital	
Outlay and Savings Fund	116,945
344—For major construction, improvements and	Maritime Academy
equipment, California Maritime Academy, in	110000
accordance with the following schedule, pay-	
able from the Capital Outlay and Savings	621 200
Schedule:	631,300
(a) Construct residence hall 631,300	
Total of schedule 631,300	

	Item 345—For minor construction, improvements, re-	Amount
	pairs and equipment, California Maritime Academy, payable from the Capital Outlay and Savings Fund	15,000
School for Blind	346—For minor construction, improvements, repairs and equipment, California School for the Blind, payable from the Capital Outlay and Savings Fund	6 175
Schools for Deaf Berkeley	347—For minor construction, improvements, repairs and equipment, California School for the Deaf, Berkeley, payable from the Capital	6,175
Riverside	Outlay and Savings Fund	6,440
	schedule, payable from the Capital Outlay and Savings FundSchedule:	92,600
	(a) Installation of boiler and additional mechanical work 57,600 (b) Construct running tract and drainage project 35,000	
	dramage project 55,000	
	Total of schedule 92,600 349—For minor construction, improvements, re- pairs and equipment, California School for	
	the Deaf, Riverside, payable from the Capital Outlay and Savings Fund	21,333
Southern California School for Cerebral Palsied Children	350—For minor construction, improvements, repairs and equipment, School for Cerebral Palsied Children, Southern California, payable from the Capital Outlay and Savings	
Oakland Orientation Center	Fund351—For minor construction, improvements, repairs and equipment, Oakland Orientation	2,400
	Center, payable from the Capital Outlay and Sayings Fund	1,500
Los Angeles Industries for Blind Center	Savings Fund	·
University of California	from the Capital Outlay and Savings Fund 354—For acquisition of real property, major con- struction, improvements and equipment, Uni- versity of California, exempt from Section 23	1,800
	of this act, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	10,950,903
	(a) Preliminary plans 150,000 (b) Construct state-wide administrative office building in	

Item		Amount
Berkeley and related altera-		
tions to Giannini Hall 2,	664,000	
(c) Correct health and safety		
	135,930	
(d) Construct service buildings	001 700	
	801,700	
(e) Alterations and rehabilita- tion to life sciences building		
-Berkeley 1	206 625	
(f) Purchase initial complement	,200,020	
of equipment for Ritter Hall		
addition—La Jolla	53,000	
(g) Equip engineering-physical		
sciences, unit No. 2—Los	000 000	
Angeles	200,000	
(h) Construct laboratory and		
measuring room building— Mt. Hamilton	227,328	
(i) Construct life sciences build-	,	
ing—Riverside	807,500	
(j) Purchase initial complement	ŕ	
of equipment, medical sci-		
ences building increment No.	CCE 000	
2—San Francisco	665,000	
(k) Purchase equipment for combined structure — San		
Francisco	150,000	
(l) Complete auditorium — in	100,000	
medical sciences increment		
No. 2—San Francisco	81,600	
(m) Construct fine and applied		
arts building—Santa Bar-		
	,492,220	
(n) Construct physical education	769 400	
building—Santa Barbara 1 (o) Construct elementary	.,700,400	
school—Los Angeles	597,600	
(p) Acquisition of real property	501,000	
—Berkeley	200,000	
<u> </u>		
Total of schedule19	2,200,903	
Less:		
Amount payable from University funds	1.950.000	
versity runus	1,200,000	
Net appropriation1	0,950,903	
354.1—For major construction, improvem	ents and	
equipment, University of California	, exempt	
from Section 23 of this act, in ac		
with the following schedule, payable Capital Outlay and Savings Fund		25,000
Capital Odday and Davings Pund		20,000

	Item	Schedule:	Amount
		(a) Prepare plans, dairy research building—Davis 25,000	
	355-	Total of schedule 25,000 For minor construction, improvements, repairs and equipment, University of California, exempt from Section 23 of this act. payable from the Capital Outlay and Savings Fund	410,900
		EMPLOYMENT	
Department of Employ- ment	356—	-For acquisition of real property to be expended under the provisions of the Property Acquisition Law, and for major construction, improvements, and equipment, Department of Employment, in accordance with the following schedule, payable from the Department of	
		Employment Contingent FundSchedule:	50,000
		(a) Parking lot acquisition and improvements—San Bernar-dino 50,000	
		Total of schedule 50,000	
		FISCAL AFFAIRS	
Department of Finance	357	For acquisition of real property, Department of Finance, to be expended under the provisions of the Property Acquisition Law, payable from the Capital Outlay and Savings Fund	950,000
	358—	-For major construction, improvements and	300,000
		equipment, Department of Finance, in accordance with the following schedule, payable from the Capital Outlay and Savings FundSchedule:	910,350
		 (a) Alterations to air conditioning State Capitol	
		ing 63,350	
		(c) Alterations to stack elevator, Library and Courts Building 55,550	
		(d) Alterations to Business and Professions Building 168,700	
		(e) Demolition of Fashion League Building 175,000	

Item	Amount
(f) Construct maintenance shops, Sacramento 187,500 (g) Repair and improvement, Assembly and Senate bal-	
conies, Sacramento 71,600 (h) For materials and methods studies by the Division of	
Architecture 15,000	
Total of schedule 910,350 359—For minor construction, improvements, repairs and equipment, Department of Finance, payable from the Capital Outlay and Savings	54 100
Fund 360—For major construction, improvements, and equipment, California State Fair and Exposition, Fairs and Expositions Division, Department of Finance, in accordance with the following schedule, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business	54,100 State Fair and Exposition
and Professions CodeSchedule: (a) Air condition Governor's Hall90,000	90,000
Total of schedule	208,557 Sixth District Agricultural Association 1,666,667

10,000

Item Amount of the month following the date of withdrawal, at a rate determined by the contracting parties to be equal to that paid by the State on loans to it, from income received from the use of any real property acquired under this item of appropriation. 361.2—For acquisition and improvements of real property, Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, to be expended under the provisions of the Property Acquisition Law, payable from the State Beach Fund_____ 833,333 provided, that no part of this appropriation shall be expended until a mutually satisfactory agreement has been entered into by the Department of Finance and the Sixth District Agricultural Association providing for the repayment to the State Beach Fund of the amount expended, together with interest thereon, to be computed from the first day of the month following the date of withdrawal, at a rate determined by the contracting parties to be equal to that paid by the State on loans to it, from income received from the use of any real property acquired under this item of appropriation. 361.3—For major construction, improvements and equipment, Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, in accordance with the following schedule, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions Code 25,000 Schedule: (a) Preparation of comprehensive master plan and program for future construction 25,000 Total of schedule_____ 25,000 362—For minor construction, improvements, repairs and equipment, Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the

Business and Professions Code_____

HIGHWAY PATROL	
Item	Amount
363—For acquisition of real property, Department of the California Highway Patrol, to be expended under the provisions of the Property Acquisition Law, payable from the Motor Vehicle Fund	Highway Patrol
364—For major construction, improvements and equipment, Department of the California Highway Patrol, in accordance with the following schedule, payable from the Motor Vehicle Fund Schedule: (a) Construct office building— San Francisco 178,300 (b) Construct office building— Yuba City 95,980	27 4 ,280
Total of schedule 274,280 365—For minor construction, improvements, repairs and equipment, Department of the California Highway Patrol, payable from the Motor Vehicle Fund	32,350
MENTAL HYGIENE	
366—For major construction, improvements, and equipment, Langley Porter Clinic, in accordance with the following schedule, payable from the Capital Outlay and Savings FundSchedule:	Langley Poster Clinic 871,850
(a) Construct bridge at fourth floor level 32,250 (b) Construct four-story addition 839,600	
Total of schedule871,850 367—For minor construction, improvements, repairs and equipment, Langley Porter Clinic, payable from the Capital Outlay and Savings Fund	9,550
368—For major construction, improvements and equipment, Agnews State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund— (a) Alterations and remodeling to original food service building, west area———————————————————————————————————	State Huspitals Agnews 1,847,400
ing, east area 1,118,000	

	Item	Amount
	(c) Expand laundry facilities 266,650 (d) Equipment for laundry 7,600	
	Total of schedule1,847,400 369—For minor construction, improvements, repairs and equipment, Agnews State Hospital, payable from the Capital Outlay and Savings Fund	115,910
Atascadero	370—For minor construction, improvements, repairs and equipment, Atascadero State Hospital, payable from the Capital Outlay and Savings Fund	11,825
Camarillo	371—For major construction, improvements and equipment, Camarillo State Hospital, in accordance with the following schedule, payable	11,020
	from the Capital Outlay and Savings Fund Schedule:	596,100
	(a) Construct recreation and therapy center 596,100	
	Total of schedule 596,100 372—For minor construction, improvements, repairs and equipment, Camarillo State Hospital, payable from the Capital Outlay and	150110
DeWitt	Savings Fund	170,110
Mendocino	Fund	102,550
	from the Capital Outlay and Savings FundSchedule:	461,625
	(a) Construct incinerator	
		
	Total of schedule 461,625 375—For minor construction, improvements, repairs and equipment, Mendocino State Hospital, payable from the Capital Outlay and	
Metropolitan	Savings Fund	39,800
	Fund	2,664,000

Item	Amount
Schedule:	
(a) Construct ward building 2,281,700(b) Construct additional boiler	
plant facilities 94,150	
(c) Additional laundry equip-	
ment 184,250	
(d) Water development 64,900	
(e) Equip new kitchen building 39,000	
Total of schedule 2,664,000	
377—For minor construction, improvements, re-	
pairs and equipment, Metropolitan State	
Hospital, payable from the Capital Outlay	
and Savings Fund	63, 000
378—For minor construction, improvements, re-	Modesto
pairs and equipment, Modesto State Hospital,	
payable from the Capital Outlay and Savings	
Fund	60,000
379—For major construction, improvements, and	Napa.
equipment, Napa State Hospital, in accord-	
ance with the following schedule, payable	
from the Capital Outlay and Savings Fund	106,450
Schedule:	
(a) Additional laundry equip-	
ment 49,400	
(b) Construct incinerator 57,050	
Total of schedule 106,450	
380-For minor construction, improvements, re-	
pairs and equipment, Napa State Hospital,	
payable from the Capital Outlay and Savings	
Fund	59,910
381—For major construction, improvements and	Patton
equipment, Patton State Hospital, in accord-	
ance with the following schedule, payable	
from the Capital Outlay and Savings Fund	2,060,450
Schedule:	
(a) Construct maintenance shops 201,500	
(b) Equipment for maintenance	
shops 10,000	
(c) Additional utility services 431,950	
(d) Alter and extend present	
laundry building 654,000	
(e) Enlarge sewage plant 202,900	
(f) Construct addition to boiler	
plant 223,300	
(g) Modify domestic water sys-	
tem 281,800	
(h) Equipment for remodeling	
of old receiving and treat-	
ment building 10,000	

	Item	(i) Equipment for alterations and addition to kitchen 45,000	Amount
	382-	Total of schedule2,060,450 For minor construction, improvements, repairs and equipment, Patton State Hospital, payable from the Capital Outlay and Savings	440.000
Stockton	383-	Fund	118,600
San Fernando	384-	Fund	84,350
		Fund Schedule: (a) Off site utilities development 284,900 Total of schedule 284,900	284,900
Fairview	385—	-For major construction, improvements, and equipment, Fairview State Hospital, in accordance with the following schedule, payable	
		from the Capital Outlay and Savings Fund	4,884,040

Item 386—For major construction, improvements, and equipment, Pacific State Hospital, in accordance with the following schedule, payable	Amount Pacific
from the Capital Outlay and Savings Fund Schedule:	1,475,050
(a) Alterations to old school	
building 101,550 (b) Equipment for therapy	
shops and offices 8,750	
(c) Construct new laundry	
building 1,047,900 (d) Modernize two wards 200,450	
(e) Equipment for two wards 6,000	
(f) Additional utility and	
mechanical services 50,400 (g) Equipment for hospital an-	
nex (additional) 60,000	
Total of schedule 1,475,050	
387—For minor construction, improvements, re-	
pairs and equipment, Pacific State Hospital,	
payable from the Capital Outlay and Savings	68,950
388—For major construction, improvements and	Porterville
equipment, Porterville State Hospital, in ac-	
cordance with the following schedule, payable	00.050
from the Capital Outlay and Savings Fund Schedule:	28,350
(a) Alter dayroom for isolation	
ward 28,350	
Total of schedule 28,350	
389—For minor construction, improvements, re-	
pairs and equipment, Porterville State Hos-	
pital, payable from the Capital Outlay and	F = 000
Savings Fund	57,600 Sonoma
equipment, Sonoma State Hospital, in accord-	Ş
ance with the following schedule, payable	
from the Capital Outlay and Savings Fund	941,350
Schedule: (a) Construct administration	
building 702,100 (b) Improve domestic water sys-	
tem 239,250	
Total of schedule 941,350	
391—For minor construction, improvements, re-	
pairs and equipment, Sonoma State Hospital,	

01			[
	Item	payable from the Capital Outlay and Savings	Amount
		Fund	102,300
		MILITARY	
Military Department	392-	-For acquisition of real property, Military Department, to be expended under the pro- visions of the Property Acquisition Law, pay- able from the Capital Outlay and Savings Fund	7,500
	393-	-For major construction, improvement and equipment, Military Department, in accordance with the following schedule, payable	1,000
		from the Capital Outlay and Savings Fund Schedule:	99,000
		(a) Preparation of plans for and supervision of construction to be financed from federal	
		funds 99,000	
	394	Total of schedule 99,000 -For minor construction, improvements, repairs and equipment, Military Department, payable from the Capital Outlay and Savings	
	204.1	Fund	31,500
	394. 1	—For expenditure for major armory construction, improvements, and equipment, Military Department and California National Guard, payable from the Capital Outlay and	
		Savings Fundand in addition thereto any grants made available by the Federal Government; provided, no expenditure shall be made from this	1,282,950
		appropriation until receipt of assurances satisfactory to the Director of Finance that	
		the Federal Government will reimburse the State for not less than 50 percent of the cost of construction, to be expended in accordance	
		with the following schedule:	
		Eureka 99,000	
		Menlo Park 75,600 Escondido 75,600	
		Ventura 75,600	
		Victorville 75,600	
		Watsonville 75,600	
		Hollister 75,600	
		Baldwin Park 75,600	
		Carmichael 88,875	
		Porterville	
		Marysville 75,600	

Item	Amount
Centerville 88,875 Gilroy 75,600 Van Nuys 99,000 San Fernando 75,600	
1,282,950	
MOTOR VEHICLES	
395—For acquisition of real property, Department of Motor Vehicles, to be expended under the Provisions of the Property Acquisition Law, payable from the Motor Vehicle Fund396—For major construction, improvements and	Department of Motor Vehicles
equipment, Department of Motor Vehicles, in accordance with the following schedule, payable from the Motor Vehicle FundSchedule: (a) Construct office building—	471,700
Glendale 147,400 (b) Construct office building— San Diego 204,700 (c) Install static pressure reg-	
ulators—Sacramento 29,500 (d) Enlarge existing Compton office building 90,100	
Total of schedule 471,700 397—For minor construction, improvements, repairs and equipment, Department of Motor Vehicles, payable from the Motor Vehicle Fund	10,835
NATURAL RESOURCES	10,030
398—For major construction, improvements, and equipment, Department of Fish and Game, in accordance with the following schedule, payable from the Fish and Game Preservation	Department of Fish and Game
Fund Schedule: (a) Laboratory building and auxiliary storage building,	568,450
Sacramento 197,900 (b) Motor vessel for marine wildlife protection patrol 180,000 (c) Radio system conversion 190,550	
Total of schedule 568,450 399—For minor construction, improvements, repairs and equipment, Department of Fish and	

	Item		Amount
		Game, payable from the Fish and Game Pres-	
Donastmont	400	ervation Fund	92,975
Department of Natural Resources.	400-	 For acquisition of real property for the State Park System subject to Public Works Board 	
Division of Beaches		approval, including both additions to proper-	
and Parks		ties now owned and the acquisition of new	
		state parks and historical monuments, Divi- sion of Beaches and Parks, Department of	
		Natural Resources, in accordance with the	
		following schedule, payable from the State	
		Park Fund provided, that not more than 1,200 acres of	16,332,370
		land shall be purchased in El Dorado County	
		for the Folsom-Nimbus Project; and provided	
		further, that notwithstanding any other pro-	
		visions of law the appropriation made by this item shall remain available for expenditure	
		until June 30, 1961; and provided further,	
		that no part of the money made available for	
		the Columbia Historic State Park pursuant to this item shall be used for the acquisition of	
		real property by the use of condemnation pro-	
		ceedings unless such procedure is requested	
		by the seller. Schedule:	
		(a) Avenue of the Giants 600,000	
		(b) Gold Discovery Site State	
		Park 250,000	
		(c) Butano State Park	
		(e) Pueblo de Los Angeles State	
		Historical Monument 900,000	
		(f) Salton Sea State Park 225,000 (g) Old Custom House State	
		Historical Monument 115,000	
		(h) Columbia Historic State	
		Park 420,000 (i) Eureka Bowl 500,000	
		(j) Weaverville Joss House	
		State Historical Monument 40,500	
		(k) Franks Tract 300,000 (l) Hendy Grove 550,000	
		(l) Hendy Grove 550,000 (m) Colorado River-Picacho 4-S	
		Ranch 100,000	
		(n) Colorado River-Quien Sabe	
		Point 75,000 (o) Mount San Jacinto State	
		Park 100,000	
		(p) Prairie Creek Redwoods State Park 500,000	
		State Park 500,000	

			Amount
(p)	Fort Ross State Historical		
	Monument	175,000	
(r)	Colusa-Sacramento River	7 0.000	
	State Park	50,000	
(s)	Bodie State Historical	200 000	
(+)	Monument Calaveras Big Trees State	200,000	
(0)	Park	40,000	
(u)	ParkAnza-Borrego State Park_	350,000	
(\mathbf{v})	Knowland State Arboretum	000,000	
• • •	and Park	90,000	
	Clear Lake State Park	177,970	
(x)	Imperial Sand Hills	75,000	
(y)	Lodi Lake	175,000	
(z)	Castle Crags State Park	150,000	
(aa)		×00.000	
/1.1. \	Park	500,000	
(aa)	Colusa-Sacramento River	50,000	
(cc)	State Park George J. Hatfield State	50,000	
(66)	Park	50,000	
(44)	Los Angeles County Joshua	50,000	
(uu)	Trees	250,000	
(ee)	TreesIde Adobe State Historical		
• •	Monument	50,000	
(ff)	Mitchell Caverns State Park	30,000	
(gg)	Grover Hot Springs Alabama Hills	100,000	
(hh)	Alabama Hills	50,000	
`(ii)	Big Basin Redwoods State	500.000	
/::\	ParkSonoma Mission State His-	500,000	
(jj)	torical Monument	150,000	
(z z \	Donner Memorial State	150,000	
(MA)	Park	150,000	
(11)	Pfeiffer Big Sur State Park	70,000	
(mm)	Mt. Tamalpais State Park	100,000	
(nn)	Fort Humboldt State His-	,	
` ,	torical Monument	150,000	
	Mount Diablo State Park	200,000	
(pp)	D. L. Bliss State Park	75,000	
(qq)	Henry Cowell Redwoods		
	State Park	60,000	
(rr)	Grizzly Creek Redwoods	175 000	
(00)	State ParkPetaluma Adobe State His-	175,000	
(88)	torical Monument	50,000	
(tt)		00,000	
(00)	Monument	60,000	
(uu)	Mecca Hills	75,000	
	Robert Louis Stevenson	·	
, ,	Memorial State Park	125,000	

Item		Amount
(ww) Benbow Lake Park	250,000	
	100,000	
(xx) Red Bank Creek (yy) Feather Falls Park	40,000	
(zz) Coe Ranch—Anderson Res-	10,000	
ervoir—Lexington Reser-	150,000	
voir Park	150,000	
(aaa) Portola State Park	175,000	
(bbb) Richardson Grove State	40.000	
Park	40,000	
(ccc) San Juan Bautista State	22.222	
Historic Monument	20,000	
(ddd) Shasta State Historic		
Monument	75,000	
(eee) Montgomery Memorial State		
Historic Monument	15,000	
(fff) McArthur-Burney Falls		
State Park	20,000	
(ggg) Fremont Peak State Park	10,000	
(hhh) Vallejo Home State His-		
torical Monument	50,000	
(iii) Samuel P. Taylor State	,	
Park	40,000	
(jjj) Los Encinos State Historic	,	
Monument	30,000	
(kkk) Palomar Mountain State	,	
Park	75,000	
(lll) Placerita Canyon State	, , , , , ,	
Park	220,000	
Park (mmm) Savings from completed	,	
projects reserved for aug-		
mentation		
(nnn) Puddingstone Park	2.000.000	
(000) Livingstone Upland Park	_,000,000	
on Palos Verdes Peninsula	150 000	
(nnn) La Mirada Park	400,000	
(ppp) La Mirada Park (qqq) Lake Elsinore State Park_	200,000	
(qqq) Lake Dishore State Lark	200,000	
Total of schedule1	6 332 370	
400a—For acquisition of real property s	uhiest to	
Public Works Board approval, and f	or major	
construction, development, improves		
equipping thereof, Division of Bea	ches and	
Parks, Department of Natural Reson	iross and	
the Lake Elsinore State Park	11008, 101	150,000
payable from the unencumbered be	alance of	100,000
Item 385, subdivision (n), of the Bu	doet Ast	
of 1955 and from the State Park Fu	ind · nro	
vided, that notwithstanding any of	ther pro-	
visions of law the appropriation mad	la hv thia	
item shall remain available for exp	nenditura	
until June 30, 1961.	, on an an	
and oano oo, roor.		

Item		Amount
400.1—For acquisition of real proj	perty for the	
State Park System subject to	Public Works	
Board approval, including both		
properties now owned and the		
new state beach parks, Division		
and Parks, Department of Natu		
in accordance with the follow	ing schedule,	10 599 675
payable from the State Beach F		12,333,013
provided, that notwithstanding visions of law the appropriation		
item shall remain available fo		
until June 30, 1961.	r capenditure	
Schedule:		
(a) Hueneme Beach	461,000	
(b) Torrey Pines Beach Sta		
Park		
(c) San Clemente Beach	200,000	
(d) Doheny Beach State Pa	rk_ 350,000	
(e) Imperial Beach		
(f) Thornton Beach State I		
(g) Stinson Beach		
(h) Montara Beach	125,000	
(i) Manhattan Beach State	175,000	
Park (j) Bolsa Chica Beach	175,000	
(k) Point Lobos Reserve Sta		
Park		
(1) Morro Bay State Park	12,000	
(l) Morro Bay State Park. (m) Pebble Beach	55,275	
(n) Pismo Beach State Par		
(o) Salinas River Beach	,	
(p) Benicia Beach		
(q) Van Damme Beach Stat		
Park	19,500	
(r) Mendocino City Beach		
(s) Surfriders Beach	175,000	
(t) Pismo-Avila-Cayucos-	. 1 100.000	
Cambria Beach State P.		
(u) Twin Lakes Beach State		
Park (v) Del Monte Beach		
(w) Russian Gulch State Pa		
(Mendocino County)	50,000	
(x) Santa Monica Beach		
State Park	900,000	
(y) Corona del Mar Beach	•	
State Park		
(z) Little Sur River		
(aa) Russian Gulch (Sonoma		
County)	90,000	

Amount

Item

(bb)	Carpinteria Beach State	000 000	
/ \	Park	300,000	
(cc)	Point Dume	800,000	
(dd)	Tomales Bay State Park Pomponio Beach	100,000	
(ee)	Pomponio Beach	75,000	
(ff)	Sunset Beach State Park	200,000	
	Seacliff Beach State Park	160,000	
	Pescadero Beach	75,000	
(ii)	Natural Bridges Beach	00.000	
(;;)	State Park	90,000	
(jj)	Del Norte Coast Redwoods State Park	50,000	
(lele)	Manchester Beach State	30,000	
(KK)	Park	130,000	
(ll)		450,000	
	Pacific Beach (Mission Bay	400,000	
(11111)	State Park)	400,000	
(nn)	Steele Beach	50,000	
	Miramontes Beach	75,000	
	Point Sal State Park	100,000	
	Bakers Beach State Park	30,000	
(44) (rr)	Sonoma Coast State Park_	350,000	
(ss)		000,000	
(88)	Park	45,000	
(t+)	Oso Flaco Lake Beach	200,000	
	Silver Strand Beach	200,000	
(uu)	State Park	48,000	
(vv)		±0,000	
(**)	State Park	60,000	
(ww)		00,000	
("")	Park	300,000	
(77)	Dry Lagoon Beach	75,000	
	Manresa Beach State Park	50,000	
(zz)	Moonlight Beach State	00,000	
(22)	Park	100,000	
(aaa)		100,000	
	Ellwood Beach	120,000	
(ccc)	San Simeon Beach	200,000	
(ddd)			
(/	projects reserved for		
	augmentation		
(eee)	Royal Palms Beach	500,000	
(fff)	Malibu Lagoon Beach State	,	
` ,	Park	160,000	
(ggg)	Palos Verdes Beach Access	ŕ	
	Ways	100,000	
	_		
	Total of schedule1	2,533,675	
400 2—For	acquisition of real property,	and the	
develo	pment thereof and impro	ovements	

Item	Amount
thereon, for a state park in San Francisco, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund	2,000,000
State Park Commission.	
400.3—For acquisition of real property in the im-	
mediate vicinity of existing or proposed large	
reservoirs for the State Park System, subject to Public Works Board approval, Division of	
Beaches and Parks, Department of Natural	
Resources, payable from the State Park Fund	500,000
Notwithstanding other provisions of this act	•
the appropriation made by this item shall be	
available for expenditure until June 30, 1961.	
401—For major construction, improvements and equipment, Division of Beaches and Parks,	
Department of Natural Resources, in accord-	
ance with the following schedule, payable	
from the State Park Fund	3,045,490
Schedule:	
(a) Angel Island State Park: Development 92,000	
(b) Big Basin Redwoods State	
Park: Development 33,000	
(c) Brannan Island State Park:	
Development 113,800	
(d) Calaveras Big Trees State Park: Development 116,360	
(e) Clear Lake State Park:	
Development 182,050	
(f) Colorado River (Picacho)	
State Park: Development 122,000	
(g) Colusa State Park: Development 91,250	
(h) Fort Tejon State Historical	
Monument: Development 37,000	
(i) Fremont Peak State Park:	
Development 30,000	
(j) Henry Cowell Redwoods State Park: Development 88,600	
(k) Humboldt Redwoods State	
Park: Development 183,000	
(l) Lake Folsom State Park:	
Development 529,000	

1ten.		Amount
(m) Lake Natoma State Park		
(Nimbus): Development	290,000	
(n) Los Angeles State Arbore-	,	
tum: Development	102,080	
(o) La Purisima State Historical	,	
Monument: Development	10,500	
(p) Monterey State Historical	,	
Monuments: Development	36,000	
(q) Morro Bay State Park:	,	
Development	89,000	
(r) Mt. Diablo State Park:	,	
Development	102,000	
(s) Mt. Tamalpais State Park:	. ,	
Development	60,000	
(t) Pfeiffer-Big Sur State Park:	,	
Development	68,500	
(u) Portola State Park:	,	
Development	27,000	
(v) Richardson Grove State	,	
Park: Development	85,150	
(w) Salton Sea State Park:	·	
Development	93,850	
(x) San Juan Bautista State		
Historical Monument: Devel-		
opment	25,000	
(y) Tule Elk Reserve State		
Park: Development	$88,\!350$	
(z) Savings from projects re-		
served for augmentation		
(bb) Gold Discovery Site—con-		
struct museum	100,000	
(dd) Pueblo de Los Angeles State		
Historical Monument Devel-		
opment	250,000	
	0.015.100	
Total of schedule		
401.1—For major construction, improven	nents and	
equipment, Division of Beaches ar	nd Parks,	
Department of Natural Resources, i		
ance with the following schedule,	, payable	1 670 000
from the State Beach Fund Schedule:		1,672,000
(a) Carlsbad Beach State Park:		
Development	50,400	
(b) Carmel River Beach State	00, 1 00	
Park: Development	24,000	
(c) Carrillo Beach State Park:	,000	
Development	155,300	
(d) El Capitan Beach State		
Park: Development	80,000	
	,	

Item	Amount
(e) MacKerricher Beach State Park: Development 59,250	
(f) New Brighton Beach State Park: Development 55,900	
(g) Pismo Beach State Park: Development 74,250	
(h) San Buenaventura Beach State Park: Development 84,810	
(i) Santa Monica Beach State Park: Development 300,000 (j) Seacliff Beach State Park:	
Development 50,000 (k) Silver Strand Beach State	
Park: Development 185,000 (1) Stinson Beach State Park:	
Development 103,000 (m) Thornton Beach State Park:	
Development 61,900 (n) Tomales Bay State Park:	
Development 109,690 (o) Van Damme Beach State	
Park: Development 38,500 (p) Savings from projects re-	
served for augmentation (q) Manhattan Beach State Park: Pier development 240,000	
Total of schedule 1,672,000	
401.2—For the construction and equipment of a state museum in, or in the vicinity of, Death	
Valley in Invo County to be known as the Death Valley Museum, Division of Beaches	
and Parks, Department of Natural Resources, payable from the State Park Fund provided, that no money shall be expended for acquisition of land, and all facilities comprising the Death Valley Museum shall be constructed on land donated for that purpose. 402—For minor construction, improvements, re-	350,000
pairs and equipment, Division of Beaches and Parks, Department of Natural Resources,	
payable from the State Beach Fund 403—For minor construction, improvements, re-	85,950
pairs and equipment, Division of Beaches and Parks, Department of Natural Resources,	
payable from the State Park Fund————————————————————————————————————	427,286
Parks, Department of Natural Resources, payable from the State Park Fund	100,000

Item Amount 405-For acquisition of sites, construction, improvements, and equipment for a system of roadside rests, Division of Beaches and Parks. Department of Natural Resources, payable from the State Park Fund_____ 450,000 provided, that, before any site for any roadside rest is selected, the board of supervisors of the county in which such roadside rest is to be located shall be consulted for advice and recommendations. In making this appropriation it is the intent of the Legislature that the costs of operation and maintenance of these facilities will be paid from funds available for park purposes. 406—For acquisition, relocation, and rehabilitation of historic ships, for the San Francisco Bay area, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund_____ 200,000 407—For acquisition of real property, construction, and any other expenditures applicable to the State Park System related to the relocation of the Redwood Highway, Humboldt County Route 1, Sections A, B, C, and D, Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund_____ 800,000 Notwithstanding any other provisions of law the appropriation made by this item shall remain available for expenditure until June 30, 1961. 407.1—For expenditure under contract with the Division of Highways, Department of Public Works, for the purpose of relocating the Redwood Highway, Humboldt County, Route 1, Section D, extending from the vicinity of Pepperwood to the vicinity of Dyerville, Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund 2,605,000 provided, that any expenditure from the appropriation made by this item shall be matched by the expenditure of a like or greater amount from the State Highway Fund for the same purpose which expenditure from the State Highway Fund shall be subject to Sections 188, 188.4 and 825 of the Streets and Highways Code; provided further, that notwithstanding any other provision of law the appropriation made by this

Item	Amount
item shall remain available for expenditure until June 30, 1961.	
408—For acquisition of real property, Division of	Division
Forestry, Department of Natural Resources,	of Forestry
in accordance with the following schedule, to	
be expended under the provisions of the	
Property Acquisition Law, payable from the	
Capital Outlay and Savings Fund	
Schedule:	100,000
(a) Red Mountain Fire Control	
Station site 3,500	
(b) District IV Headquarters 15,000	
(c) District V Headquarters 35,000	ı
(d) Western Shasta Forestry	
Honor Camp 50,000	l
Total of schedule 103,500	
409—For major construction, improvements and	
equipment, Division of Forestry, Department	
of Natural Resources, in accordance with the	
following schedule, payable from the Capital	
Outlay and Savings Fund	1,999,689
Schedule:	
(a) Construction of Forest Pro-	
tection Stations:	
Construction (5) 187,834	:
Equipment (5) 6,253	
(b) Forestry Honor Camps:	
Construction (2) 1,029,150	
Equipment (2) 187,520	
(c) District Headquarters:	
Fresno Headquarters:	
Construction 471,220	
Redding Headquarters:	
Vehicle and Equipment	
Shop:	
Construction 28,388	,
(d) Services:	
Engineering, planning and	•
inspection 89,324	ŧ
Total of schedule 1,999,689	-)
410—For major construction, improvements and	
equipment, Division of Forestry, Departmen	-
of Natural Resources, in accordance with the	
following schedule, payable from the State	
Park Fund	216,324
	,

	Item Schedule:	Amount
	(a) Flynn Springs Fire Control Station	63 15
	Total of schedule 216,33 411—For minor construction, improvements, a pairs and equipment, Division of Forestr	'е- У,
Division of Oil and Gas	Department of Natural Resources, payab from the Capital Outlay and Savings Fund 412—For minor construction, improvements, a pairs, and equipment, Division of Oil an	138,543 re- ad
Olympic Commission	Gas, Department of Natural Resources, pa able from the Petroleum and Gas Fund 413—For the California Olympic Commission, be expended in accordance with the prov	3,500 to vi-
	sions of Chapter 124. Statutes of 1955, pa able from the State Park Fund	y- 4,000,000 il- al li- il p- en of on or ne ed on ne ed on ii- ii d ii d y n

able for transfer to the Division of Beaches and Parks after completion of the games ex-

and Parks after completion of the games except that this limitation shall not apply to the bobsled run.

PUBLIC HEALTH

Department of Public Health

(a) Remodel existing storage area to office space_____

98,700

(b) Alteration to building including ventilation _____

50,000

48,700

Total of schedule_____ 98,700
415—For minor construction, improvements, repairs and equipment, Department of Public Health, payable from the Capital Outlay and Savings Fund ______

19,355

36,000

PUBLIC WORKS

416—For major construction, improvements and equipment, Division of Water Resources, Department of Public Works, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund_______Schedule:

Division of Water Resources

(a) Bank protection at Tisdale

36,000

Weir _____

Total of schedule_____ 36,000
417—For minor construction, improvements, repairs and equipment, Division of Water Resources, Department of Public Works, payable from the Capital Outlay and Savings Fund______

4,300

Reclamation Board

418—For land, easements and rights of way, including but not limited to, borrow pits, spoil areas and easements for levees, clearing, flood control works and flowage, which are a state obligation and necessary for the completion or operation of the Sacramento River Flood Control Project and for advances to the United States or payments to the United States or others for incidental construction

Amount

or reconstruction items which are an obligation of the State in connection with the completion or operation of the aforesaid project and for materials and necessary construction or reconstruction or alterations to highways, bridges, power lines, communication lines, pipelines and other structures and facilities and for appraisals, surveys and engineering studies incident thereto, the Reclamation Board, payable from the Flood Control Fund of 1946

1,700,000

Water Resources Roard 419—For allocation to the State Water Resources Board for reallocation to the Reclamation Board for lands, easements and rights of way, including, but not limited to, borrow pits, spoil areas and easements for levees, clearing. flood control works and flowage, which are a state obligation and necessary for the completion or operation of the San Joaquin River Flood Control Project as authorized by Section 12651 of the Water Code and for advances to the United States or payments to the United States or others for incidental construction or reconstruction items which are an obligation of the State in connection with the completion or operation of the aforesaid project and for materials and necessary construction or reconstruction or alterations to highways, bridges, power lines, communication lines, pipelines, and other structures and facilities and for appraisals, surveys and engineering studies incident thereto, payable from the Flood Control Fund of 1946_____

600,000

Water Project Authority 30, 1960; provided further, that, notwithstanding any other provisions of law, the 9,350,000

Amount

appropriation made by this item may be expended to reimburse the Division of Water Resources Revolving Fund for expenditures incurred prior to July 1, 1956, which may be properly chargeable to this item; provided further, that \$3,550,000 of this item shall be used only for engineering and exploration work, and for acquisition of reservoir sites for the Alameda-Contra Costa-Santa Clara-San Benito branch aqueduct in Alameda, Contra Costa, Santa Clara and San Benito Counties; provided further, that \$500,000 of this item shall be used only for studies of alternative coastal aqueduct routes; provided further, that \$200,000 of this item shall be used only for studies of alternative aqueduct routes to San Diego County; provided further, that \$200,000 of this item shall be used only for location studies, surveys, engineering and exploration work for an aqueduct to service areas within west and south San Joaquin Valley, including Kern County. Any money in the Division of Water Resources Revolving Fund may be expended or encumbered for expenditure prior to July 1, 1956, or subsequent thereto, for preparation of working drawings, designs, plans or specifications for the project described in this item as to which reimbursement of the fund therefor is authorized by this item.

273,000

VETERANS AFFAIRS

420—For major construction, improvements and equipment, Veterans' Home of California, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund

Veterans' Home

63,700

	Item Schodule.	Amount
Department of Veterans Affairs	Schedule: (a) Construct hospital kitchen improvements 27,500 (b) Equip recreation center (partial cost) 32,000 (c) Equip hospital wing (partial cost) 4,200 Total of schedule 63,700 421—For minor construction, improvements, repairs and equipment, Veterans' Home of California, payable from the Capital Outlay and Savings Fund	41, 020 350,000
Preliminary plans	UNALLOCATED 422—For preliminary plans, to be allocated by the Director of Finance, subject to approval by the State Public Works Board, to state agencies, payable from the Capital Outlay and Savings Fund The amount appropriated in this item is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future fiscal	650,000
Miscellane- ous repairs, etc.	year. 423—For miscellaneous repairs, improvements and equipment, to be allocated by the Director of Finance upon the approval of the State Public Works Board, payable from the Capital Outlay and Savings Fund	200,000

Item Amount 424—For transfer by the State Controller from the Transfer from General Fund, from time to time during the General 1956-57 Fiscal Year as the amount in the Gen-Fund eral Fund exceeds current needs, to the Capital Outlay and Savings Fund_____ 80,537,750 LOCAL ASSISTANCE SECTION EDUCATION Department 425—For support of child care centers, Depart-Ωf ment of Education, to be apportioned by the Education Child Care department in the manner provided by Sec-Centers tion 11 of Chapter 1427, Statutes of 1953, directly to school districts maintaining child care centers pursuant to Chapter 11, Division 9 of the Education Code_____ 4,604,048 426—For transfer by the State Controller to the Teachers' Retirement Teachers' Permanent Fund for operation of System the State Teachers' Retirement System 7,218,000 427—For transfer by the State Controller to the Retirement Annuity Fund for operation of the State Teachers' Retirement System ____ 19,546,000 428--For publishing, purchasing, and shipping Free textbooks free textbooks, Department of Education, in accordance with the following schedule____ 6.103,632 Schedule: (a) Salaries and Wages_____ 56,294 (b) Operating Expenses and Equipment _____ 6,080,138 Total of schedule_____ 6.136,432 Less estimated reimbursements____ 32,800 Net appropriation ____ 6,103,632 PUBLIC HEALTH Department 429—For assistance to cities, counties, local health of Public agencies and local health districts for the Health Local establishment of minimum standards of perassistance sonnel, organization and administration of (administralocal health departments, in accordance with the provisions of Chapter 8, Part 2, Division 1 of the Health and Safety Code, Department of Public Health _____ 3,364,032 Local health 430—For assistance to counties by the establishscruices. ment of local health services in accordance

with Section 1157 of the Health and Safety Code, Department of Public Health.....

110,099

Tuberculosis 431—For subsidies to 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 including an additional amount of thirty-five cents (\$0.35) per patient-day in accordance with Sections 3301.5(d) and 3301.6(d) of the Health and Safety Code.

Physically handicapped children

432—For assistance to counties, and cities and counties, to be expended for services to physically handicapped children, in accordance with provisions of Article 2 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, Department of Public Health. provided, that \$790,000 shall be for state-wide diagnoses; not to exceed \$50,000 shall be for state care of physically handicapped children whose county of residence cannot be established and the balance of this appropriation shall be made available to the several counties as follows:

(a) The State Department of Public Health shall allocate to each county and city and county an amount which, when added to the amount provided by the county or city and county pursuant to Section 270 of the Health and Safety Code, shall equal thirty-five cents (\$0.35) per capita of population of the county or city and county, determined as provided in Section 1101 of the Health and Safety Code, or shall equal the sum needed for the fiscal year as estimated by the State Department of Public Health and approved by the county or city and county not to exceed twenty thousand dollars (\$20,000), whichever is the greater.

If the sum appropriated in this item exceeds the amount allocated to all counties and cities and counties pursuant to the preceding sentence and if the amount allocated to any county or city and county pursuant to the preceding sentence when added to the sum provided by the county or city and county pursuant to Section 270 of the Health and Safety Code, is less than the sum needed for the fiscal year as estimated by the State Department of Public Health and approved by the county or city and county, the State Department of Public Health may make available from such excess to the county or city Amount

4,446,257

3.853,285

Item Amount

and county an additional amount in the event the department finds there is an unusually high crippled children's case load in the county or city and county, not to exceed ten cents (\$0.10) per capita of population of the county or city and county.

- (b) If the sum appropriated in this item exceeds the amount allocated to all counties and cities and counties pursuant to subsection (a) and if the amount allocated to any county or city and county pursuant to subsection (a) when added to the sum provided by the county or city and county pursuant to Section 270 of the Health and Safety Code, is less than the sum needed for the fiscal year as estimated by the State Department of Public Health and approved by the county or city and county, the State Department of Public Health may make available from such excess to the county or city and county an additional amount not to exceed twice any amount provided by the county or city and county in addition to that required by Section 270 of the Health and Safety Code.
- (c) Expenditures made under this item to reimburse counties and cities and counties for the State's share of the cost of such services shall be charged to the fiscal year in which the county or city and county issues its warrant in payment of such services. Expenditures made under this item on behalf of counties or cities and counties for the cost of such services shall be charged to the year in which the warrant is issued by the State Controller.

433—For assistance to local agencies in the treatment of minors with cerebral palsy, Department of Public Health. Of the amount herein appropriated there may be expended so much as may be necessary by the Department of Public Health to furnish therapeutic services in those areas where it deems the local agencies are unable or not ready to employ personnel directly

434—For subsidies to local districts and other public agencies for the control of mosquitoes, as provided by Chapter 5 5 of Division 3 of the Health and Safety Code, Department of Public Health; provided, that \$25,000 shall be available for research only

Cerebral palsied minors

691,572

Mosquito

400,000

Item Amount

Hospital facilities 435—For assistance to cities, counties, cities and counties, and local hospital districts in the construction of hospital facilities, Department of Public Health, to be expended under provisions of the California Hospital Survey and Construction Act_____ and in addition thereto any amounts remaining unexpended on June 30, 1956, in the appropriation made by Item 411, Budget Act of 1955, and Item 436, Budget Act of 1956.

4,545,439

436—For assistance to cities, counties, cities and counties, and local hospital districts in the construction of hospital facilities, Department of Public Health, to be expended under provisions of the California Hospital Survey and Construction Act Notwithstanding other provisions of this section, the amount made available by this item is available for expenditures incurred dur-

ing the 1955-56 Fiscal Year.

941,458

PUBLIC WORKS

Water Resources Roard allocations Los Angeles County Flood Control District

437—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 12688 of the Water Code, payable from the Flood Control Fund of 1946_____ The allocation made by this item is subject to Sections 12829 and 12830 of the Water Code and is, to the extent of such allocation, in fulfillment of the policy set forth in Part 6, Division 6 of the Water Code, that the State will participate in the prosecution of the projects approved and authorized in said code by paying for the cooperation which is required by the acts of Congress approving and authorizing the projects. The State Water Resources Board shall determine the amounts in which each of such reallocations shall be made. The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1958.

594.000

Sonoma and 438—For allocation to the State Water Resources Board for reallocation to the Sonoma County

Mendocino County Flood Control, etc., Districts

Item Amount

Flood Control and Water Conservation District and Mendocino County Flood Control and Water Conservation 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 Russian River Flood Control Project, adopted and authorized by Section 12698 of the Water Code, payable from the Flood Control Fund of 1946______

The allocation made by this item is subject to Sections 12829 and 12830 of the Water Code and is, to the extent of such allocation, in fulfillment of the policy set forth in Part 6, Division 6 of the Water Code, that the State will participate in the prosecution of the projects approved and authorized in said code by paying for the cooperation which is required by the acts of Congress approving and authorizing the projects. The State Water Resources Board shall determine the amounts in which each of such reallocations shall be made. The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1960.

439—For allocation to the State Water Resources Board for reallocation to the Riverside County Flood Control and Water Conservation 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 Santa Ana River Basin Project, adopted and authorized by Section 12679 of the Water Code, payable from the Flood Control Fund of 1946_____ The allocation made by this item is subject to Sections 12829 and 12830 of the Water Code and is, to the extent of such allocation, in fulfillment of the policy set forth in Part 6, Division 6 of the Water Code, that the State will participate in the prosecution of the projects approved and authorized in said code by paying for the cooperation which is required by the acts of Congress approving and authorizing the projects. The State Water Resources Board shall determine the amounts in which each of such reallocations shall be made. The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1960.

64,000

Riverside County Flood Control, etc., District

2.412.000

Amount

San Bernardino County Flood Control District 427,000

The allocation made by this item is subject to Sections 12829 and 12830 of the Water Code and is, to the extent of such allocation, in fulfillment of the policy set forth in Part 6, Division 6 of the Water Code, that the State will participate in the prosecution of the projects approved and authorized in said code by paying for the cooperation which is required by the acts of Congress approving and authorizing the projects. The State Water Resources Board shall determine the amounts in which each of such reallocations shall be made. The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1960.

Contra Costa 441— County Flood Control, etc., District

For allocation to the State Water Resources Board for reallocation to the Contra Costa County Flood Control and Water Conservation District for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in aid of the Walnut Creek Watershed Protection Project, authorized by Section 12865 (a) of the Water Code, payable from the Flood Control Fund of 1946

927,500

The allocation made by this item is subject to Sections 12874 and 12875 of the Water Code and is, to the extent of such allocation, in fulfillment of the policy set forth in Part 6, Division 6 of the Water Code, that the State will participate in the prosecution of the projects approved and authorized in said code by paying for the cooperation which is required by the acts of Congress approving and authorizing projects; provided, however, that prior to any reallocation by the State Water Resources Board the Contra Costa County Flood Control and Water Conservation District shall give assurances to the board that the district will maintain and operate the project after completion in such manner as will ac-

complish the purposes for which the project was authorized and constructed and as may be required by the Secretary of Agriculture, the State Water Resources Board, and the State of California, and that the district will hold and save the State of California free from damages or claims due to the construction, installation, or operation of the project. The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1960.

442—For transfer by the State Controller to the Flood Control Fund of 1946, from the General Fund

442.1—For allocation and expenditure by the Public Utilities Commission to assist cities, counties, and cities and counties in paying their shares of the cost of constructing grade crossing protection works, in augmentation of the appropriation made by Chapter 1739 of the Statutes of 1953, payable from the State Highway Fund

442.2—For allocation to the State Lands Commission for removing the island in the channel of Eel River in the vicinity of the bridge on State Highway Route 56 at Fernbridge in Humboldt County, subject to determination of need by the State Public Works Board. from State Lands Act Fund

SOCIAL WELFARE

443—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

Amount

Flood Control Fund of 1946

5,184,110

Public Utilities Commission Grade crossing protection works

200,000

State Lands Commission: Eel River channel island

20,000

Postwar Unemploy - ment and Construction Fund

Department of Social Welfare Social services reimbursement

	Item		Amount
		agencies for the care of the aged, Department of Social Welfare, to be expended in accordance 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 Item 272 for support of the Department of Social Welfare, upon executive order of the Director of Finance.	989,400
	444—	For reimbursement to counties for the cost of the adoption programs and care of children in accordance with Sections 1640 through 1644 of the Welfare and Institutions Code, State Department of Social Welfare, in accordance with the following schedule.	1,554,983
		(a) Administration 1,547,483 (b) Cost of care 7,500	
Transporta- tion of needy children	445—	Total of schedule	2,500
	116	OTHER PURPOSES -For State's share of salaries of judges of	
Compensa- tion Superior court judges	440-	superior courts as provided by Section 68206 of the Government Code.	2,117,000
County service officers		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	350,000
County agricultural commis- sioners, etc	448-	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	145,666
		63.5 of the Agricultural Code	140,000

449-For furnishing of workmen's compensation to civil defense 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, Governor's Office, Office of Civil De-

fense _____ 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 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.

450—For reimbursements to counties for maintenance of juvenile homes and camps, Department of the 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.... Amount

Workmen's compensation to civil defense workers

25,000

Juvemle homes and

Department

Employment

1,345,000

UNEMPLOYMENT ADMINISTRATION

451—For administration of unemployment compensation disability benefits, Department of Employment, payable from the Unemployment Compensation Disability Fund, in accordance with the following schedule_____ Schedule:

3,767,474

(a) Salaries and Wages____ 2,837,687

(b) Operating Expenses and 929,787 Equipment _____

Total of schedule 3,767,474

452—For additional support of the Department of Employment, payable from the Department of Employment Contingent Fund, and in addition thereto any grants made available by the Federal Government; provided, that all Item

Amount

or any portion of this appropriation may be transferred to the Unemployment Administration Fund upon executive order of the Director of Finance_____

36,789

STATE CONSTRUCTION BOND ACT PROGRAM

Contingent appropriataon

SEC. 2.5. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1956-57, 1957-58, and 1958-59 Fiscal Years for expenditure only for the program contemplated by the State Construction Program Act of 1955. The availability of any such item of appropriation shall be contingent upon the approval by the people of Assembly Constitutional Amendment No. 17 (Resolutions Chapter 239, Statutes of 1955) ratifying and validating the provisions of said act and authorizing the issuance and sale of bonds as provided therein.

Los Angeles State College: San Fernando Valley campus

Item 453—For major construction, improvements, and equipment on San Fernando Valley Campus, Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule, payable from the State Construction Program Fund

4,287,750

Amount

Schedule:

(a) Construct science building on San Fernando Valley Campus _____ 2,756,800

(b) Construct library building on San Fernando Valley Campus ______ 1,530,950

Total of schedule_____ 4,287,750

General Fund

Sec. 2.6. That portion of the unencumbered balance of the Department of Employment Contingent Fund which at any time during the 1956-57 Fiscal Year exceeds one million dollars (\$1,000,000) is hereby appropriated for transfer to the General Fund, such transfer to be made from time to time upon order of the State Controller.

Revolving funds

Sec. 3. The unexpended balance of the appropriation made by Item 287, Budget Act of 1952, as amended by Item 283, Budget Act of 1953, and as amended by Section 4, Budget Act of 1954, and Section 3, Budget Act of 1955, is hereby reappropriated for augmentation of revolving funds during the 1956-57 Fiscal Year, to be transferred by the State Controller in such amounts and for such periods as the Director of Finance may authorize; provided further, that any amounts withdrawn may be returned to the credit of this appropriation as the Director of Finance may authorize.

SEC. 4. Any construction or improvement project included construction in any appropriation out of the Capital Outlay and Savings and improvement Fund, Fair and Exposition Fund, Motor Vehicle Fund, State projects. Beach Fund, State Park Fund, and State College Fund made herein for major construction, improvements and equipment or for acquisition of real property shall be subject to the provisions of Section 15790 of the Government Code.

SEC. 5. No money appropriated herein in any item for Limitations major construction, improvements, and equipment, designs, working plans, and specifications may be expended by any state agency except amounts needed for preliminary surveys, studies, and planning until the State Public Works Board and the Department of Finance have approved preliminary plans for the project to be financed from such item of appropriation for major construction, improvements, and equipment, designs, working plans, and specifications. All appropriations heretofore made for major construction, improvements, and equipment, which are still available for expenditure, are hereby reappropriated for the same purposes and for the same period as heretofore provided by law, but, except as to amounts needed for preliminary plans, shall not be expended until the State Public Works Board and the Department of Finance have approved preliminary plans for the project or projects to be financed from the appropriation; provided, that this restriction shall not apply to projects for which working drawings have been started as of the effective date of this act; provided further, no major project for which appropriation is made hereunder regarding which the Director of Finance or his authorized representative requests review of working plans shall be put out to bid until the working plans therefor have been approved by the Department of Finance; provided further, that no money appropriated herein may be spent for working drawings for any project as to which there has been made substantial change or changes from the preliminary plans as approved by the State Public Works Board and the Department of Finance unless there has first been obtained the approval of the Department of Finance to make such change or changes; provided further, that no money appropriated herein may be spent for equipment until prior approval for purchase of such equipment shall have been given by the Department of Finance.

Nothing herein contained shall be construed to limit or con- Exceptions trol the Regents of the University of California in the expenditure of funds appropriated for major construction, improvements, and equipment for the use, development or enlargement of the University of California.

Sec. 5.5. Any appropriation herein contained for major Expenditures construction, improvements, and equipment, designs, working for preparaplans, and specifications may be expended to reimburse the etc Division of Architecture Revolving Fund or the University of California for expenditures incurred prior to July 1, 1956, for

preparation of working drawings, designs, plans or specifications; provided, that the State Public Works Board and the Department of Finance have approved preliminary plans for the project to be financed from such item of appropriation in accordance with Section 5 hereof or any applicable similar section of a previous Budget Act. Any money in the Division of Architecture Revolving Fund may be expended or encumbered for expenditure prior to July 1, 1956, or subsequent thereto, for preparation of working drawings, designs, plans or specifications for any project as to which reimbursement of the fund therefor is authorized by this section.

Nothing herein contained shall be construed to limit or control the Regents of the University of California in the expenditure of funds appropriated for major construction, improvements, and equipment for the use, development or enlargement of the University of California.

Capital Outlay and

Sec. 6. All appropriations made from the Capital Outlay Savings Fund and Savings Fund by this act shall be available for the period prescribed by Section 16407.1 of the Government Code, and the appropriations made by Items 292.5, 293, 342.1, 354.1, 356, 360, 361.1, 361.2, 361.3, 363, 364, 395, 396, 398, 401, 401.1, 401.2, 404, 405, 406, 410, 419.6, and 421.5 of this act shall be available until June 30, 1959, notwithstanding the provisions of Section 2 hereof which specify general availability of appropriations during the 1956-57 Fiscal Year.

Reappropriafrons Capital Outlay and Savings Fund

Sec. 6.1. Notwithstanding the provisions of Chapter 1600, Statutes of 1953, the unexpended balances as of June 30, 1956, of the following appropriations, payable from the Capital Outlay and Savings Fund, are reappropriated for the purposes provided for in said appropriations, and shall be available for expenditure until June 30, 1957:

Chapter 939, Statutes of 1941, as amended by Chapter 38, Statutes of 1944 (Fourth Extraordinary Session)

Chapter 23, Statutes of 1944 (Fourth Extraordinary Ses-

Chapter 87, Statutes of 1946

Chapter 147, Statutes of 1946

Chapter 1104, Statutes of 1947

Chapter 1105, Statutes of 1947

Chapter 1131, Statutes of 1947

Budget Act of 1949, Items 323, 372.3(c), 372.3(e), 372.5(k), and 372.5(l)

Budget Act of 1950, Items 286, 406, 407, and 423

Budget Act of 1952, Items 298, 327(c), 329(a), 329(b), 329(c), 332, 335(a), 336.1, 337(b), 338(a), 338(c), 347, 357, 360, 375(c), 381(a), and 387(a)

Budget Act of 1953, Items 306, 307, 313(b), 317(b), 319(c), 319(d), 319(e), 322(a), 322(b), 322(e), 325(e), 325(f), 325(g), 327(b), 338, 341, 364(b), 366(b), 366(e), 384, and 390

Chapter 9, Statutes of 1953

Chapter 194, Statutes of 1953

Chapter 198, Statutes of 1953

SEC. 6.2. The unexpended balance as of June 30, 1956, in the appropriations made by the statutes herein listed:

Item 439, Budget Act of 1950

Item 446, Budget Act of 1950

Section 3.4, Budget Act of 1950

Item 345, Budget Act of 1951

Item 345.1, Budget Act of 1951

Item 394, Budget Act of 1952

Item 370, Budget Act of 1953

Item 371, Budget Act of 1953

That part of Chapter 145, Statutes of 1946, as amended by Section 4, Budget Act of 1947 which provided \$2,000,-000 for the Adjutant General and National Guard

are reappropriated and shall be available for expenditure until June 30, 1957, for major construction, improvements, and equipment, Military Department and California National Guard, payable from the Capital Outlay and Savings Fund and in addition thereto any grants made available by the Federal Government; provided, no expenditure shall be made from this appropriation until receipt of assurances satisfactory to the Director of Finance that the Federal Government will reimburse the State for not less than 50 percent of the cost of construction, to be expended in accordance with the following schedule:

SCHEDULE A

Anaheim

Banning

Barstow

Culver City—Addition

Fairfax

Indio

Monterey Park

Oakland

Placerville

Sacramento

San Lorenzo—Addition

Santa Ana

Sunnyvale—Addition

To the extent that the State Public Works Board determines that funds are available after making allocations for all armories in the above schedule, this appropriation may be expended for armories in accordance with the following schedule and order; and provided further, that, in the event sufficient funds are not available to construct the last armory in Schedule A above, this appropriation may be expended for construction of an armory listed in the following schedule insofar as funds are available:

SCHEDULE B

Riverside Fontana South Gate Eureka Menlo Park Escondido

The location designation in the above schedules shall be liberally construed so as to include any location within 10 miles of a city or town named therein. It is further provided that the priority for construction of armories may be adjusted with the approval of the Public Works Board to conform to any requirements made in connection with grants by the Federal Government, or changing requirements within the State.

Provided further, that, upon recommendation of the Adjutant General and approval of the Public Works Board, two (2) or more smaller armories in the same area may be substituted for a larger armory included in the above schedules.

State College Fund SEC. 6.3. The unexpended balances as of June 30, 1956, of the appropriations, payable from the State College Fund, made by Item 302.1, Budget Act of 1951; Item 315, Budget Act of 1953; Item 308, Budget Act of 1954; and Item 315, Budget Act of 1955; are reappropriated for the purposes provided for in said appropriations for expenditure during the 1956-57 Fiscal Year.

General Fund

SEC. 6.4. The unexpended balance as of June 30, 1956, of the appropriation payable from the General Fund made by Chapter 1509, Statutes of 1953, is reappropriated for the purposes provided for in said appropriation for expenditure during the 1956-57 Fiscal Year.

Los Angeles County Flood Control District

Sec. 6.5. The appropriation made by Item 384, Budget Act of 1954, is hereby reappropriated for the purpose set forth in said item and shall be available for expenditure until June 30, 1960.

Reversions: Capital Outlay and Savings Fund

SEC. 7. The unexpended balances as of the effective date of this act of the following appropriations shall revert to the unappropriated surplus of the Capital Outlay and Savings Fund:

Item 288, Budget Act of 1954 Item 295, Budget Act of 1954.

SEC. 7.1. The unexpended balance as of June 30, 1956, of that part of the appropriation made by Schedule (a) of Item 310, Budget Act of 1955, shall revert to the unappropriated surplus of the Capital Outlay and Savings Fund.

General Fund

SEC. 7.2. The unexpended balance as of June 30, 1956, of the appropriation made by Chapter 12, Statutes of 1953 (First Extraordinary Session), shall revert to the General Fund.

Sec. 7.3. As of June 30, 1956, thirty-eight thousand dollars (\$38,000) shall revert to the General Fund from the appropriation made by Chapter 507, Statutes of 1955.

SEC. 7.4. The unexpended balance in the appropriation made by Chapter 19, Statutes of 1947 (First Extraordinary Session), as amended by Chapter 17, Statutes of 1949, as of the effective date of this act shall revert and shall be transferred from the State Highway Fund to the General Fund.

Sec. 7.5. The unexpended balance as of June 30, 1956, in the appropriations made by Chapter 1422, Statutes of 1945, which was transferred from the General Fund to the State Beach Fund and State Park Fund by the provisions of Section 3.7, Budget Act of 1948, shall revert to the unappropriated surplus of the respective funds, and there shall be transferred from the State Beach Fund and the State Park Fund to the General Fund the amounts equal to the amounts of such unexpended balances.

SEC. 8. No money appropriated by this act shall be used salaries of to pay the salary of any authorized state position, which posi-vacant positions tion was vacant and had been vacant or continuously unfilled during the period between October 1, 1955, and July 1, 1956. except with the specific approval of the Department of Finance, subsequent to July 1, 1956.

The Department of Finance, not later than 30 days prior to the convening of the 1957 General Session of the Legislature, shall present to the Joint Legislative Budget Committee, assembled in meeting, a report of all positions as of July 1, 1956, which were vacant or continuously unfilled during the period between October 1, 1955, and July 1, 1956, and a report of all authorizations to fill vacant positions and all positions abolished pursuant to this section.

SEC. 9. No purchase order for acquisition or replacement Purchase of of motor vehicles shall be issued against any appropriation vehicles made herein until the Department of Finance has investigated and established the necessity therefor.

All passenger type motor vehicles purchased from any appropriation made by this act for the use of state employees and officers, except constitutional officers, shall be of the light class, as defined by the Board of Control, unless excepted by the Director of Finance on the basis of unusual requirements, such as use by the Highway Patrol, which would justify the need for an automobile of a heavier class.

Sec. 10. All passenger type motor vehicles purchased either from any appropriation made by this act or from any other appropriation available therefor for the use of the Department of Public Works, except for use of officers excepted in Section 9 of this act, shall be of the light class, as defined by the Board of Control, unless excepted by the Director of Finance on the basis of unusual requirements which would justify the need for an automobile of a heavier class.

Sec. 11. None of the money appropriated by this act or Limitations for an expenditure which is supplemented from money appro- expenditures priated by this act shall be used to purchase furnishings for House or apartment any house or apartment of three or more rooms other than a furnishings dormitory which is rented to a state employee except for a

superintendent of an institution, warden of a prison, or physicians. This provision shall not apply to the purchase of refrigerators, heaters, air conditioning equipment, stoves, linoleum, or equipment normally furnished in construction of the house as may be determined by the Board of Control. Any such funds that are appropriated by this act for this purpose shall be held intact and be reverted to the fund from which they were appropriated. It is the intent of the Legislature that no money shall be appropriated henceforth for the purpose of house furnishings. Such furnishings are not to be provided by the State nor shall any money be paid from this appropriation for their replacement, repair or otherwise except in connection with the disposal of the same.

(afeteria, equipment, etc. SEC. 12. No moneys appropriated by this act shall be used to purchase equipment or supplies for employee cafeterias or for the cafeteria type blind vending stand where hot meals are served, in any state office building, unless such cafeteria or vending stand has previously been established or the amount therefor is expressly authorized by a schedule in this act.

Office furnishings SEC. 13. No money appropriated by this act shall be used, either directly or by supplementing any other appropriation, to furnish rugs or carpets for any state office except for offices used by elective officers and other department heads. The Director of Finance shall furnish a detailed report annually to the Joint Legislative Budget Committee of all rugs or carpets purchased for state offices under this section.

Scope of appropriations. Support SEC. 14. 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.

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

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.

Limitation of expenditures

Whenever appropriation is made in accordance with a schedule set forth after such appropriation, the expenditures from such item for each category or project included in the schedule shall be limited to the amount specified for such category or project, except as otherwise provided in this act. Each such schedule 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.

Definitions

As used in this act in reference to such schedules "category" means a class of expenditures such as, but not limited to:

(a) "Salaries and wages" which 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;

(b) "Operating expenses and equipment" which shall include all expenditures for purchase of materials, supplies, equipment, services (other than services of state officers and employees), and all other proper expenses;

(c) "Construct" when used in connection with a capital outlay project shall include all such related things as fixtures,

installed equipment, and auxiliary facilities.

For the purpose of further interpreting the meaning of the words, terms and phrases used in such schedules, reference is hereby made to that document entitled "State of California Budget for the Fiscal Year July 1, 1956, to June 30, 1957," submitted by the Governor to the Legislature at the 1956 Regular Session, 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.

Sec. 15. The Director of Finance may, pursuant to a re-Transfers quest by the officer, department, division, bureau, board, com- categories mission, or other agency to whom an appropriation is made herein, authorize the augmentation of the amount available for expenditure for a category or project designated in any schedule set forth for such appropriation in Section 2 by transfer from any of the other designated categories or projects 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.

SEC. 16. The Director of Finance may authorize the aug- Augmentamentation of the amount available for expenditure for any category in 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 1956-57 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.

The Director of Finance may also reduce any category when- Reductions ever he determines that funds to be received will be less than the amount taken into consideration in the schedule.

SEC. 17. Premiums for official bonds may be paid out of Premiums appropriations contained in this act, notwithstanding the for official period covered by such bonds.

Expenditures from Emergency Fund, etc SEC. 18. Whenever an expenditure is authorized from the Emergency Fund, from Price Increase Funds, from the Salary Increase Funds, 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.

Transfers of nuneeded funds

- SEC. 19. The State Board of Control, upon recommendation of the Director of Finance, may authorize that unneeded funds in an appropriation for support for an institution or for family care, school or college within any of the following agencies may be made available, and shall be deemed appropriated, for the support of another institution or for family care, school or college within the same department:
- (a) Department of Corrections, upon request of the Director of Corrections;
- (b) Department of the 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.

Transfers of appropriations to succeeding officers of agencies

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

SEC. 21. Whenever the duties, powers, purposes, responsibilities and jurisdiction of any office, board, commission or other state agency are abolished by law the unexpended portion of 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. 22. 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.

SEC. 23. The appropriations under this act, unless other-Expenditure wise provided, shall be subject to the provisions of Section productions 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.

The fiscal year budget shall authorize in such manner as the Established Department of Finance shall prescribe all established positions whose continuance for the year is approved and all new positions. No new positions or change in grade or class of an existing position shall be established unless authorized by the Department of Finance on the basis of work program and organization.

Each fiscal year budget shall provide for a salary savings Salary reserve to which shall be transferred on a document initiated reserve by the agency and submitted to 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, 1956, 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.

SEC. 24. The officers of the various departments, boards, Expenditures commissions and institutions, for whose benefit and support appropriaappropriations are made in this act, are expressly forbidden to tions 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.

Effect of item veto

SEC. 25. 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.

Constitutionality SEC. 26. 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. 27. 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

Urgency

SEC. 28. 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 exists an extreme shortage of physical facilities for the operation of the custodial, mental treatment, educational, administrative, military and other agencies of the State Government, the present facilities being entirely inadequate due to great increases in population and added governmental responsibilities. The capital outlay appropriations in this budget are all in continuation of an existing program to remedy the aforesaid shortage of facilities and to promote and sustain the economy of the State. If they are not available for expenditure on July 1, 1956, the existing program will be delayed. The expeditious correction of such condition and the efficient operation of the State's business require the immediate availability of the new capital outlay appropriation and the uninterrupted availability of reappropriated capital outlay items contained in this measure. It is therefore necessary that this act go into immediate effect.

CHAPTER 2

An act to add Article 7 (consisting of Section 13880) to Chapter 5 of Part 8 of Division 2 of the Revenue and Taxation Code, relating to the exemption from inheritance taxation of benefits or payments received under public retirement systems

[Approved by Governor April 6, 1956 Filed with Secretary of State April 13, 1956]

In effect July 3, 1956

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

SECTION 1 Article 7 (consisting of Section 13880) is added to Chapter 5 of Part 8 of Division 2 of the Revenue and Taxation Code, to read:

Article 7. Pension Exemption

13880. The right of any person to a pension, retirement allowance, return of contributions, the pension, retirement allowance, any optional benefit, or any other right accrued or accruing to any person under any public retirement system is exempt from the tax imposed by this part.

CHAPTER 3

An act to amend Section 13303 of the Revenue and Taxation Code, relating to the imposition of inheritance taxes on the property of deceased nonresidents of the United States.

> [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

In effect July 3, 1956

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

Section 1. Section 13303 of the Revenue and Taxation Code is amended to read as follows:

13303. "Estate" or "property" means the real or personal property or interest therein of a decedent or transferor, and includes all of the following:

(a) All intangible personal property of a resident decedent within or without the State or subject to the jurisdiction thereof.

(b) All stock of a California corporation, or of a federal corporation or national bank which has its principal place of business in California, and all other intangible personal property in California belonging to a deceased nonresident of the United States except bank deposits, unless such deposits are held and used in connection with a business conducted or operated, in whole or in part, in California.

CHAPTER 4

An act to add Sections 10206.5, 10222, 10326.5, 10341, 10450.6, 10451.5, 10586.5, and 10602 to, and to amend Sections 10155, 10156, 10156.2, 10161, 10161.7, 10200, 10201, 10203, 10204, 10205, 10206, 10209.5, 10210, 10211, 10212, 10213, 10213.5, 10214.5, 10215, 10279, 10279.2, 10284, 10284.7, 10320, 10321, 10321.5, 10323, 10324, 10325, 10326, 10329.5, 10330, 10331, 10332, 10333, 10334.5, 10335, 10450, 10452, 10453, 10519, 10519.5, 10524, 10524.7, 10580, 10581, 10581.5, 10583, 10584, 10585, 10586, 10590, 10591, 10592, 10593, and 10595 of, the Business and Professions Code, relative to business opportunity, mineral, oil and gas, and real estate brokers and salesmen, and the fees therefor.

In effect July 3, 1956 [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956.]

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

Section 1. Section 10155 of the Business and Professions Code is amended to read:

Limited real estate salesmen s licenses 10155. A limited real estate salesman's license does not confer any property right in the privileges to be exercised thereunder, and the commissioner may revoke or suspend such license without a hearing. Such license shall be issued for a period not to exceed 120 days. Such license shall not be renewed; and it shall not be transferred without the consent of the commissioner. The holder of a limited real estate salesman's license may not sign any contract or agreement on behalf of the broker with whom he is employed.

Sec. 2. Section 10156 of the Business and Professions Code is amended to read:

Waiver of evaminations Real estate broker

10156. The commissioner may, in his discretion, waive the examination of any applicant for a real estate broker's license who held an unrevoked or unsuspended renewal real estate broker's license, within the one-year period immediately preceding the date of the application for such renewal license, as an individual broker, an officer of a corporation or a member of a copartnership.

Real estate salesman The commissioner may, in his discretion, waive the examination of any applicant for a real estate salesman's license who held an unrevoked or unsuspended renewal real estate

salesman's license, within the one-year period immediately preceding the date of the application for such renewal license.

SEC. 3. Section 10156.2 of the Business and Professions

Code is amended to read:

10156.2. An application on the form prescribed by the Operation commissioner for the renewal of a license, filed before mid-licenses night of the last day of the period for which a previous renewal license was issued, or midnight of the expiration date of an original license under which the holder has been notified that he is eligible for a renewal license, accompanied by the applicable renewal fee, entitles the applicant to continue operating under his existing license after its specified expiration date, if not previously suspended or revoked, and until such date as he is notified in writing that the application has been granted or denied.

Section 10161 of the Business and Professions Sec. 4. Code is amended to read:

Immediately upon the real estate salesman's with- Licenses. drawal from the employ of the real estate broker, the real Cancellation estate broker shall return the real estate salesman's license to the commissioner for cancellation. A license canceled but not suspended or revoked may be reinstated at any time during the period for which the license was issued, upon receipt of application therefor and the fee for the reinstatement of his license.

Sec. 5. Section 10161.7 of the Business and Professions Code is amended to read:

10161.7. A licensed real estate broker or salesman may re- Inactivation quest that his license be inactivated. The commissioner shall thereupon issue to such person an inactive license certificate. This inactive license certificate may consist of the license itself, with an endorsement stating that it is inactive and does not permit the holder to transact business under it.

An inactive license which is not suspended or revoked may be reinstated at any time during the period for which the license was issued, and may be renewed each four-year period upon the making of application therefor and the payment of the appropriate fee.

The holder of an inactive broker license need not maintain a place of business or a sign as required by Sections 10162 and 10164.

The holder of an inactive license shall not be entitled to act in any capacity for which the license is required until the license has been reinstated.

Sec. 6. Section 10200 of the Business and Professions Code is amended to read:

10200. All real estate license fees shall be payable in ad-Fees vance of issuing the licenses and at the time of filing the application.

Unless otherwise provided, all licenses expire at midnight of Expiration the last day of the period for which issued.

Sec. 7. Section 10201 of the Business and Professions Code is amended to read:

Renewal fees 10201. If a person fails to apply for a renewal of his license prior to midnight of the last day of the period for which the license was issued, no renewal license shall be issued to him except upon payment of a renewal fee in an amount one and one-fourth times the amount otherwise required for renewal.

Sec. 8. Section 10203 of the Business and Professions Code is amended to read:

Original real estate broker

10203. An original real estate broker's license is a real estate license issued to a person who did not have a renewal real estate broker's license within the one-year period immediately preceding the date of the application for such license, or who had failed to become eligible for a renewal license under a previous original real estate broker's license.

Sec. 9. Section 10204 of the Business and Professions Code is amended to read:

Renewal real estate broker 10204. A renewal real estate broker's license is a real estate license issued to a person who had a renewal real estate broker's license, unrevoked or unsuspended, within the one-year period immediately preceding the date of the application for such renewal license, or who had become eligible for a renewal license, during the preceding three months, under an original real estate broker's license.

Sec. 10. Section 10205 of the Business and Professions Code is amended to read:

Original real estate salesman 10205. An original real estate salesman's license is a real estate license issued to a person who did not have a renewal real estate salesman's license within the one-year period immediately preceding the date of the application for such license, or who had failed to become eligible for a renewal license under a previous original real estate salesman's license.

Sec. 11. Section 10206 of the Business and Professions Code is amended to read:

Renewal real estate salesman 10206. A renewal real estate salesman's license is a real estate license issued to a person (1) who had a renewal real estate salesman's license or a renewal broker's license unrevoked or unsuspended within the one-year period immediately preceding the date of the application for such renewal license, or (2) who had become eligible for a renewal license during the preceding three months under an original real estate salesman's license, or (3) who had failed to qualify for a renewal real estate broker's license during the preceding three months under an original real estate broker's license, but who has satisfied all the requirements for a renewal salesman's license pursuant to the provisions of Section 10153.6.

SEC. 12. Section 10206.5 is added to the Business and Pro-

fessions Code, to read:

10206.5. All renewal real estate broker's licenses and renewal real estate salesman's licenses which were issued and

Renewal periods effective prior to October 1, 1955, shall on or after July 1, 1957, be issued for periods of four years.

All renewal real estate broker's licenses and renewal real estate salesman's licenses which are based on original licenses issued on or after October 1, 1955, shall be issued for periods of four years effective on or after July 1, 1956.

Except that as to renewal licenses issued during the 12 months beginning July 1, 1957, the commissioner shall adopt regulations to effect staggered renewal periods by issuing renewal licenses for less than a four-year period. The commissioner shall apportion the renewal license fee of licenses issued for periods less than four years proportionate to the period for which such license was renewed.

Sec. 13. Section 10209.5 of the Business and Professions Code is amended to read:

10209 5. Effective July 1, 1956, the restricted broker's License fees license fee is fifty dollars (\$50) for a four-year period.

SEC. 14. Section 10210 of the Business and Professions Code is amended to read:

10210. Effective July 1, 1956, the renewal real estate Renewal broker's license fee is fifty dollars (\$50) for a four-year leal estate period.

Section 10211 of the Business and Professions Sec. 15. Code is amended to read:

10211. If the licensee is a corporation, the license issued Corporation to it entitles one officer thereof, on behalf of the corporation, to engage in the business of real estate broker without the payment of any further fee, such officer to be designated in the application of the corporation for a license. For each officer other than the officer so designated, through whom it engages in the business of real estate broker, the appropriate original or renewal fee is to be paid in addition to the fee paid by the corporation.

Sec. 16. Section 10212 of the Business and Professions Code is amended to read:

10212. If the licensee is a copartnership, the license issued Partnership to it entitles one member only of the copartnership to engage on behalf of the copartnership in the business of real estate broker, which member shall be designated in the application of the copartnership for a license. For each other member of the copartnership who on behalf of the copartnership engages in the business of real estate broker the appropriate original or renewal fee is to be paid in addition to the fee paid by the copartnership.

Sec. 17. Section 10213 of the Business and Professions Code is amended to read:

10213. The original real estate salesman's license fee is ten original real estate dollars (\$10). salesman

The commissioner may use two dollars (\$2) of the fee to secure a credit report or investigation of the applicant.

Sec. 18. Section 10213.5 of the Business and Professions Code is amended to read:

Same

10213.5. An original real estate salesman's license fee is payable on filing an application for an original real estate salesman's license.

If the applicant fails to pass the required written examination he may be permitted to take another examination upon payment of an additional fee of five dollars (\$5). If an applicant fails to qualify for an original real estate salesman's license within three years from the date of filing his application, said application shall thereupon lapse and no further proceedings thereon shall be taken; provided, however, that as to applications filed with the division prior to October 1, 1953, such lapse shall not occur until October 1, 1956.

Sec. 19. Section 10214.5 of the Business and Professions Code is amended to read:

Restricted salesman

10214.5. Effective July 1, 1956, the restricted salesman's license fee is thirty dollars (\$30) for a four-year period.

Sec. 20. Section 10215 of the Business and Professions Code is amended to read:

Renewal real estate salesman 10215. Effective July 1, 1956, the renewal real estate salesman's license fee is thirty dollars (\$30) for a four-year period. Sec. 21. Section 10222 is added to said code, to read:

Examination fee 10222. For any examination required, other than the original qualifying examination for a license, the fee is five dollars (\$5).

Sec. 22. Section 10279 of the Business and Professions Code is amended to read:

Waiver of examinations Business opportunity broker 10279. The commissioner may, in his discretion waive the examination of any applicant for a business opportunity broker's license who held an unrevoked or unsuspended renewal business opportunity license within the one-year period immediately preceding the date of the application for such renewal license, as an individual broker, an officer of a corporation, or member of a copartnership.

Business opportunity salesman The commissioner may, in his discretion, waive the examination of any applicant for a business opportunity salesman's license who held an unrevoked or unsuspended renewal business opportunity salesman's license within the one-year period immediately preceding the date of the application for such renewal license.

Operation under expired license Sec. 23. Section 10279.2 of said code is amended to read: 10279.2. An application on the form prescribed by the commissioner for the renewal of a license filed before midnight of the last day of the period for which a previous renewal license was issued, or midnight of the expiration date of an original license under which the holder has been notified that he is eligible for a renewal license, accompanied by the applicable renewal fee, entitles the applicant to continue operating under his existing license after its specified expiration date, if not previously suspended or revoked, and until such date as he is notified in writing that the application has been granted or denied.

Sec. 24. Section 10284 of the Business and Professions Code is amended to read:

10284. Immediately upon the salesman's withdrawal from Licenses the employ of the broker, the broker shall return the salesman's license to the commissioner for cancellation. A license canceled but not suspended or revoked may be reinstated at any time during the period for which the license was issued upon receipt of application therefor and the fee for the reinstatement of his license.

Sec. 25. Section 10284.7 of said code is amended to read:

10284.7. A licensed business opportunity broker or sales-inactivation man may request that his license be inactivated. The commissioner shall thereupon issue to such person an inactive license certificate. This inactive license certificate may consist of the license itself with an endorsement stating that it is inactive and does not permit the holder to transact business under it.

An inactive license which is not suspended or revoked may be reinstated at any time during the period for which the license was issued, and may be renewed each four-year period upon the making of application therefor and the payment of the appropriate fee.

The holder of an inactive broker's license need not maintain a place of business or a sign as required by Sections 10285 and

The holder of an inactive license shall not be entitled to act in any capacity for which the license is required until the license has been reinstated.

Sec. 26. Section 10320 of said code is amended to read:

10320. All business opportunity license fees shall be pay-Fees able in advance of issuing the licenses and at the time of filing the application.

Sec. 27. Section 10321 of said code is amended to read:

10321. Unless otherwise provided all business opportunity Expiration licenses shall expire at midnight of the last day of the period for which issued.

Sec. 28. Section 10321.5 of said code is amended to read: 10321.5. If a person fails to apply for a renewal of his Renewal fees license prior to midnight of the last day of the period for which the license was issued, no renewal license shall be issued to him except upon payment of a renewal fee in an amount one and one-fourth times the amount otherwise required for renewal.

SEC. 29. Section 10323 of said code is amended to read:

10323. An original business opportunity broker's license is Original a business opportunity license issued to a person who did not opportunity have a renewal business opportunity broker's license within broker the one-year period immediately preceding the date of application for such license, or who had failed to become eligible for a renewal license under a previous original business opportunity broker's license.

Renewal business opportunity broker SEC. 30. Section 10324 of said code is amended to read: 10324. A renewal business opportunity broker's license is a business opportunity license issued to a person who had a renewal business opportunity broker's license unrevoked or unsuspended within the one-year period immediately preceding the date of application for such renewal license, or who had become eligible for a renewal license during the preceding three months, under an original business opportunity broker's license.

Original business opportunity salesman SEC. 31. Section 10325 of said code is amended to read: 10325. An original business opportunity salesman's license is a business opportunity license issued to a person who did not have a renewal business opportunity salesman's license within the one-year period immediately preceding the date of application for such license, or who had failed to become eligible for a renewal license under a previous original business opportunity salesman's license.

Sec. 32. Section 10326 of said code is amended to read:

Renewal business opportunity salesman 10326. A renewal business opportunity salesman's license is a business opportunity license issued to a person (1) who had a renewal business opportunity salesman's license or a renewal broker's license, unrevoked or unsuspended, within the one-year period immediately preceding the date of the application for such license or (2) who had become eligible for a renewal license, during the preceding three months, under an original business opportunity salesman's license, or (3) who had failed to qualify for a renewal business opportunity broker's license, during the preceding three months, under an original business opportunity broker's license, but who has satisfied all the requirements for a renewal salesman's license pursuant to the provisions of Section 10278.5.

SEC. 33. Section 10326.5 is added to said code, to read:

10326.5. All renewal business opportunity broker's licenses and renewal business opportunity salesman's licenses which were issued and effective prior to October 1, 1955, shall on or after July 1, 1957, be issued for periods of four years

All renewal business opportunity broker's licenses and renewal business opportunity salesman's licenses which are based on original licenses issued on or after October 1, 1955, shall be issued for periods of four years effective on or after July 1, 1956.

Except that as to renewal licenses issued during the 12 months beginning July 1, 1957, the commissioner shall adopt regulations to effect staggered renewal periods by issuing renewal licenses for less than a four-year period. The commissioner shall apportion the renewal license fee of licenses issued for periods less than four years proportionate to the period for which such license was renewed.

SEC. 34. Section 10329.5 of said code is amended to read: 10329.5. Effective July 1, 1956, the restricted business opportunity broker's license fee is fifty dollars (\$50) for a four-year period.

Renewal periods

License fees. Restricted business opportunity broker

Section 10330 of said code is amended to read: Sec. 35.

10330. Effective July 1, 1956, the renewal business oppor-Renewal tunity broker's license fee is fifty dollars (\$50) for a four-year opportunity period.

SEC. 36. Section 10331 of said code is amended to read:

10331. If the licensee is a corporation, the license issued Corporation to it entitles one officer thereof, on behalf of such corporation, to engage in the business of business opportunity broker without the payment of any further fee, such officer to be designated in the application of the corporation for a license. For each officer other than the officer so designated, through whom it engages in the business of business opportunity broker, the appropriate original or renewal fee is to be paid in addition to the fee paid by the corporation.

SEC. 37. Section 10332 of said code is amended to read:

10332. If the licensee is a copartnership, the license issued Partnership to it entitles one member only of the copartnership to engage on behalf of the copartnership in the business of business opportunity broker, which member shall be designated in the application of the copartnership for a license. For each other member of the copartnership who on behalf of the copartnership engages in the business of business opportunity broker, the appropriate original or renewal fee is to be paid in addition to the fee paid by the copartnership.

SEC. 38. Section 10333 of said code is amended to read: 10333. The original business opportunity salesman's license Original fee is ten dollars (\$10).

opportunity

The commissioner may use two dollars (\$2) of the fee to salesman secure a credit report or investigation of the applicant.

Sec. 39. Section 10334.5 of said code is amended to read:

10334.5. Effective July 1, 1956, the restricted business op. Restricted portunity salesman's license fee is thirty dollars (\$30) for a opportunity four-year period.

Section 10335 of said code is amended to read: Sec. 40.

Effective July 1, 1956, the renewal business oppor-Renewal tunity salesman's license fee is thirty dollars (\$30) for a four-opportunity year period.

Sec. 41. Section 10341 is added to said code, to read:

10341. For any examination required, other than the orig- Examination inal qualifying examination for a license, the fee is five dollars (\$5).

Sec. 42. Section 10450 of said code is amended to read:

10450. All fees charged and collected under this part and Real Estate under Chapter 1 of Part 2, except as provided in this chapter, shall be paid by the commissioner at least once a month, accompanied by a detailed statement thereof, into the Treasury of the State to the credit of the Real Estate Fund, which fund is continued in existence.

SEC. 43. Section 10450.6 is added to said code, to read:

One-fourth of the amount of any license fee col- Real Estate lected by the commissioner under this part shall be paid into Education and Research

Fund Creation the Treasury of the State to the credit of the Real Estate Education and Research Fund, which fund is hereby created. Sec. 44. Section 10451.5 is added to said code, to read:

Use

10451.5. All money paid into the State Treasury and credited to the Real Estate Education and Research Fund is available for appropriation by the Legislature to be used by the commissioner in carrying out the provisions of this part and Chapter 1 of Part 2 in the advancement of education and research in real estate at the University of California, state colleges and junior colleges.

Sec. 45. Section 10452 of said code is amended to read:

Warrants

10452. The Controller shall draw his warrant on the respective funds from time to time in favor of the commissioner for the amounts expended under his direction, and the Treasurer shall pay the same.

Sec. 46. Section 10453 of said code is amended to read:

Expenditures of commissioner

10453. All of the expenditures of the commissioner, including his salary, shall be paid only from the Real Estate Fund except as otherwise provided in this chapter.

Waiver of examinations Mineral, oil and gas broker SEC. 47. Section 10519 of said code is amended to read: 10519. The commissioner may, in his discretion, waive the examination of any applicant for a mineral, oil or gas broker's license who held an unrevoked or unsuspended renewal mineral, oil and gas license within the one-year period immediately preceding the date of the application for such renewal license, as an individual broker, an officer of a corporation, or member of a copartnership.

Mmeral, oil and gas salesman The commissioner may, in his discretion, waive the examination of any applicant for a mineral, oil and gas salesman's license who held an unrevoked or unsuspended renewal mineral, oil and gas salesman's license within the one-year period immediately preceding the date of the application for such renewal license.

Operation under expired license Sec. 48. Section 10519 5 of said code is amended to read: 10519.5. An application on the form prescribed by the commissioner for the renewal of a license filed before midnight of the last day of the period for which a previous renewal license was issued, or midnight of the expiration date of an original license under which the holder has been notified that he is eligible for a renewal license, accompanied by the applicable renewal fee, entitles the applicant to continue operating under his existing license after its specified expiration date, if not previously suspended or revoked, and until such date as he is notified in writing that the application has been granted or denied.

Licenses Cancellation Sec. 49. Section 10524 of said code is amended to read: 10524. Immediately upon the salesman's withdrawal from the employ of the broker, the broker shall return the salesman's license to the commissioner for cancellation. A license canceled but not suspended or revoked may be reinstated at any time during the period for which the license was issued

upon receipt of application therefor and the fee for the reinstatement of his license.

SEC. 50. Section 10524.7 of said code is amended to read:

10524.7. A licensed mineral, oil and gas broker or salesman Inactivation may request that his license be inactivated. The commissioner shall thereupon issue to such person an inactive license certificate. This inactive license certificate may consist of the license itself with an endorsement stating that it is inactive and does not permit the holder to transact business under it.

An inactive license which is not suspended or revoked may be reinstated at any time during the period for which the license was issued and may be renewed each four-year period upon the making of application therefor and the payment of the appropriate fee.

The holder of an inactive broker's license need not maintain a place of business or a sign as required by Sections 10525 and 10527.

The holder of an inactive license shall not be entitled to act in any capacity for which the license is required until the license has been reinstated.

Sec. 51. Section 10580 of said code is amended to read:

10580. All mineral, oil and gas license fees shall be payable Fees in advance of issuing the licenses and at the time of filing the application.

Sec. 52. Section 10581 of said code is amended to read:

10581. Unless otherwise provided all mineral, oil and gas Expiration licenses shall expire at midnight of the last day of the period for which issued.

Sec. 53. Section 10581.5 of said code is amended to read:

If a person fails to apply for a renewal of his li- Renewal fee cense prior to midnight of the last day of the period for which the license was issued, no renewal license shall be issued to him except upon payment of a renewal fee in an amount one and one-fourth times the amount otherwise required for renewal.

Section 10583 of said code is amended to read:

10583. An original mineral, oil and gas broker's license is Original a mineral, oil and gas license issued to a person who did not oil and gas have a mineral, oil and gas broker's license within the one-broker year period immediately preceding the date of application for such license, or who had failed to become eligible for a renewal license under a previous original mineral, oil and gas broker's license.

Sec. 55. Section 10584 of said code is amended to read:

10584. A renewal mineral, oil and gas broker's license is a Renewal mineral, oil and gas license issued to a person who had a oil and gas renewal mineral, oil and gas broker's license unrevoked or broker unsuspended within the one-year period immediately preceding the date of application for such renewal license, or who had become eligible for a renewal license, during the preceding three months under an original mineral, oil and gas broker's license.

Original mineral, oil and gas salesman Sec. 56. Section 10585 of said code is amended to read:

10585. An original mineral, oil and gas salesman's license is a mineral, oil and gas license issued to a person who did not have a renewal mineral, oil and gas salesman's license within the one-year period immediately preceding the date of application for such license, or who had failed to become eligible for a renewal license under a previous original mineral, oil and gas salesman's license.

Sec. 57. Section 10586 of said code is amended to read:

Renewal mineral, oil and gas salesman 10586. A renewal mineral, oil and gas salesman's license is a mineral, oil and gas license issued to a person (1) who had a renewal mineral, oil and gas salesman's license or a renewal broker's license, unrevoked or unsuspended, within the one-year period immediately preceding the date of the application for such license, or (2) who had become eligible for a renewal license during the preceding three months, under an original mineral, oil and gas salesman's license, or (3) who had failed to qualify for a renewal mineral, oil and gas broker's license, during the preceding three months, under an original mineral, oil and gas broker's license, but who has satisfied all the requirements for a renewal salesman's license pursuant to the provisions of Section 10518.5.

Sec. 58. Section 10586.5 is added to said code, to read:

Renewal periods 10586.5. All renewal mineral, oil and gas broker's licenses and renewal mineral, oil and gas salesman's licenses which were issued and effective prior to October 1, 1955, shall on or after July 1, 1957, be issued for periods of four years.

All renewal mineral, oil and gas broker's licenses and renewal mineral, oil and gas salesman's licenses which are based on original licenses issued on or after October 1, 1955, shall be issued for periods of four years effective on or after July 1, 1956.

Except that as to renewal licenses issued during the 12 months beginning July 1, 1957, the commissioner shall adopt regulations to effect staggered renewal periods by issuing renewal licenses for less than a four-year period. The commissioner shall apportion the renewal license fee of licenses issued for periods less than four years proportionate to the period for which such license was renewed.

License fees Renewal mineral, oil and gas broker Sec. 59. Section 10590 of said code is amended to read: 10590. Effective July 1, 1956, the renewal mineral, oil and gas broker's license fee is fifty dollars (\$50) for a four-year period.

Corporation

SEC. 60. Section 10591 of said code is amended to read: 10591. If the licensee is a corporation, the license issued to it entitles one officer thereof, on behalf of such corporation, to engage in the business of mineral, oil and gas broker without the payment of any further fee, such officer to be designated in the application of the corporation for a license. For each officer thereof other than the officer so designated, through whom it engages in the business of mineral, oil and gas broker.

the appropriate original or renewal fee is to be paid in addition to the fee paid by the corporation.

Sec. 61. Section 10592 of said code is amended to read:

10592. If the licensee is a copartnership, the license issued Partnership to it entitles one member only of the copartnership to engage on behalf of the copartnership in the business of mineral, oil and gas broker, which member shall be designated in the application of the copartnership for a license. For each other member of the copartnership who on behalf of the copartnership engages in the business of mineral, oil and gas broker the appropriate original or renewal fee is to be paid in addition to the fee paid by the copartnership.

Sec. 62. Section 10593 of said code is amended to read:

10593. The original mineral, oil and gas salesman's license original fee is ten dollars (\$10).

oil and gas

The commissioner may use two dollars (\$2) of the fee to salesman secure a credit report or investigation of the applicant.

Sec. 63. Section 10595 of said code is amended to read:

10595. Effective July 1, 1956, the renewal mineral, oil and Renewal gas salesman's license fee is thirty dollars (\$30) for a four- mineral, oil and gas year period.

Sec. 64. Section 10602 is added to said code, to read:

10602. For any examination required, other than the origi- Examination nal qualifying examination for a license, the fee is five dol- fee lars (\$5).

CHAPTER 5

An act to amend Section 12701 of, and to add Section 12701.1 to, the Business and Professions Code, relating to license fees payable by public weighmasters and deputy public weighmasters, to take effect immediately.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956.]

In effect immediately

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

Section 1. Section 12701 of the Business and Professions Code is amended to read:

12701. Each public weighmaster shall pay a license fee License fees of twenty dollars (\$20) for the 1956-57 Fiscal Year, and each fiscal year thereafter, or any part thereof, to the department for the location of the principal place of business and an additional license fee of five dollars (\$5) for each additional location where service as a public weighmaster is rendered.

"Location," for the purposes of this section, means all weighing, measuring, or counting equipment installed or located in one yard, building, or group of adjoining buildings, and which is operated as a single business unit in the render-

ing of services by a public weighmaster.

An additional license fee of two dollars (\$2) for each fiscal year or part thereof shall be paid for each deputy public weighmaster and for each additional license fee the department shall issue a deputy public weighmaster's license.

Persons previously licensed to be public weighmasters shall, between May 1st and July 1st of each year, pay each required license fee for the fiscal year commencing with July 1st of such year, which shall be for all or any part of such year. Failure of a person previously licensed to renew his license on or before July 1st of any one year shall ipso facto forfeit his right to serve as a public weighmaster. No license shall be issued to a person who has so failed to renew his license and forfeited his right to serve as a public weighmaster until written application shall have been made by him to the department and accompanied by a restoration fee in an amount twice that required as the regular license fee or fees.

Surety bond

Before any license is issued to any public weighmaster, the applicant shall execute and deliver to the director a surety bond in the sum of one thousand dollars (\$1,000) executed by the applicant as principal and by a corporate surety company qualified and authorized to do business in this State as surety. Said bond shall be conditioned upon the faithful and honest compliance with the provisions of this chapter. Said bond shall be to the State in favor of every person availing himself of the services and certifications issued by a public weighmaster.

Refusal or revocation of license The department, after a hearing, may refuse to issue or may revoke a public weighmaster license issued to any person who cannot capably or reliably perform the duties of a public weighmaster, or who has not capably or reliably performed the duties of a public weighmaster, and it may, after a hearing, refuse to renew a public weighmaster license to any person who has not capably or reliably performed the duties of a public weighmaster.

The department, after a hearing, may refuse to issue or may revoke, or may refuse to renew a deputy public weighmaster license issued to any person who cannot capably or reliably perform the duties of a deputy public weighmaster, or who has not capably or reliably performed the duties of a deputy public weighmaster.

Procedure

The proceedings of the hearings referred to in this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

Sec. 2. Section 12701.1 is added to said code, to read:

Deposit

12701.1. All license fees collected under the provisions of this chapter shall be paid into the State Treasury and credited to the Department of Agriculture Fund.

Tax levy

Sec. 3. This act provides for a tax levy within the meaning of Article IV, the Constitution, and shall go into immediate effect.

CHAPTER 6

An act to add Section 6723 to the Welfare and Institutions Code, relating to mentally ill persons.

> [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

In effect July 3, 1956

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

Section 1. Section 6723 is added to the Welfare and Institutions Code, to read:

6723. Whenever a person, committed to an institution subject to the jurisdiction of the Department of Mental Hygiene under one of the commitment laws which provides for reimbursement for cure and treatment to the State by the county of commitment of such person, is accused of committing a crime while confined in such institution and is committed by the court in which the crime is charged to another institution under the jurisdiction of the Department of Mental Hygiene or the Department of Corrections, the State rather than the county of commitment shall bear the subsequent cost of supporting and caring for such person.

CHAPTER 7

An act to provide revenue by authorizing the sale of certain state property.

[Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

In effect July 3, 1956

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

Section 1. The Director of Finance is hereby authorized to sell, exchange, or otherwise dispose of, for value, and upon such terms and conditions and with such reservations and exceptions as in his judgment may be in the best interests of the State, the following real property:

Parcel 1: The Department of Motor Vehicles building and site on South Brand Boulevard near Cypress Street in the City of Glendale, County of Los Angeles, State of California.

Parcel 2: The Department of Motor Vehicles building and site at Fifth and J Streets in the City of Marysville, County of Yuba, State of California.

Parcel 3: Basin Creek Hatchery, Department of Fish and Game, being the southwest quarter of the southeast quarter of Section 26, Township 2 North, Range 16 East, M. D. B. & M., containing approximately 40 acres, in the County of Tuolumne, State of California

With respect to the real property contained in this parcel, the Director of Finance is authorized to enter into a lease purchase agreement not to exceed 15 years with a recreation, park and parkway district as defined in Section 5400 of the Public Resources Code, upon such terms and conditions and with such reservations and exceptions as in his judgment may be in the best interests of the State.

- SEC. 2. All money received from the sale of Parcels 1 and 2 shall be deposited in the Motor Vehicle Fund. Any money received from the sale of Parcel 3 shall be paid into the Fish and Game Preservation Fund.
- SEC 3. A copy of each deed of conveyance executed and delivered by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission.

CHAPTER 8

An act to provide revenue by authorizing the sale of certain state property.

In effect July 3, 1956 [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

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

Section 1. The Director of Finance is hereby authorized to sell, exchange, or otherwise dispose of, for value, and upon such terms and conditions and with such reservations and exceptions as in his judgment may be in the best interests of the State, the following real property:

Parcel 1. That certain tract of land with improvements and appurtenances thereto attached situated in the County of Los Angeles, State of California, known as the California Air Na-

tional Guard Lockheed-Burbank property.

SEC. 2. A copy of each deed of conveyance executed and delivered by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission.

CHAPTER 9

An act to amend Section 4416 of the Business and Professions Code, relating to pharmary, to take effect immediately.

In effect immediately [Approved by Governor April 13, 1956. Filed with Secretary of State April 16, 1956]

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

Section 1. Section 4416 of the Business and Professions Code is amended to read:

Fees

4416. The amount of fees and penalties prescribed by this chapter, except as otherwise provided, is that fixed by the following schedule:

(a) The fee for a permit to conduct a pharmacy shall be fixed by the board at an amount not to exceed fifty dollars (\$50) for each pharmacy.

- (b) The annual fee for renewal of the permit to conduct a pharmacy shall be fixed by the board at an amount not to exceed twelve dollars (\$12) for each pharmacy.
- (c) The annual fee for a permit for a general dealer in a rural district is five dollars (\$5).
- (d) The fee for any applicant for registration is twenty-five dollars (\$25).
- (e) The additional fee for the issuance of a certificate to any licentiate, who is found by the board on examination to be entitled to a certificate, is fifteen dollars (\$15).
- (f) The fee for the reissuance of a certificate is fifteen dollars (\$15).
- (g) Except as otherwise provided in this subdivision, the annual renewal fee for a registered pharmacist may be fixed by the board at an amount not to exceed the sum of eight dollars (\$8). If a registered pharmacist was issued a certificate during the 1955-56 Fiscal Year and did not pay the additional fee prescribed in subdivision (e), the annual renewal fee for such registered pharmacist may be fixed by the board during the 1956-57 Fiscal Year at any amount not to exceed the sum of twenty-three dollars (\$23).
 - (h) The fee for a wholesaler is fifty dollars (\$50).
 - (i) The fee for a manufacturer is fifty dollars (\$50).
 - (j) The fee for a hypodermic license is five dollars (\$5).
 - (k) The annual fee for hypnotic license is ten dollars (\$10).
- (1) The annual fee for an analytical toxicologist is ten dollars (\$10).
- (in) The penalty for failure to pay any annual renewal fee may be fixed by the board at an amount not to exceed the sum of ten dollars (\$10).
- Sec. 2. This act provides for a tax levy within the meaning Tax levy of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 10

An act to amend Section 378.2 of the Vehicle Code, and to add Section 3783 to said code, relating to penalties for delinquency in payment of fees under said code.

> [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956]

In effect July 3, 1956

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

SECTION 1. Section 378.2 of the Vehicle Code is amended to read:

378.2. Transmittal of Fees by Mail. No penalty shall be Mailing imposed for delinquent payment of any fee required to be of fees paid under this code in the event any instrument for effective payment of such fee is placed in the United States mail or in any postal box maintained by the United States Post Office Department with sufficient identification in an envelope with postage thereon prepaid and addressed to the Department of

Motor Vehicles at Sacramento, or to one of the regularly established branch offices of the department or to any person or organization authorized by the department under Section 164, prior to the date or time said fee becomes delinquent. Any person so mailing an instrument for payment of said fee may file with the department an affidavit showing compliance with the provisions of this section. Any said affidavit shall be accepted by the department as prima facie evidence of such mailing.

Sec. 2. Section 378.3 is added to said code, to read:

Renewal fees 378.3. Payment of Fees Upon Renewal of Registration. Whenever any person or organization authorized by the department under Section 164 receives an application for annual renewal of registration accompanied by the proper fee and endorses a receipt or validates a registration card or potential registration card in respect to said application for renewal of registration prior to midnight of February 4th in any year, such application and payment of fees shall not be deemed delinquent or subject to penalty; provided, any such person or organization so receiving such application and fees shall transmit said application and fees to the department as promptly as practicable in the immediate course of business.

CHAPTER 11

An act to add Section 26072.5 to the Revenue and Taxation Code, relating to the exemption of corporations from the bank and corporation tax, declaring the urgency thereof, to take effect immediately.

In effec**t** 1mmediately [Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956]

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

Section 1. Section 260725 is added to the Revenue and Taxation Code, to read:

Cancellation of tax, etc.

26072.5. Any tax, or penalty or interest thereon, for or upon the basis of any taxable year beginning after December 31, 1952, and ending prior to January 1, 1956, payable by any corporation required to file a loyalty declaration for that year pursuant to Section 23705, but which failed to file such a declaration and as a consequence lost an exemption to which it was otherwise entitled for such year, is canceled, and, if paid, shall be credited or refunded under Sections 26071 and 26072 as if it were an overpayment.

No amount is canceled or subject to credit or refund in accordance with this section unless, on or before May 15, 1957, the corporation involved files the loyalty declaration required by Section 23705.

No interest shall be allowed upon any tax, penalty or interest credited or refunded pursuant to this section.

Nothing in this section authorizes any cancellation, credit or refund in respect to the unrelated business net income of

any corporation.

Sec. 2. This act is an urgency measure necessary for the Urgency 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:

Some corporations have inadvertently failed to file the required declaration in support of the tax exemption granted them by the Bank and Corporation Tax Law, and as a result now are confronted with obligations which, if met, will substantially impair their ability to function effectively. This act will remedy the situation by, in effect, removing the procedural bar to the application of the exemption. In doing so, the public policy of the State as expressed in the Bank and Corporation Tax Law will be entirely fulfilled and the State as a whole will benefit.

CHAPTER 12

An act to add Section 6301.5 to the Public Resources Code, relating to revenues from tide and submerged lands, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956.]

In effect immediately

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

SECTION 1. Section 6301.5 is added to the Public Resources Code, to read:

The commission may act in behalf of the State of Powers California pursuant to Section 7 of the Outer Continental Shelf Lands Act, an Act of Congress approved by the President on August 7, 1953 (67 Stat 462, 43 U.S.C. Section 1336), and negotiate, with the concurrence of the Attorney General of California, with the Secretary of the Interior and with the Attorney General of the United States respecting operations under existing mineral leases, if any there be in lands in controversy, and the payment and impounding of rents and other sums payable thereunder, and respecting the issuance or nonissuance of new mineral leases pending the settlement or adjudication of any controversy, which now exists or may arise, between the United States and the State of California as to whether or not lands are subject to the provisions of said act. With the concurrence of the Attorney General of California, the commission also may enter into and execute agreements respecting the said subjects for, in behalf of, and in the name of the State, with the Secretary of the Interior, who, with the concurrence of the Attorney General of the United States, is authorized by the said act to enter into such agreements in behalf of the United States. With the concurrence of

the Attorney General of California, the authority vested in the commission by this section extends to and includes all tidelands and submerged lands, or any interest therein, along the coast of the State of California, whether they be within or beyond the boundaries of the State as established by law, which have been or may be acquired by the State in any of the manners enumerated in Section 6301.

No agreement entered into pursuant to this section shall become effective unless and until it is approved by the Governor.

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:

It is of the greatest importance that the development and the production of oil and gas from the tidelands and submerged lands along the coast of California continue on uninterruptedly, and with the same degree of efficiency as heretofore under leases previously made and those which may be hereafter made by the State of California to its lessees, during which period as shall elapse until final determination of the seaward limits of the three mile marginal belt of the State of California, either by adjudication of issues now pending in the United States Supreme Court in the case of United States v. State of California or until permanent legislation is enacted by the Congress defining the extent of California's inland waters. The reason for this is that such uninterrupted and efficient development and production is vital to the needs of public health, industry, transportation and many domestic uses of hydrocarbon substances in this State, and the assurance of continuing uninterrupted revenue from both existing leases and any and all new leases made by the State. The Outer Continental Shelf Lands Act, an act of Congress approved by the President on August 7, 1953, makes provision for negotiations and agreements between the State and the Secretary of the Interior, with the concurrence of the Attorney General of the United States, respecting the issuance or nonissuance of new mineral leases in lands as to which a controversy between the United States and a state exists as to whether they are subject to the provisions of said act, and also respecting operations under existing mineral leases and payment and impounding of rents, royalties, and other sums payable thereunder on lands which may be the subject of a controversy, pending final determination as to jurisdiction by the United States Supreme Court or the Congress. It is necessary that the State of California authorize and empower the State Lands Commission, with the concurrence of the Attorney General of California, to conduct such negotiations and enter into such agreements in order that the said development and production of oil and gas may proceed and continue uninterruptedly.

Urgency

The legislative provision contained in this act is necessary to implement the carrying out of the negotiations and agreements provided for in said act in order to insure continuing revenues to the State through the uninterrupted production and development of hydrocarbon substances from the lands in controversy.

CHAPTER 13

An act to add Section 6404 to the Revenue and Taxation Code, relating to the exemption from the use tax of loans of motor vehicles by automobile dealers to school districts for driver training purposes.

[Approved by Governor April 25, 1956] Filed with Secretary of State April 27, 1956]

In effect July 3, 1956

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

SECTION 1. Section 6404 is added to the Revenue and Taxation Code, to read:

6404. The loan by an automobile dealer of a motor vehicle to any school district for a driver training educational program conducted by the district is exempt from the use tax. If the dealer makes any other use of the vehicle except retention, demonstration or display while holding it for sale in the regular course of business, the use is taxable to the dealer under Chapter 3 of this part as of the time the property is first so used, and the sales price of the vehicle to the dealer is the measure of the tax.

CONCURRENT AND JOINT RESOLUTIONS

REGULAR SESSION 1956

CONCURRENT AND JOINT RESOLUTIONS

ADOPTED AT THE 1956 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

Assembly Concurrent Resolution No. 3—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election and consolidated special municipal election held therein on the eighth day of November, 1955.

[Filed with Secretary of State, March 7, 1956.]

WHEREAS, The City and County of San Francisco, State of City and County of California, contains a population of over 500,000 inhabitants, san and has been ever since the eighth day of January, in the Francisco year 1932, and is now organized and acting under a free-amendments holders' 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 ten (10) amend-

ments to said charter; 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 ten (10) 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 News," 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 News," 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 municipal election and consolidated special municipal election to be held in the City and County of San Francisco on the eighth day of November, 1955, the said ten (10) several proposals to amend the charter of the City and County of San Francisco; and

Whereas, Said general municipal election and consolidated special municipal election was held in said City and County of San Francisco on the eighth day of November, 1955, 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 News," and each edition thereof as hereinbefore set forth; and

Whereas, The registrar of voters did, in the manner provided by law, duly and regularly canvass the returns of said election, and on the twenty-eighth day of November, 1955, duly certify to the board of supervisors the results of said general municipal election and consolidated special municipal election as determined from the canvass of the returns thereof; and

WHEREAS, Thereafter, to wit, on the twenty-eighth day of November, 1955, said board of supervisors duly approved the "official statement" of votes cast at the general municipal election and consolidated special municipal election held in the City and County of San Francisco, State of California, on Tuesday, the eighth day of November, 1955; and

Whereas, At said general municipal election and consolidated special municipal election so held on the eighth day of November, 1955, five (5) 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 G, I, J, K and M, and five (5) other charter amendments submitted at said general municipal election and consolidated special municipal election, to wit, charter amendments designated as Propositions E, F, H, L and N, 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 G

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 16 thereof relating to emergency measures and effective date of ordinances, to provide that ordinances other than such as are subject to referendum shall become effective upon passage.

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 8, 1955, a proposal to amend the charter of said city and county by amending Section 16 thereof so that the same shall read as follows:

Emergency Measures and Effective Date of Ordinances

Section 16. No ordinance which is subject to the referen- Effective date dum provisions of this charter shall become effective until of ordinances thirty days after its passage. Ordinances granting any public utility franchise or privilege shall not become effective until sixty days after their passage. Ordinances enacted by a threefourths vote of all members of the board as an emergency measure as defined in this section and all other ordinances not subject to the referendum provisions of this charter shall become effective upon passage. No ordinance affecting franchises, Emergency grants, bond issues or the sale, lease or purchase of land shall ever be passed as an emergency measure, and the people by initiative or referendum ordinance may further restrict the matters that may be passed as emergency measures. Immediate necessary preservation of public peace, property, health or safety, provision for the uninterrupted operation of any city and county department or office, or action required to comply with time limitations as established by law, shall be emergencies within the meaning hereof; provided, however, that such emergency shall actually exist and shall be specifically stated and defined in such ordinance, and shall be specifically voted on as provided in section 13 of this charter.

Proposition I

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 9 thereof relating to powers 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 8, 1955, a proposal to amend the charter of said city and county by amending Section 9, thereof so that the same shall read as follows:

Powers Vested in Board of Supervisors

Powers of board of supervisors Section 9. The powers of the city and county, except the powers reserved to the people or delegated to other officials, boards or commissions by this charter, shall be vested in the board of supervisors and shall be exercised as provided in this charter. The board of supervisors shall, ex officio. be the board of equalization for the city and county. The supervisors shall determine the maximum number of each class of employment in each of the various departments and offices of the city and county and shall fix rates and schedules of compensation therefor in the manner provided in this charter. On the recommendation of the mayor and the chief administrative officer, the board of supervisors may create or abolish departments which are now or may hereafter be placed under the chief administrative officer or under commissions appointed by the mayor.

The board of supervisors may, by ordinance, confer on any officer, board or commission such other and additional powers as the board may deem advisable.

The board of supervisors, by ordinance, may provide medical care, hospitalization, compensation and such other benefits as the board may deem necessary for regularly authorized volunteer civilian defense workers suffering injury arising out of and in the course of their activities as such civilian defense workers.

Proposition J

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 168.1.5.2 thereto, relating to and increasing allowances granted to or on account of members of the Police Department, who were members of the retirement system under Section 168 or Section 168.1.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County of San Francisco at an election to be held therein on November 8, 1955, a proposal to amend the charter of said city and county by adding thereto Section 168.1.5.2, to read as follows:

Increase of retirement or death allowances for policemen Section 168 1.5.2. Every retirement or death allowance payable for time commencing on the effective date of this section, hereby designated as the first day of the month next following its ratification by the legislature, to or on account of any person who died or was retired prior to November 8, 1955, as a member of the police department, unless such person was retired or died as a member of the retirement system or the former police relief and pension fund, under any section of the charter, other than section 168, or 168.1, is hereby increased by the amount of \$25.00 per month; provided, how-

ever, that such increased retirement allowance or death allowance shall not exceed 50% of the compensation as of July 1, 1954, attached to the rank of police officer in the fourth year of service as set forth under section 35.5 of the charter, regardless of the rank or position the member held in the department prior to his retirement or death before retirement.

Such increase shall not be modified under, nor subject to, option 2 or 3 provided by ordinance. Allowances payable under section 168.1.3, 168.1.4, or 168.3, to or on account of persons who were retired for disability or died prior to November 8, 1955, on and after the date such persons would have qualified for service retirement, shall be calculated as provided in said sections 168.1.3, 168.1.4, or 168.3, respectively.

This section does not authorize any decrease in any allowance from the amount being paid at said effective date, nor does this section give any member who retired, or the beneficiary of any member who died prior to the effective date hereof, or his successors in interest, any claim against the city and county for any increase in retirement allowance paid or payable for time prior to said effective date.

The increase in allowance shall be apportioned between service rendered prior to the entry of the member into the retirement system under section 168 or 168.1, and service rendered as such a member, in the same proportion that such prior and current service respectively, bears to the total service credited at retirement. Contributions to the retirement system necessary for the increases in the allowances provided in this section, shall be provided, with respect to the portion of the benefit based on service rendered as members under section 168 and 1681 from the reserves held by the retirement system on account of members of the retirement system under section 168.1, the necessary amount being transferred upon said effective date, from said reserves to the reserves held by the retirement system to meet the obligations on account of allowances which are increased by this section 168 1 5.2 The contribution being required of the city and county currently, as percentages of salaries of persons who are members under section 168.1, shall be increased to percentages determined by the actuary as necessary to replace the reserves so transferred Contributions to the retirement system necessary for the payment of said increases with reference to service, not rendered as members under section 168 or 168.1, shall be paid to the system by the city and county by annual appropriations, provided that such appropriation for any year shall not be less than the amount disbursed during that year on account of said increases.

PROPOSITION K

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 165.1.4 thereto, relating to increase in retirement allowances of miscel-

laneous officers and employees retired under Section 165 of the Charter prior to July 1, 1952.

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 8, 1955, a proposal to amend the charter of said city and county by adding thereto Section 165.1.4, to read as follows:

INCREASING RETIREMENT ALLOWANCES OF MISCELLANEOUS OF-FICERS AND EMPLOYEES RETIRED UNDER SECTION 165 OF THE CHARTER PRIOR TO JULY 1, 1952

Increase of retirement allowances; miscellaneous officers and employees

Section 165.1.4. Every retirement allowance payable by the San Francisco City and County Employees' Retirement System, for time commencing on the effective date of this section, hereby designated as the first day of the month next following its ratification by the Legislature, to or on account of any person who was retired prior to July 1, 1952, as a member of said system under section 165, is hereby increased by the amount of \$25 per month, provided such member was entitled to be credited under the retirement system with at least twenty years of service upon which the retirement allowance was determined at retirement. If the member was entitled to be credited with less than twenty years of such service, then said monthly increase shall be an amount which shall bear the same ratio to \$25 that the service with which the member was entitled to be credited at effective date of retirement, bears to twenty years. This section does not give any member retired prior to the effective date hereof, or his successors in interest, any claim against the city and county for any increase in any retirement allowance paid or payable for time prior to said effective date. If a member elected at retirement to have his retirement allowance modified under Options 2 or 3, provided by ordinance, and if the member and his beneficiary are living on said effective date, the increase in the allowance shall be modified under the option elected at retirement, and on the basis of current ages, mortality tables and interest rate. If the beneficiary of such a person who elected at retirement to have his allowance modified under one of said options is not living on said effective date, or if the retired member is not living on said effective date and the beneficiary is receiving the modified retirement allowance, then the allowance shall be increased as provided herein for persons who did not elect an option.

The increase in the retirement allowance shall be apportioned between service rendered prior to the entry of the member into the retirement system and service rendered as a member, in the same proportion that such prior and current service respectively, bears to the total service credited at retirement. Contributions to the retirement system necessary for the payment of the increases in the retirement allowances

provided in this section, shall be provided, with respect to the portion of the benefit based on service rendered as members, from the reserves held by the retirement system on account of miscellaneous members, the necessary amount being transferred upon said effective date, from said reserves to the reserves held by the retirement system to meet the obligations on account of benefits that have been granted and on account of prior service of members. The contribution being required of the city currently, as percentages of salaries of persons who are members under section 165.2, shall be increased to percentages determined by the actuary as necessary to replace the reserves so transferred. Contributions to the retirement system necessary for the payment of said increases with reference to prior service, shall be paid to the system by the city and county by annual appropriations, provided that such appropriation for any year shall not be less than the amount disbursed during that year on account of said increases.

Proposition M

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 tours of duty in the fire department, and by redefining the several ranks in said 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 8, 1955, a proposal to amend the charter of said city and county by amending Section 36 thereof, so that the same shall read as follows:

Fire Department

Section 36. The fire department shall be under the manage- Fire ment of a fire commission, consisting of three members, who commission 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 of 1948, 1949 and 1950 respectively.

The fire commission shall appoint a chief of department, a appointsecretary and a department physician who shall hold office ments at its pleasure.

The fire commissioners shall be successors in office of the Powers and fire commissioners holding office in the city and county at the duties 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 fire-fighting purposes.

Incumbents

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.

Ranks in department The several ranks in the fire department shall be: chief of department, deputy chief of department, chief, division of fire prevention and investigation, first assistant and second assistant chiefs of department, secretary to chief of department, battalion chiefs, supervisor of assignments, captains, lieutenants, inspector of fire department apparatus. engineers, chief's operators, drivers, tillermen, truckmen, hosemen, pilots of fire boats and marine engineers of fire boats, and the ranks specified in sections 38.01 and 38.1 of this charter. The compensation for these ranks shall be determined as provided in section 36.2 of this charter.

Tours of duty

The chief of department shall recommend and the fire commission shall provide by rule for work schedules or tours of duty for the officers and members occupying the several ranks of the fire department, provided however that all tours of duty established for officers and members assigned to the fire fighting companies, including the salvage corps, shall start at eight o'clock A.M. No such officer or member shall be required to work more than one hundred and twenty (120) hours in any fifteen-day period, nor shall any officer or member be required to work more than twenty-four 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 120 hours in any fifteen-day period nor twenty-four consecutive hours. Each such officer and each such member shall be entitled to at least one (1) day off duty during each week.

Overtime

When, in the judgment of the fire commission, it is in the public interest that any such officer or member shall work on his day off and said officer or member consents to so work, he may at the direction of the chief of department work on said day off, and in addition to the regular compensation provided for said officer or member as set forth in this charter, said officer or member shall be entitled to be compensated at his regular rate of pay as provided for herein for said extra time served, or he shall be allowed the equivalent time off.

Exclusion in retirement computations

In any computation in the administration of the San Francisco City and County Employees' Retirement System in which the compensation as defined in any provisions relating to the retirement system, is a factor, compensation for overtime provided for in this section shall be excluded, and no such overtime compensation shall be deemed as compensation for any purpose relating to such retirement provisions.

On the recommendation of the chief of department, the Rewards commission may reward any officer or 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.

Officers and members of the uniformed force shall be en- Holidays titled to the days declared to be holidays for employees whose compensations are fixed on a monthly basis in the schedule of compensations adopted by the board of supervisors, pursuant to the provisions of section 151 of the charter, as additional days off with pay. Officers or members required to perform service in said departments 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 the fire commission.

For payroll purposes, that portion of each tour of duty Computation which falls within each calendar day shall constitute a single sation tour of duty. The rate of compensation for the service performed by officers or members on a holiday or for service performed on an assigned day off, as in this charter provided, shall be calculated by dividing the annual rates of pay for each fiscal year by the number of single tours of duty as scheduled for the several ranks in the fire fighting companies in said fiscal year.

The chief of department or, in his absence, the deputy chief Destruction of buildings, or any assistant chief of department or, in their absence any etc 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.

The absence of any officer or member of the fire depart-Military ment on military leave of absence, as defined by section 153 leave 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 in this charter.

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO
ss.

This is to certify that we, John J. Ferdon, President of the Certificate 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 which were submitted to the electors of said City and County at a general municipal election and consolidated special municipal election held on Tuesday, the eighth day of November, One Thousand Nine Hundred Fifty-Five; 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.

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 2nd day of February, One Thousand Nine Hundred and Fifty-Six.

JOHN J. FERDON

(SEAL)

President of the Board of Supervisors of the City and County of San Francisco John R. McGrath Clerk of the Board of Supervisors of the City and County of San Francisco

Approved as to form

DION R. HOLM City Attorney

now, therefore, be it

Approval

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.

CHAPTER 2

Assembly Concurrent Resolution No. 4—Approving the charter of the City of Hayward, County of Alameda, State of California. ratified by the qualified electors of said city at a special municipal election held therein on the 10th day of January, 1956.

[Filed with Secretary of State, March 7, 1956]

City of Hayward Approval of charter WHEREAS, The City of Hayward, in the County of Alameda, State of California, contains a population in excess of 3,500 inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of the State of California; and

Whereas, Proceedings have been had in and taken by the said City of Hayward for the preparation, proposal, adoption, and ratification of a charter for the government of said City of Hayward, all as set forth in the following certificate of the Mayor and City Clerk of the City of Hayward, to wit:

CERTIFICATE OF PROCEEDINGS HAD AND TAKEN BY THE CITY OF HAYWARD IN FRAMING A CHARTER FOR ITS OWN GOVERNMENT

STATE OF CALIFORNIA, COUNTY OF ALAMEDA, CITY OF HAYWARD.

We, the undersigned, W. O. Wilson, Mayor of the City of Certificate Hayward, County of Alameda, State of California, and Irene Templeton Jamieson, City Clerk of said City and ex-officio Clerk of the City Council of said City, do hereby certify and declare as follows:

That the undersigned, said Irene Templeton Jamieson, was at all the times herein mentioned, the Clerk of the Legislative body of the City and City Clerk of said City of Hayward.

That heretofore and prior to the 8th day of November, 1955, the said City Council of the City of Hayward, of its own motion, did cause to be framed a proposed Charter for its own government, and on the 8th day of November, 1955, at a regular meeting of said City Council of said City, said City Council by Resolution No. 4817 N.S. directed said City Clerk to place the proposition of the adoption of said proposed Charter on the ballot at a special municipal election ordered in the City of Hayward for the 10th day of January, 1956, for the purpose of submitting said proposal to the electors of said City of Hayward; that said Resolution further directed that said City Clerk publish said proposed Charter in the "Daily Review," a newspaper of general circulation, printed and published in the City of Hayward.

That said proposed Charter of the City of Hayward was filed in the office of the City Clerk in the City Hall at Hay-

ward, California, on the 8th day of November, 1955.

That said proposed Charter was published pursuant to said direction in said newspaper and each edition thereof during its publication on the 17th day of November, 1955; that the date of such publication was within fifteen days after the said proposed Charter was filed in the office of said City Clerk of said City Council; that the date set for the submission to the electors of said proposed Charter, to-wit: January 10, 1956, was not less than forty days nor more than sixty days after the completion of the publication in said newspaper, as aforesaid.

That until the day fixed for the election there was advertised in the said "Daily Review," a notice that copies of said proposed Charter were available in the office of the City Clerk of the City of Hayward and could be secured upon application therefore at said office; that such copies were so available.

That the population of said City of Hayward is more than three thousand five hundred (3,500) and less than fifty thousand (50,000) inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States.

That said special election was duly and regularly called and held on the 10th day of January, 1956; that at said election a majority of the qualified voters voting thereon voted in favor of said proposed Charter and for the ratification and adoption thereof.

That thereafter on January 17, 1956, the said Council of the City of Hayward duly canvassed the returns of said special election and found and declared that a majority of said qualified electors voting thereon at said special election had voted in favor of said proposed Charter and for the ratification

and adoption thereof.

That in all matters and in all things pertaining to said proposed Charter, all of the provisions of Section 8, Article XI of the Constitution of the State of California and the laws of said State, have been fully complied with in each and every particular.

That said Charter so prepared, proposed, submitted, ratified and adopted is in the words and figures following, to-wit:

THE CHARTER OF THE CITY OF HAYWARD

SUMMARY OF CONTENTS

Table of contents

Article I. Incorporation and Succession

II. Powers of the City

III. Form of Government

IV. Elections

V. The Elective Officers

VI. The Council VII. City Manager

VIII. Officers and Employees

IX. Appointive Boards and Commissions

X. Retirement

XI. Personnel System

XII. Fiscal Administration

XIII. Public Works and Supplies
XIV. Off-street Vehicular Parking

XV. Franchises

XVI. Public School System

XVII. General Provisions

Article I. Incorporation and Succession

Section 100. Name of City.

Section 101. Rights and Liabilities.

Section 102. Boundaries. Section 103. Ordinances.

Section 104. Continuance of Present Officers and Employees

Section 105. Effective Date of Charter.

Article II. Powers of the City

Section 200. General Powers.

Section 201. Contract for Municipal Services.

Article III. Form of Government

Section 300. Council-Manager Form.

Article IV. Elections

Section 400. General Municipal Elections.
Section 401. Special Municipal Elections.
Section 402. Procedure for Holding Elections.
Section 403. Initiative, Referendum and Recall.

Article V. The Elective Officers

Section 500. Enumeration.

Section 501. Vacancy in Elective Office.

Article VI. The Council

Section 600. Councilmen, Term of Office.

Section 600(a) Council Committees.

Section 601. Eligibility.

Section 602. Councilman to Hold No Other Office.

Section 603. Compensation. Section 604. Presiding Officer.

Section 605. Presiding Officer Pro Tempore.

Section 606. Powers of the Council. Section 607. Meetings of Council.

Section 608. Quorum.

Section 609. Citizen Participation.

Section 610. Administering Oaths. Subpoenas.

Section 611. Rules of Proceeding.

Section 612. Method of Action. Ordinances and Resolutions.

Section 613. Ayes and Noes.

Section 614. Majority Vote of Council.

Section 615. Subject of Title.

Section 616. Enacting Clause of Ordinances.

Section 617. Requirements of Ordinances. Emergency Or-

dinances.

Section 618. Reconsideration.

Section 619. Signing and Attesting.

Section 620. Ordinances, Effective Date. Section 621. Record of City Ordinances.

Section 622. Codification of Ordinances.

Section 623. Ordinance Violation. Penalty.

Article VII. City Manager

$\mathbf{Section}$	700.	City	Manager.
--------------------	------	------	----------

Section 701. Powers and Duties.

Section 702. Participation in Council Action.

Section 703. Rules and Regulations. Section 704. Manager Pro Tempore.

Section 705. Non-interference With Administrative Service.

Article VIII. Officers and Employees

Section 8	300.	Enumeration.
-----------	------	--------------

Section 801. Appointment and Removal.

Section 802. Duties of Officers and Employees.

Section 803. Compensation of Officers and Employees.

Section 804. Oath of Office. Section 805. Official Bonds.

Section 806. Illegal Contracts, Financial Interest Prohibited.

Section 807. Nepotism.

Section 808. City Attorney. Powers and Duties.

Article IX. Appointive Boards and Commissions

Section 900. In General.

Section 901. Appropriations.

Section 902. Appointments. Terms.

Section 903. Existing Boards and Commissions.

Section 904. Meetings. Chairman.

Section 905. Compensation. Vacancies.

Section 906. Planning Commission. Powers and Duties.

Section 907. Personnel Board. Powers and Duties.

Section 908. Public Services Commission.

Section 909. Airport Commission. Section 910. Parks Commission.

Section 911. Library Commission.

Section 912. Industrial Commission.

Article X. Retirement

Section 1000. Retirement System.

Section 1001. Authority to Join Other Systems.

Article XI. Personnel System

Section 1100. Unclassified and Classified Service.

Section 1101. Merit Principle.

Section 1102. Personnel Rules and Regulations.

Section 1103. Political Activities Prohibited.

Section 1300.

Article XII. Fiscal Administration

Section	1200.	The Fiscal Year.
Section	1201.	Annual Budget.
Section	1202.	Public Hearing on the Budget.
Section	1203.	Adoption of the Budget.
Section	1204(a)	Tax System.
Section	1 204(b)	Tax Rate. Limitation.
Section	1 205.	Independent Audit.
Section	1206.	Bonded Debt Limit.
Section	1 207.	Cash Basis Fund.
Section	1208.	Capital Outlays Fund.
Section	12 09.	Other Funds.
Section	1 210.	Demands Against the City.
Section	1211.	Registering Warrants.
Section	1212.	Actions Against the City.

Form of Contracts.

Section 1301. Contracts for Official Advertising.

Section 1302. Centralized Purchasing.
Section 1303. Contracts on Public Works.
Section 1304. Requirements of Bids.

Article XIII. Public Works and Supplies

Article XIV. Off-street Vehicular Parking

221 (10	10 MIV. OH SHOOL VOHICUMI I WIMING
Section 1400.	General.
Section 1401.	Definitions.
Section 1402.	Grant of Powers.
Section 1403.	Pledge of Net Parking Meter Revenues.
Section 1404.	Authorization of Revenue Bonds.
Section 1405.	Provisions Relating to Bonds and Resolutions
	of Issue.
Section 1406.	Recital in Bonds; Reference on Bonds to Reso-
	lution of Issue.
Section 1407.	Security.
Section 1408.	Bonds of Same Issue to be Equally Secured.
Section 1409.	Sale of Bonds
Section 1410.	Payment of Incidental Expenses and Interest
	and Creation of Funds from Proceeds of Sale
	of Bonds.
Section 1411.	Construction Fund; Investment.
Section 1412.	Continuous Operation of Project; Repairs, Re-
	newals and Replacements.
Section 1413.	Rates, Fees and Other Charges.
Section 1414.	Trustee; Fiscal Agent; Paying Agents.
Section 1415.	Competitive Projects.
Section 1416.	Use of Surplus.
Section 1417.	Rights of Bondholders.
Section 1418.	Article Confers Complete Authority; Provi-
	sions of Article Alternative.

Section 1419. Revenue Bonds Excluded from Bonded Indebtedness of City.

Article XV. Franchises

Section 1500. Franchises to Operate.

Section 1501. Authority to Grant Franchises.

Section 1502. Franchise Terms, Conditions and Procedures.

Section 1503. Method of Granting Franchise.

Section 1504. Term of Franchise.

Section 1505. Purchase or Condemnation by City.

Section 1506. Adequate Compensation.

Section 1507. Article Not Applicable to Certain Cases.

Section 1508. Exercising Right Without Franchise.

Section 1509. Article Not Applicable to City.

Article XVI. Public School System

Section 1600. Effect of Charter.

Article XVII. General Provisions

Section 1700. Validity of Charter. Section 1701. Violations.

THE CHARTER
OF THE
CITY OF HAYWARD

Preamble

Preamble

We, the people of the City of Hayward, in order to promote a more effective and democratic government, and promote responsibility, economy and dispatch in administration so that this community may unite in harmonious effort to enjoy the full measure of prosperity and civic development to which it is justly entitled, do ordain and establish this Charter as the organic law of the City of Hayward under the Constitution of the State of California

Article I. Incorporation and Succession

Name

Property rights Section 100. Name of City. The City of Hayward shall continue to be a municipal corporation under its present name of "City of Hayward" and shall be possessed of all the property and interest of which it was possessed at the time this Charter takes effect.

Same

Section 101. Rights and Liabilities. The City of Hayward shall remain vested with and continue to have, hold and enjoy, all property, rights and privileges now possessed. enjoyed, owned or held by it, and shall be subject to all the duties and

Liabilities

obligations now pertaining to or incumbent on said City, not inconsistent with the provisions of this Charter.

Section 102. Boundaries. The boundaries of the City shall Boundaries be the boundaries as established at the time this Charter takes effect until otherwise changed in the manner provided by law.

Section 103. Ordinances. All ordinances, resolutions, rules ordinances, and regulations of the City, consistent with this Charter and in etc. force when it takes effect, are hereby continued in force until the same shall have been duly repealed or amended.

Section 104 Continuance of Present Officers and Employ-Incumbents Present officers and employees shall continue to perform the duties of their respective offices and employments without interruption and for the same compensations and under the same conditions, until the election or appointment and qualification of their successors, but subject to the provisions of this Charter. The terms of office of elective officers whose offices are hereby made appointive shall expire upon the appointment of their successors.

Section 105. Effective Date of Charter. This Charter Effective shall take effect from the time of its approval by the Legisla-date ture of the State of California.

Article II. Powers of the City

Section 200. General Powers. The City shall have the General 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 and laws 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.

The City shall have the power and may act pursuant to any procedure established by any law of the State, unless a different procedure is established by this Charter or by ordinance.

Section 201. Contract for Municipal Services. The City Municipal shall have the power to contract with any competent public contracts or private body or agency for the performance of any municipal function.

Article III. Form of Government

Section 300. Council-Manager Form. The municipal gov- Councilernment established by this Charter shall be known as the form of "Council-Manager" form of government.

Article IV. Elections

Elections General Section 400. General Municipal Elections. General municipal elections for the election of officers and for such other purposes as the Council may prescribe, shall be held in said City on the second Tuesday in April of each even numbered year, commencing with the year 1956.

Special

Section 401. Special Municipal Elections All other municipal elections that may be held by authority of this Charter, or of general law, or by ordinance, shall be known as special municipal elections.

Procedure

Section 402. Procedure for Holding Elections. Unless otherwise provided by ordinances 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,

Section 403. Initiative, Referendum and Recall. Except insofar as is otherwise provided by ordinances 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, the referendum and the recall of municipal officers shall apply to the use thereof in the City insofar as the same are not in conflict with this Charter.

Article V. The Elective Officers

Elective officers Enumeration Section 500. Enumeration. The elective officers of the City of Hayward shall consist of a Council composed of seven members who shall be elected at a general municipal election on a general ticket from the City at large.

Vacancies

Section 501. Vacancy in Elective Office. An elective office becomes vacant when the incumbent thereof dies, resigns, is removed from office under recall proceedings, is adjudged insane, convicted of a felony, or of an offense involving a violation of his official duties, or ceases to be a resident of the City, or neglects to qualify within ten days following election or appointment, or shall have been absent from the State without leave for more than sixty consecutive days, or fails to attend the meetings of the body of which he is a member for a like period without being excused therefrom by said body.

In the event that the Council shall fail to fill a vacancy by appointment within thirty days after such office shall have become vacant, it shall forthwith cause an election to be held to fill such vacancy.

Article VI. The Council

Councilmen Terms

Section 600. Councilmen. Term of Office. Except as otherwise provided in this Section, the members of the Council shall hold office for a term of four years from and after the

first Tuesday following their election, and continuing until

their respective successors qualify.

The vacancies on the Council caused by the increase in Vacancies the number of Councilmen from five to seven shall be filled at the next general municipal election following the approval of this Charter by the electorate. Of the Councilmen elected at said time, the two receiving the least number of votes shall be deemed the additional Councilmen elected to fill the vacancy created by this Charter. Of these two additional Councilmen so elected, the one receiving the larger number of votes shall hold office until 1960, and the other shall hold office until 1958, and until their respective successors qualify. The assumption of office by said additional Councilmen shall depend upon the approval of this Charter by the State Legislature, and they shall assume office at the next Council meeting held following such approval of this Charter. Their successors shall be elected for a full term of four years and until their respective successors qualify.

The members of the Council in office at the time this Char- Incumbents ter takes effect shall continue in office until the expiration of their respective terms, and their respective successors qualify. Their successors shall be elected for a full term of

four years.

Ties among candidates for any office shall be settled by Tie votes the drawing of lots.

Section 600(a). Council. Committees. The Council may Committees organize among its members such standing committees as it may determine, each of which shall act as a fact finding committee for the purpose of considering all available information on proposed legislation or matters of policy referred to such committee by council and making recommendations thereon to the council as a whole.

Section 601. Eligibility. No person shall be eligible to Eligibility be nominated for or hold office as a member of the Council unless he is and shall have been for at least one year next preceding his election or appointment, a resident and qualified elector of the City or of territory annexed thereto.

Section 602. Councilman to Hold No Other Office. No Dual office member of the Council shall hold any other city office or holding city employment, the compensation of which is paid out of municipal funds, nor be elected or appointed to any office created or the compensation of which is increased by the Council, while he is a member thereof, until one year after the expiration of the term for which he was elected.

Section 603. Compensation. The members of the Council compenshall receive no compensation for their services as such, but shall receive reimbursement on order of the Council for Council authorized traveling and other expenses when on official duty.

Section 604. Presiding Officer.

a. Selection and term. Until the General Municipal Elec- officer: Selection tion next following the effective date of this Charter, the

Term

Council's presiding officer shall be selected and hold office as provided theretofore. Thereafter, the presiding officer shall serve at the pleasure of the Council but for a term not exceeding one year. Other members of Council shall succeed to the chair in the descending order of their relative lengths of service as councilmen. If more than one Councilman have the same period of service, their relative position of precedence shall be determined by drawing lots. A Councilman who has served as presiding officer within the three years prior to the General Municipal Election next following the effective date of this Charter, or during any period thereafter, shall not occupy the chair again until every other Councilman then in office has served in, relinquished or rejected the position, in his turn.

Succession

b. Succession. If a Councilman rejects his turn to serve as presiding officer, the Councilman next in order of seniority shall succeed to the position. A Councilman who serves as presiding officer for more than six months in completing the term of a predecessor shall forfeit his turn to occupy the chair during the succeeding year term.

Powers and duties c. Powers and Duties. The presiding officer shall preside at meetings of the Council, represent the Council on ceremonial occasions and, with the authorization of the Council, use the title of Mayor in executing official documents. The presiding officer shall have no other authority except those of a Councilman.

Presiding officer pro-tem Section 605. Presiding Officer Pro Tempore. The councilman next in order of seniority of that of Presiding Officer shall be entitled to become Presiding Officer Pro Tempore, who shall perform the duties of the Presiding Officer during his absence or disability. The term of Presiding Officer Pro Tempore shall be for the same period as that of Presiding Officer, and he likewise may be removed from office during his said term at the pleasure of the Council.

Council Powers Section 606. Powers of the Council. All powers of the City shall be vested in the Council, subject to the provisions of this Charter and to the Constitution of the State of California. The Council may establish the method by which any of such powers may be exercised.

Meetings

Section 607. Meetings of Council. The Council shall, by ordinance or resolution, provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All meetings of the Council, whether regular or special, shall be open to the public.

Quotum

Section 608. Quorum. A majority of the members of the Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and postpone the consideration of pending business.

Citizen participation Section 609. Citizen Participation. No citizen shall be denied the right personally, or through counsel, to present grievances or offer suggestions for the betterment of munic-

ipal affairs, at any regular meeting of the Council, nor to

speak on the subject of any special meeting.

Section 610. Administering Oaths. Subpoenas. Each Oaths member of the Council shall have the power to administer oaths and affirmations in any investigation or proceeding pending before the Council. The Council shall have the power and suppens 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 (upon other than constitutional grounds), shall be deemed contempt and shall be punishable as provided by the general laws of the State.

Section 611. Rules of Proceeding. The Council shall de-Rules termine its own rules of procedure, may punish its members for disorderly conduct and compel their attendance at Council

meetings.

Section 612. Method of Action. Ordinances and Resolu- ordinances tions. Legislative action shall be taken by the Council only and resoby means of an ordinance or resolution.

Section 613. Ayes and Noes. The Council shall pass ordi-voting nances and resolutions only by taking the ayes and noes by an audible vote, which shall be entered in the minutes of the meeting. Upon the request of any member, the ayes and noes shall be taken and recorded on any motion.

Section 614. Majority Vote of Council. No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least four members of the Council.

Section 615. Subject of Title. Every ordinance or resolu- Titles tion shall be preceded by a brief title which shall indicate the subject and purport thereof.

Section 616. Enacting Clause of Ordinances. The enact-enacting ing clause of all ordinances adopted by the Council shall be clauses substantially as follows: "The Council of the City of Hayward does ordain as follows:"

Section 617. Requirements of Ordinances. Emergency Or- Adoption dinances. Except as hereafter provided, no ordinance shall be adopted by the Council on the day of its introduction, nor within one week thereafter, nor at any time other than at a duly assembled meeting, nor until its publication at least once in full in a newspaper of general circulation within the City at least three days before its adoption.

At the time of introduction or adoption of an ordinance, the title thereto need only be read, unless reading of the ordinance in full is requested by any Councilman present.

Whenever any ordinance is amended before final adoption thereof, it must be republished in full as amended. The correction of typographical or clerical errors shall not constitute an amendment within the meaning of the foregoing sentence.

Emergency Ordinances. Any ordinance declared by the Emergency Council to be necessary as an emergency measure for preserv-ordinances

ing 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 lease five affirmative votes. The publication of an emergency ordinance shall be made within one week after its adoption.

Reconsideration Section 618. Reconsideration. When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken except at a meeting of the Council, held not less than one week after the meeting at which such motion was made.

Signing and attestation

Section 619. Signing and Attesting. All ordinances shall be signed by the Presiding Officer and attested by the City Clerk.

Effective date Section 620. Ordinances. Effective Date. An ordinance shall become effective upon the date of its adoption, unless the effective date is otherwise stated in the ordinance.

Records

Section 621. Record of City Ordinances. A true and correct copy of all ordinances shall be kept and certified to by the City Clerk in a book marked "City Ordinances." Such record copy, with such certificate, or the original ordinance, shall be prima facie evidence of the contents of the ordinance and of the due passage and publication of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the City Clerk Nothing herein contained shall be construed to prevent the proof of the passage and publication of an ordinance in the usual way.

Codification

Codification of Ordinances. Any or all ordi-Section 622. nances of the City which have been enacted 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, with the same effect as an ordinance, 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 the code shall be enacted in the same manner as herein required for the amendment or ordinances generally.

Violations

Penalties

Section 623. Ordinance 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 Five Hundred (\$500.00) Dollars, or a term of imprisonment for a period not exceeding six months, or both such fine and imprisonment.

Article VII. City Manager

Section 700. City Manager. There shall be a City Manager ager who shall be the chief administrative officer of the City. Appointment He shall be appointed for an indefinite term by the Council and shall serve at the pleasure of the Council. He shall be qualifications, with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. He need not be a resident of the City or State at the time of his appointment, but during his tenure of office, he shall reside within the City, unless the Council authorizes him to reside outside the City.

No Councilman shall be eligible for appointment to the office Including of City Manager during the term for which he shall have been of council-elected or appointed nor within two years thereafter.

Section 701. Powers and Duties. The City Manager shall Powers and duties be head of the administrative branch of the City government. He shall be responsible to the Council for the proper administration of all affairs of the City. Without limiting the foregoing general grant of powers, responsibilities and duties, the City Manager shall have power and be required to:

1. Appoint, discipline and remove, subject to the personnel provisions of this Charter, except as otherwise provided by this Charter, all officers and employees of the City under his jurisdiction. He may authorize the head of any department or office to appoint, discipline or remove subordinates in such department or office.

2. Prepare the budget annually and submit it to the Council and be responsible for its administration after its adoption.

3. Prepare and submit to the 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.

4. Keep the Council advised of the financial condition and future needs of the City and make such recommendations on any matter as may to him seem desirable.

5. Establish a centralized purchasing system for all City offices, departments and agencies.

6. Prepare rules and regulations governing the contracting for, purchasing, inspection, storing, inventory, distribution or disposal of all supplies, materials and equipment required by any office, department or agency of the City government and recommend them to the Council for adoption by it.

7. Enforce the laws of the State pertaining to the City, the provisions of this Charter and the ordinances, franchises and rights of the City.

8. To make and execute contracts on behalf of the City for commodities or services included in the annual budget, or otherwise authorized by Council action.

9. Perform such other duties as may be prescribed by this Charter or required of him by the Council not inconsistent with this Charter.

12-L-3546

Participation in council action

Section 702. Participation in Council Action. The City Manager shall be accorded a seat at the Council table and at all meetings of boards and commissions and shall be entitled to participate in their deliberations, but shall not have a vote. He shall receive notice of all special meetings of the Council, boards and commissions.

Rules and regulations

Section 703. Rules and Regulations. The City Manager may prescribe such general rules and regulations as he may deem necessary or expedient for the general conduct of the administrative offices and departments of the City under his jurisdiction.

Manager pro tem Section 704. Manager Pro Tempore The City Manager shall appoint, subject to the approval of the Council, a qualified administrative officer or employee to serve as Manager Pro Tempore during the absence or disability of the City Manager. If the Manager fails to make such designation, the Council may designate an officer of the City to serve as Manager Pro Tempore during the absence or disability of the City Manager.

Noninterference Section 705. Non-interference With Administrative Service. Neither the Council nor any of its members shall interfere with the execution by the City Manager of his powers and duties, or order, directly or indirectly, the appointment by the City Manager, or by any of the department heads in the administrative service of the City, of any person to any office or employment, or his removal therefrom. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately. The City Manager shall take his orders and instructions from the City Council only when it is sitting in a lawfully held meeting.

Article VIII Officers and Employees

Officers and Employees Enumeration Section 800. Enumeration. The officers of the City of Hayward shall consist of the Council, a City Manager, a City Attorney, a City Clerk, a Director of Finance, a Director of Public Works, a City Engineer, a Planning Director, a Chief of Police, a Chief of the Fire Department and such other subordinate officers, assistants, deputies and employees as the Council may deem necessary to provide by ordinance or resolution

Appointment and removal

Section 801. Appointment and Removal. The City Manager, City Attorney and City Clerk shall be appointed by and may be removed by the affirmative votes of no less than four members of the Council.

The Director of Finance, Director of Public Works, City Engineer, Planning Director, Chief of Police and Chief of the Fire Department and all other officers and department heads of the City shall be appointed by the City Manager and shall serve at the pleasure of the City Manager.

Section 802. Duties of Officers and Employees. The Coun-Powers and cil may provide by ordinance or resolution, not inconsistent duties with this Charter, for the powers and duties of all officers and

employees of the City.

The Council may transfer or consolidate functions of the Consolidation City government to or with appropriate functions of the state of functions or county government, or make use of such functions of the state or county government, and in such case, the provisions of this Charter providing for the function of the City government so transferred or consolidated, shall be deemed suspended during the continuance of such transfer or consolidation, to the extent that such suspension is made necessary or convenient and is set forth in the ordinance or resolution establishing such transfer or consolidation. Any such transfer or consolidation may be repealed in like manner.

Section 803. Compensation of Officers and Employees. Compensation The compensation of all City officers and employees, except as otherwise provided in this Charter, shall be by salary to be fixed by ordinance or resolution. No officer or employee shall be allowed any fees, perquisites, emoluments, rewards or compensation, aside from the salary or compensation as fixed by the Council, but all fees received by him in connection with his official duties shall be paid by him into the City Treasury.

Section 804. Oath of Office. Every officer of the City, Oath before entering upon the duties of his office, shall take the oath of office as provided for in the Constitution of this State, and shall file the same with the City Clerk.

Section 805. Official Bonds. The Council shall fix by ordi-Bonds nance the amounts and terms of the official bonds of all officials or employees who are required by ordinance to give such bonds. All bonds shall be executed by responsible corporate surety, shall be approved as to form by the City Attorney and shall be filed with the City Clerk, Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or his bond, for any wrongful act or omission of his subordinate, unless such superior officer was a party to, or conspired in such wrongful act or omission.

Section 806. Illegal Contracts, Financial Interest Prohib- Interest in ited. No officer or employee of the City shall become finan-contracts cially interested except by testate or intestate succession, either directly or indirectly, in any contract, sale, purchase, lease or transfer of real or personal property to which the City is a party; provided, however, that any member of a board or commission serving without compensation may contract with the City or sell or contract to sell personal property to the City to be used by a department, board or commission of the City

other than the board or commission on which he serves. No officer or employee shall be deemed to be financially interested by the ownership of less than three percent of the outstanding capital stock of a corporation. Any contract, sale or transaction in which there shall be such an interest, as specified in this section, shall become void at the election of the City when so declared by resolution of the Council.

Misdemeanor

Any violation of the provisions hereof shall be deemed a misdemeanor and shall be cause for removal from office.

Nepotism

Section 807. Nepotism. The Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the second degree of any one or more of the members of such Council, and neither shall any department head or other officer having appointive power appoint any relative within such degree to any such position.

City attorney Section 808. City Attorney. Powers and Duties. To become eligible for City Attorney the person appointed shall be an attorney-at-law duly licensed as such under the laws of the State of California and shall have been engaged in the practice of law for at least five years prior to his appointment.

The City Attorney shall have power and be required to:

- 1. Represent and advise the Council and all City officers on all matters of law pertaining to their offices.
- 2. Represent and appear for the City in any and all actions and proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee or former City officer or employee in any and all actions and proceedings in which any such City officer or employee is concerned or is a party, for any action arising out of his employment or by reason of his official capacity.
- 3. Attend all meetings of the Council and give his advice or opinion in writing whenever requested in writing so to do by the Council or any of the officers, boards and commissions of the City.
- 4. Approve the form of all contracts made by and all bonds given to the City, endorsing his approval thereon in writing.
- 5. Prepare any and all proposed ordinances or resolutions for the City and amendments thereto.
- 6. Appoint, discipline and remove, subject to the personnel provisions of this Charter, all officers and employees of his office.
- 7. Perform such other duties consistent with this Charter as may be required by the Council.
- 8. Surrender to his successor all books, papers, files and documents pertaining to the City's affairs.

Article IX. Appointive Boards and Commissions

Boards and commissions: Creation Section 900. In General. There shall be the boards and commissions enumerated in this Article which shall have the powers and duties stated herein. The number of members to comprise any board or commission shall be determined by ordinance or resolution of the Council. No member of any board or commission shall hold any paid office or employment in the City government. In order to be eligible for any appoint-

ment to any board or commission, a person shall be a qualified elector of the City.

In addition, the Council may create by ordinance or resolution such 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.

Section 901. Appropriations. The Council shall include Appropriain the annual budget such appropriations of funds as in its opinion shall be sufficient for the efficient and proper functioning of the boards and commissions.

Section 902. Appointments. Terms. The members of each Appointof such boards or commissions shall be appointed by the Council. They shall be subject to removal by motion of the Council adopted by at least four affirmative votes. Unless otherwise Terms provided by this Charter, the members thereof shall serve for a term of four years and until their respective successors are appointed and qualified. No member thereof shall serve more than two consecutive full terms on any one board or com-

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, and that the number of terms expiring in any year does not exceed by more than one the number expiring in any other year.

Section 903. Existing Boards and Commissions. The mem-Incumbents bers of the boards and commissions holding office when this Charter takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors shall be appointed and qualified. The successors of each such member shall be appointed for terms of such duration, not exceeding four years, as will carry into effect the plan for staggered terms prescribed in the preceding section.

Section 904. Meetings. Chairman. As soon as practica-Meetings ble, following the adoption of this Charter and following the first day of July of every year thereafter, each of such boards and commissions as exist shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Each board or commission shall hold such regular and special meetings as such board or commission may require. All proceedings shall be open to the public.

The affirmative or negative vote of a majority of the entire voting membership of such board or commission shall be necessary for it to take any action, except to adjourn.

The City Clerk shall be responsible for the recording of the Records minutes for each of such boards and commissions and shall keep a record of its proceedings and transactions. Each board Rules and or commission may prescribe its own rules and regulations regulations Public inspection

Subpenas

which shall be consistent with this Charter. Copies of such rules and regulations and the minutes of each board and commission shall be kept on file in the office of the City Clerk where they shall be available for public inspection. Each board or commission shall have the same power as the Council to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence before it.

Compensation

Section 905. Compensation. Vacancies. The members of boards and commissions shall serve without compensation, but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the Council.

Vacancies

Any vacancies in any board or commission, from whatever cause arising, shall be filled by appointment by the Council. Upon a vacancy occurring, leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a board or commission absents himself from three consecutive regular meetings of such board or commission, unless by permission of such 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 Council.

Planning commission Section 906. Planning Commission. Powers and Duties. There shall be a Planning Commission which shall have the power and be required to:

- 1. Recommend to the Council, after a public hearing thereon, the adoption, amendment or repeal of a Master Plan or any part thereof for the physical development of the City.
- 2. Exercise such functions with respect to land subdivisions, planning and zoning as may be prescribed by ordinance or resolution, not inconsistent with this Charter.

Personnel Board Members Section 907. Personnel Board. Powers and Duties. There shall be a Personnel Board none of whom, while a member of the board nor for a period of one year after he has ceased for any reason to be a member, shall be eligible for appointment to any salaried office or employment in the service of the City nor to any City elective office.

Powers and duties The Personnel Board shall have power and be required to:

1. Act in an advisory capacity to the Council and the City Manager on personnel administration.

- 2. Recommend to the Council after a public hearing thereon, the adoption, amendment or repeal of personnel rules and regulations.
- 3. Hear appeals of any person in the classified service, relative to any suspension, demotion or dismissal.
- 4. 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.

5. Perform such other duties with reference to personnel administration not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 908. Public Services Commission. There shall be Public a Public Services Commission which shall have the power and Services Commission

be required to:

1. Act in an advisory capacity to the Council on matters relating to water and sewer services.

2. Perform such other duties with reference to such other Public Services not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 909. Airport Commission. There shall be an Air-Airport port Commission which shall have the power and be required

1. Act in an advisory capacity to the Council on matters relating to the Hayward Municipal Airport.

2. Perform such other duties with reference to the Hayward Municipal Airport not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 910. Parks Commission. There shall be a Parks Parks Commission which shall have the power and be required to: Commission

1. Act in an advisory capacity to the Council on matters relating to parks and recreation facilities

2. Perform such other duties with reference to parks and recreation facilities not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 911. Library Commission. There shall be a Li-Labrary brary Commission which shall have the power and be required commission

1. Act in an advisory capacity to the Council on matters relating to the Library of the City of Hayward.

2. Perform such other duties with reference to said library not inconsistent with this Charter as the Council may require by ordinance or resolution.

Section 912. Industrial Commission. There shall be an Industrial Industrial Commission which shall have the power and be Commission required to:

1. Act in an advisory capacity to the Council on matters relating to industrial promotion, growth, and expansion in the City of Hayward.

2. Perform such other duties with reference to industrial development in the City of Hayward not inconsistent with this Charter as the Council may require by ordinance or resolution.

Article X. Retirement

Section 1000. Retirement System. The Council shall have Retirement power to provide for the creation, establishment and maintenance of a retirement or pension plan or plans for any or all officers and employees of the City.

Section 1001. Authority to Join Other Systems. The City Joining other of Hayward, by and through its Council, is hereby empowered systems

to join in or continue as a contracting agency in any retirement or pension system or systems existing or hereafter created under the laws of the State of California, or the United States of America, to which municipalities and municipal officers and employees are eligible.

Article XI. Personnel System

Section 1100. Unclassified and Classified Service. The administrative service of the City shall be divided into Unclassified and Classified Service:

Unclassified service

- (a) The Unclassified Service shall comprise the following officers and positions:
 - (1) All elected officers.
 - (2) City Manager, City Attorney, City Clerk, the head of each department, and one private secretary and all administrative assistants in the office of the City Manager.
 - (3) All members of boards and commissions.
 - (4) Positions in any class or grade created for a special or temporary purpose for a period of not longer than six months.
 - (5) Persons employed to render professional, scientific, technical or expert services of any occasional or exceptional character.
 - (6) Part-time employees paid on an hourly or per diem basis.

Classified service

Mei it system (b) The Classified Service shall comprise all positions not specifically included by this Section in the Unclassified Service.

Section 1101. Merit Principle. All appointments to and promotions within the Classified Service shall be based upon efficiency and fitness which shall be ascertained by means or recognized personnel selection techniques.

Rules and

Section 1102. Personnel Rules and Regulations. Council shall implement the personnel system provided by this Article by adopting rules and regulations governing the administration thereof. Such personnel rules and regulations shall provide, among other things, for: (1) the preparation, installation, revision, and maintenance of a position classification plan covering all positions in the Classified Service, including minimum standards and qualifications for each class; and (2) the preparation, revision and administration of a plan of compensation directly correlated with the position classification plan, providing a range or maximum rate of pay for each class.

Political activities

Section 1103. Political Activities Prohibited. Excepting members of the City Council, and of the various boards and commissions mentioned in or created or hereafter created under Article IX of this Charter, no person holding any position with the City for which compensation is paid, or on an eligible list, shall take an active part in any City political campaign or 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 City office. Nothing in this Section shall be construed to prevent any such persons 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.

Except as otherwise provided by the general laws of this State heretofore or hereafter enacted, 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.

Article XII. Fiscal Administration

Section 1200. The Fiscal Year. Unless otherwise provided Fiscal year by ordinance, the fiscal year of the City shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

Section 1201. Annual Budget. On such date in each year Budget as shall be fixed by the Council, the City Manager shall send Submission to the Council a careful estimate in writing, of the amounts, specifying in detail the objects thereof required during the next ensuing year for the business and proper conduct of the various departments, offices, boards and commissions of the City. The City Manager shall also at said time submit to the Council an estimate of the amount of income from fines, licenses, and other sources of revenue, exclusive of taxes upon property, and the probable amount required to be levied and raised by property taxation.

Section 1202. Public Hearing on the Budget. After re-Hearing ceiving the proposed budget as submitted by the City Manager and making such revisions as it may deem advisable, the Council shall determine the time for holding a public hearing, and shall cause notice thereof to be published not less than ten notice days prior to said hearing by at least one insertion in a newspaper of general circulation in the City.

Copies of the proposed budget shall be available for in-public spection by the public in the office of the City Clerk at least ten inspection days prior to said hearing.

At the time so advertised or at any time to which said public hearing shall from time to time be continued, the Council shall afford interested persons an opportunity to be heard on matters pertaining to the proposed budget.

Section 1203. Adoption of the Budget. After the conclusion of the public hearing the Council shall further consider

the proposed budget and make any revisions thereof that it may deem advisable and thereafter it shall adopt the budget with revisions, if any. Upon final adoption, the budget shall be in effect for the ensuing fiscal year.

Appropriations From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated for the various objectives therein described. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered.

Amendments,

At any meeting after the adoption of the budget, the Council may amend or supplement the budget 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.

Transfers between agencies The City Manager may at any time transfer any unencumbered allotment balance or portion thereof covered by a single appropriation to any other agency covered by the same appropriation.

Taxation System Section 1204(a). Tax System. Unless otherwise provided by ordinance, the City shall continue to use, for the purpose of municipal property 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.

Rate

Section 1204(b). Tax Rate—Limitation. The City shall not levy a rate of taxation upon each one hundred dollars of valuation beyond that sufficient to raise the amounts required for the annual budget; and as otherwise in this Charter or by law provided, less the amounts estimated to be received from fines, licenses and other sources of revenues.

Audit

Section 1205. Independent Audit. The Council shall employ, at the beginning of each fiscal year, an independent certified public accountant who, at such time or times as may be specified by the Council, at least annually, shall examine the books, records, inventories, and reports of all officers and employees who receive, handle or disburse public funds and all such other officers, employees and departments the Council may direct.

As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by such accountant to the Council, one copy thereof to be distributed to each member, and one each to the City Manager, City Attorney, and Finance Officer, and three copies to be placed on file in the office of the City Clerk where they shall be available for inspection by the public.

Debt limit

Section 1206. Bonded Debt Limit. The City shall not incur an indebtedness evidenced by general obligation bonds which shall in the aggregate exceed the sum of fifteen percent of the total assessed valuation for purposes of City taxation, of all the real and personal property within the City, exclusive of any indebtedness that has been or may hereafter be incurred

for the purposes of acquiring, constructing, extending or maintaining municipal utilities for which purpose a further indebtedness may be incurred by the issuance of bonds, subject only to the provisions of the State Constitution and of this Charter.

No bonded indebtedness which shall constitute a general creation of obligation of the City may be created unless authorized by the indebtedness affirmative votes of two-thirds of the electors voting on such proposition at any election at which the question is submitted to the electors and unless in full compliance with the provisions of the State Constitution and of this Charter.

Section 1207. Cash Basis Fund. There shall be a Cash Cash Basis Basis Fund which balance each fiscal year shall be equal to one-third of the current year's proposed expenditures for current expenses. During each of the three fiscal years immediately and consecutively following the effective date of this Charter, the Council shall appropriate to the Cash Basis Fund one-third of the amount estimated by the City Manager to be the balance required by this section. Thereafter, the Council shall appropriate such amounts as are required to comply with this section.

Expenditures shall not be made from the Cash Basis Fund. Available money in the Cash Basis Fund may be loaned by transfer, to other funds of the City, in anticipation of receipts for such borrowing fund. Such loans shall be repaid to the Cash Dasic Fund during the same fiscal year that the loan was made.

The sole purposes of the Cash Basis Fund are to avoid the necessity of revenue anticipation borrowing and to insure a good credit standing for the City.

Section 1208. Capital Outlays Fund. A fund for capital Capital outlays, generally, is hereby created, to be known as the "Capi-Fund tal Outlays Fund." The Council may create by ordinance a special fund or funds for a special capital outlay purpose. The 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 moneys derived from such levy. The Council may transfer to any such fund any unencumbered surplus funds remaining on hand in the City at any time.

Once created, such fund shall remain inviolate for the purpose 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 Council may transfer any unexpended or unencumbered surplus remaining in such fund to the fund for capital outlays generally, established by this Charter.

Other funds

Section 1209. Other Funds. The Council may establish by ordinance such other special funds as it deems necessary for the proper administration of the fiscal affairs of the City.

Demands against city Section 1210. Demands Against the City. Demands against the City shall be presented and audited as prescribed by ordinance.

Registered warrants Section 1211. Registering Warrants. Warrants on the City Treasury shall be registered. All registered warrants shall be paid in the order of their registration when funds therefor are available and shall bear interest from date of registration at such rate as shall be fixed by the Council by resolution.

Actions against city

Section 1212. Actions Against the City. No suit shall be brought on any claim for money or damages against the City or any officer, employee, board or commission thereof until a verified demand for 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 to the City Clerk within ninety days after the occurrence, event or transaction from which the damages allegedly arose, and shall set forth in detail the name and address of the claimant, the time, date, place and circumstances of the occurrence and the extent of the injuries or damages received; all other claims or demands shall be presented within ninety days after the last item of the account or claim accrued.

In all cases such claims shall be approved or rejected in writing and the date thereof given. Failure to complete the action approving or rejecting any claim or demand within sixty days from the day the same is filed with the City Clerk shall be deemed a rejection thereof.

Article XIII. Public Works and Supplies

Contracts:

Section 1300. Form of Contracts. All contracts shall be drawn under the supervision of the City Attorney. All contracts must be in writing, executed in the name of the City of Hayward by an officer or officers authorized to sign the same.

Advertising

Section 1301. Contracts for Official Advertising. Council shall let annually contracts for the official advertising for the ensuing fiscal year. In the event there is more than one daily newspaper of general circulation published and circulated in the City, the Council shall advertise for one day, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed proposals therefor. The proposals shall specify the type and spacing to be used at the rate or rates named in the bids. The Council shall let the contracts for such official advertising to the lowest responsible bidder publishing a daily newspaper in the City which is a newspaper of general circulation and has been in existence at at the time of the awarding of the contract at least one year; provided, that the Council may reject any or all bids and advertise for new bids.

Section 1302. Centralized Purchasing. A centralized pur- Centralized chasing system shall be established for all City departments. offices and agencies. The City Manager shall recommend and the Council shall consider and adopt rules and regulations governing the contracting for, purchasing, inspection, storing, distribution or disposal of all supplies, materials and equipment required by any department, office or agency of the City Government.

Before making purchases of, or contracts for, supplies ma-Bids terials, or equipment, ample opportunity shall be given for competitive bidding. When making purchases for the City, merchants with places of business located within the City shall be given preference, quality and prices being equal.

Section 1303. Contracts on Public Works. Every project Public involving an expenditure of City monies of more than Two Thousand (\$2,000.00) Dollars for new work consisting of construction or improvement of public buildings, works, drains, sewers, utilities, park, playgrounds, and streets shall be let by contract 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 seven days before the time for opening bids.

The Council may reject any and all bids, if deemed excessive, and readvertise for bids, or provide for the work to be procured in the open market, but in no case of open market procurements shall the price paid be higher than the responsible low bid rejected.

The Council, without advertising for bids, may provide for such work to be procured in the open market if it deems it more beneficial or economical to do so.

Section 1304. Requirements of Bids. All bids or pro-Bids posals shall be accompanied by either a certified, or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in the State of California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified, then in an amount not less than ten percent of the aggregate amount of the bid.

No person, firm or corporation shall be allowed to make or file or be interested in more than one bid or proposal for the same work. If it appears that the same person, firm or corporation is interested in more than one bid or proposal, all such bids or proposals shall be rejected.

The security accompanying the accepted bid or proposal shall be held by the City Clerk until the contract has been entered into, and the bond accompanying the same is approved and filed, whereupon said security shall be returned to said bidder. All securities accompanying the unsuccessful bids or proposals shall be returned to the proper parties.

If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the security shall be declared forfeited to the City and shall be collected and paid into its general fund.

Article XIV. Off-street Vehicular Parking

Off-street Velucular Parking General authority Section 1400. General. In addition to all other powers elsewhere enumerated in this Charter, or granted or hereafter granted to the City of Hayward by the Constitution or laws of the State of California, the City of Hayward shall have power to acquire (whether by purchase, lease, eminent domain, or otherwise), construct, establish, improve, extend, maintain, operate, administer, lease and sublease off-street vehicular parking facilities and places within the City of Hayward, including any and all public parking lots, garages, or other automotive parking facilities, in order to relieve traffic congestion and promote the welfare of the citizens and inhabitants of said City, and, for the payment of costs thereof, to issue bonds payable from the revenues of any such off-street vehicular parking facilities and from other revenues, all as hereinafter provided in this Article.

Definitions

Section 1401. Definitions. The following terms whenever used or referred to in this Article, or in any resolution of issue, shall have the following meanings, respectively, unless a different meaning appears from the context:

- (a) Bonds. The term "bonds" or "revenue bonds" means the written evidence of any obligation issued by the City, payment of which is secured by a pledge of revenues or any part of revenues, as provided in this Article, in order to obtain funds with which to carry out any of the purposes of this Article, irrespective of the form of such obligation. All revenue bonds issued pursuant to this Article shall be payable exclusively from revenues.
- (b) Project. The term "project" means any one or more off-street vehicular parking facilities referred to in Section 1400 and designated by the City as a project in a resolution of issue.
- (c) Existing Off-street Parking Facilities. The term "existing off-street parking facilities" means and includes any off-street vehicular parking facilities now or hereafter owned by the City and operated or controlled by the City at the time of adoption of a resolution of issue and not theretofore designated by the City as a project in a resolution of issue and not acquired, constructed, established, improved, extended, maintained, or operated, in whole or in part, from the proceeds of sale of any revenue bonds.
- (d) Revenues. The term "revenues" means and includes any and all rates, fees and other charges received or receivable in connection with, and any and all income and receipts of whatever kind and character derived by the City from, the

operation of a project, or arising from a project, including any such revenues as may have been or may be impounded or deposited in any fund created for the security or further protection of revenue bonds or for the purpose of providing for the payment of the principal thereof or the interest thereon.

The term "revenues" also includes net revenues from onstreet parking meters within the City now owned or controlled or hereafter acquired or controlled by the City and net revenues of any existing off-street parking facilities to the extent that net revenues from either or both of said sources shall be pledged or otherwise made available for the payment of operation and maintenance costs of any project or as security or further protection for bonds by a resolution of issue.

- (e) Net Revenues. The term "net revenues" when used with reference to on-street parking meters within the City means and includes the gross revenues collected by the City during any fiscal year from the establishment and operation of such on-street parking meters after deducting therefrom the actual necessary costs and expenses of the acquisition, installation, maintenance and replacement of such parking meters and of the collection of revenues therefrom, all calculated on sound accounting principles, but without any allowance for depreciation of obsolescence. The term "net revenues" when used with reference to any existing off-street vehicular parking facilities means and includes any gross revenues collected by the City during any fiscal year from the establishment and operation of such existing off-street parking facilities after deducting therefrom all payments payable with respect to such facilities and the actual necessary expenses of maintaining and operating such facilities, calculated on sound accounting principles, but without any allowance for depreciation or obsolescence.
- (f) Resolution of Issue. The term "resolution of issue" means any agreement entered into by the Council, including any resolution adopted by the Council, pursuant to which revenue bonds are issued, and includes any agreement entered into or resolution adopted by the Council amending, modifying or supplementing a resolution of issue irrespective of the form thereof.

Section 1402. Grant of Power. Without limiting the gen-powers of erality of Section 1400, the Council, for any of the purposes council of this Article shall have the powers set forth in this section.

- (a) Acquisition and Disposition of Property. To acquire, by grant, purchase, gift, devise, lease or by the exercise of right of eminent domain, and to hold, use, sell, lease, sublease or dispose of any real or personal property or any interest in any thereof, including rights of way, necessary or appropriate for the full exercise, or convenient or useful for the carrying on of any of its powers pursuant to this Article.
- (b) Acquisition for Project Ingress and Egress. To acquire, by any of the means specified in the foregoing paragraph (a) any lands, property or rights of way necessary or

convenient for the opening, widening, straightening and extending of streets or alleys necessary or convenient for the ingress to or egress from any project.

(c) Improvements. To improve any lands so acquired by the construction thereon of garages or other buildings or im-

provements necessary or convenient for any project.

(d) Control of Project. To construct or cause to be constructed, established, improved, extended, maintained, operated, and to administer, lease and sublease any project.

- (e) Rates, Fees and Charges. To fix rates, fees or charges for the use of the facilities provided by any project, or for any services rendered in connection therewith, and to alter, change or modify the same at its pleasure, subject to any contractual obligation which may have been entered into by the City with respect to the fixing of such rates, fees or charges; and, by a resolution of issue or otherwise, to enter into covenants to increase or decrease rates, fees or charges from time to time, except as may be otherwise specifically provided in a resolution of issue. All rates, fees and charges shall be paid only in such coin or currency as on the date of payment is legal tender for public and private debts, or in script or tokens issued only upon payment of the face value thereof in such coin or currency.
- (f) Issuance of Revenue Bonds At any time from time to time to issue revenue bonds in order to raise funds for the purpose of establishing any project or of acquiring lands including rights of way for any project or of acquiring, constructing, improving, extending, maintaining, operating or administering any project, or of refinancing any project, or for any combination of such purposes, which bonds may be secured as hereinafter provided.
- (g) Agreements and Leases. To make contracts, leases, subleases and agreements relative to the acquisition, construction, improvement, operation or maintenance of any project or any part of any project with any person, private corporation or public corporation, political subdivision, city, county, district, the State of California, or the United States of America, or any department or agency of any thereof, subject to any contractual obligation which may be entered into by the City with respect to the issuance of bonds.
- (h) Lease of Space for Commercial Purposes. To rent or lease for commercial purposes space in any project which in the opinion of the Council is not and will not during the term of such lease be required for off-street vehicular parking facilities, provided that the aggregate of all such space so rented or leased for commercial purposes at any one time in any one project shall not exceed twenty percent (20%) of the surface area of such project and that the term of any such rental or lease shall not exceed a period of fifteen years from its date.

- (i) Rules and Regulations. To adopt such rules and regulations as may be necessary regarding the operation and maintenance of any project and to enable the City to exercise the powers and perform the duties conferred or imposed by this Article.
- (i) Miscellaneous. To do any and all acts or things necessary or appropriate to carry out the purposes of this Article and the provisions, covenants and agreements contained in any resolution of issue adopted pursuant to the authority conferred by this Article; provided, that nothing in this section or elsewhere in this Article contained shall be construed directly or by implication to be in any way in derogation or in limitation of any powers conferred upon or existing in the City by virtue of the provisions of the Constitution or laws of the State of California or any other provision of this Charter.

Section 1403. Pledge of Net Parking Meter Revenues. In Pledge of net addition to all other powers elsewhere enumerated in this Arti- parking meter cle, the Council shall have power to pledge, place a charge revenues upon, or otherwise make available and authorize payment of all or any part of net revenues collected by the City from the establishment and operation of on-street parking meters within the City now owned or controlled or hereafter acquired or controlled by the City, and existing off-street parking facilities for such periods of years as shall be determined by the Council, for the payment of operation and maintenance costs of any one or more projects authorized by this Article or as security or further protection for the payment of principal of and interest on bonds issued pursuant to this Article.

Section 1404. Authorization of Revenue Bonds. Each Resenue issue of revenue bonds shall be authorized by the Council by Authorization a resolution of issue adopted by affirmative votes of at least a majority of the members of the Council at a duly assembled meeting. Resolutions of issue shall provide for the aggregate Resolutions principal amount, date or dates, maturities, interest rates, of issue denominations and form, and may provide for the registration, transfer and interchange of any revenue bonds and coupons issued pursuant to this Article; and shall prescribe the purpose or purposes for which said bonds are to be issued and the terms and conditions on which said bonds are to be executed, issued, secured, sold and paid, and, if desired, the terms and conditions on which said bonds may be redeemed prior to maturity or refunded. The Council may provide for one or sev-Issues eral issues of bonds and may issue bonds in series, or may divide any issue into one or more series or divisions and fix different maturities or dates for each series or division, different rates of interest, or different terms and conditions for the bonds of the several series or divisions. Bonds of the same authorized issue need not be of the same kind or character, have the same security, or be of the same interest rate, but the terms thereof shall in each case be provided for by the Council.

Terms and provisions Section 1405. Provisions Relating to Bonds and Resolutions of Issue. The terms and provisions of all revenue bonds issued pursuant to this Article shall be as provided in the resolution of issue pursuant to which such bonds are issued, subject only to the provisions of this Article, and each such resolution of issue adopted by the Council may contain such provisions as shall be determined by the Council, subject only to the provisions of this Article.

Recital in Bonds; Reference on Bonds to

Recital

References

Section 1406.

Resolution of Issue. All revenue bonds shall contain a recital on their face that neither the payment of principal of nor of interest on such bonds constitutes a debt, liability or obligation of the City of Hayward, except as provided in this Article. Reference on the face of a revenue bond to the resolution of issue by its date of adoption is sufficient to incorporate all of the provisions thereof and of this Article into the body of said revenue bond and its appurtenant coupons. Each token and subsequent holder of a revenue bond or coupons, whether such coupons are attached to or detached from said revenue

bond, shall have recourse to all the provisions of the resolution

Security

of issue and of this Article and shall be bound thereby. Section 1407. Security. Subject to the provisions of Section 1403 hereof, all revenue bonds shall be secured by an exclusive pledge and charge upon all or a portion of (a) the gross revenues of the project for the acquaition, construction and completion of which said bonds are issued or authorized to be issued, (b) revenues from on-street parking meters, and (c) revenues of any existing off-street parking facilities subject to any pledge, liens or charges then existing, all as provided for in the resolution of issue. Gross revenues of a project include improvements and extensions of such project later constructed or acquired. The gross revenues of the project, any interest earned on the gross revenues of the project, and all pledged on-street parking meter revenues and pledged revenues of existing off-street parking facilities shall constitute a trust fund for the security and payment of the principal of and interest on the bonds and so long as any bonds or interest thereon are unpaid said revenues and interest shall not be used for any other purpose; provided, however, that a resolution of issue may provide that if the principal of and any interest on the bonds and all charges to protect and secure them are paid when due, an amount for the maintenance and operation costs of the project and any and all other costs and expenses relative to the project or the bond, may be apportioned from revenues, but only to the extent specified in the resolution of issue. A resolution of issue may also provide for the use and application of any surplus revenues over and above revenues provided for the payment of the principal of and interest on the bonds, maintenance and operation, costs of the project and any and all other charges, provided that such surplus revenues shall be used only in the manner and to the extent specified in the resolution of issue.

Section 1408. Bonds of Same Issue to Be Equally Secured. Same Bonds of the same issue shall be equally secured by a pledge and charge upon revenues without priority for number, date of bonds, of sale, of execution, or of delivery; except that if the Council authorizes the issuance of bonds of different series it may provide that the bonds in any series shall, to the extent and in the manner prescribed in the resolution of issue, be subordinated and be junior in standing with respect to the payment of principal and interest and the security thereof to such other bonds as may be specified in the resolution of issue.

Section 1409. Sale of Bonds. Notice inviting sealed bids Sale shall be given in such manner as the Council may prescribe prior to the sale of any revenue bonds. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, the Council may reject all bids received, if any, and either readvertise or sell the bonds at private sale. The Council may sell bonds at a price below the par or face value thereof, provided that the maximum net interest cost (computed on a 360-day year basis) on bonds sold below par or face value shall not exceed an average of six percent per annum, payable semi-annually, to the respective maturity dates of said bonds.

Section 1410. Payment of Incidental Expenses and Inter- cost and est and Creation of Funds From Proceeds of Sale of Bonds. All costs and expenses incidental to the issuance and sale of bonds, including (without limiting the generality of the foregoing) the cost of preparation of the bonds and coupons, the cost of all surveys, of preparation of plans and specifications, of all architectural, engineering, inspection, legal, financial and economic consultant's, trustee's, and fiscal agent's fees, the creation of a bond reserve fund, the creation of a working capital fund, and bond interest estimated to accrue during the period of acquisition or construction of a project and for a period not to exceed six (6) months thereafter, all as provided for in the resolution of issue, may be paid out of the proceeds

of sale of the bonds.

Section 1411. Construction Fund; Investment. The pro-construction ceeds of sale of revenue bonds shall either be deposited in a Fund fund separate and apart from all other funds of the City or paid direct to any bank or trust company designated by the Council as the fiscal agent of the City, and said proceeds shall be held by the City or such fiscal agent in a separate account to be designated the "Construction Fund" and be disbursed in the manner and upon the conditions provided in the resolution of issue for the object and purpose of the acquisition, construction and completion of the project therein designated, including the payment of all incidental expenses and interest and the creation of funds as provided for in Section 1410 of this Article. Moneys in any construction fund may be invested

as the Council in its sole discretion shall determine, subject

only to such limitations as may be provided in the resolution of issue. Moneys in a construction fund remaining unexpended after said object and purpose shall have been completed shall be applied to the payment of principal of and interest on said bonds, and none of said moneys shall be transferred to any other fund of the City or used for any purpose other than as specified in the resolution of issue.

Operation of project Section 1412. Continuous Operation of Project; Repairs, Renewals and Replacements. So long as any revenue bonds shall be outstanding, the City shall operate or cause to be operated the project, designated in the resolution of issue relating to such bonds, continuously and in an efficient and economical manner and in good working order and condition and shall make all necessary repairs, improvements and replacements.

Rates, fees, etc

Section 1413. Rates, Fees and Other Charges. cil shall prescribe, revise and collect rates, fees and charges (a) for use of the facilities provided by the project acquired, constructed or completed from the proceeds of sale of bonds, (b) for any services rendered in connection with such project, and (c) for use of any on-street parking meters and existing off-street parking facilities any revenues from which are pledged to secure the bonds. Such rates, fees and charges shall at all times be sufficient to yield revenues from the project and net revenues from such on-street parking meters and existing off-street parking facilities equal to all redemption payments and interest charges on said bonds as the same fall due, together with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the security or further protection of said bonds, or as a depreciation charge or other charge in connection with such project. Such rates, fees and charges shall not be reduced below an amount sufficient to provide funds to meet all obligations specified in the resolution of issue.

Trustees and agents Section 1414. Trustee; Fiscal Agent; Paying Agents. The Council may designate a bank or trust company, qualified to do business in the State of California, as trustee or fiscal agent for the City and holders of revenue bonds, and may authorize any such trustee to act on behalf of the holders of the bonds or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

The Council may designate any bank or trust company in any city in which any bonds are made payable as the City's paying agent in such city. The Council may fix and determine the conditions upon which any trustee, fiscal agent or paying agent shall receive, hold or disburse any or all revenues deposited with it by or by authority of the City; and may prescribe the duties and powers, if any, of any such trustee, fiscal agent or paying agent with respect to the issuance, authentication sale and delivery of bonds, the payment of the principal

thereof and interest thereon, the redemption thereof, the registration and discharge from registration of bonds and the management of any funds provided for in the resolution of issue as security for the bonds.

Section 1415. Competitive Projects. A resolution of issue Competitive may contain a covenant that the City shall not, while any revenue bonds authorized by this Article are issued or outstanding, acquire, construct, complete or maintain within the City or permit any person to maintain on any city-owned property within the City any off-street vehicular parking facilities or places, excepting those therein described, which compete with any off-street vehicular parking facilities or places maintained or operated by the City through the issuance of revenue bonds pursuant to this Article. A resolution of issue may define the word "compete" as used in the preceding sentence and in such resolution of issue. A resolution of issue may except from the covenant authorized to be made by this section any and all off-street vehicular parking facilities then or thereafter maintained by the City.

Section 1416. Use of Surplus. After all of the revenue Surplus bonds issued pursuant to a resolution of issue shall have been fully paid or discharged, or provision for their payment and discharge irrevocably made, any surplus moneys in any construction fund or other fund provided for the security or further protection of the bonds shall become and be the property of the City and be used by the City for any lawful purpose.

Section 1417. Rights of Bondholders. Except as provided Rights of otherwise in any resolution of issue, the holder of any bond issued pursuant to this Article made by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the City or any official or employee of the City or assumed by any thereof in connection with the acquisition, construction, completion, operation, maintenance, repair, reconstruction or insurance of any project, or the collection, deposit, investment, application and disbursement of rates, fees and charges derived from the operation and use of any project and all other revenues, or in connection with the deposit, investment or disbursement of the proceeds received from the sale of the bonds under this Article The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this Article.

Section 1418. Article Confers Complete Authority; Provi- Scope of sions of Article Alternative. The powers and authorities conferred by this Article are in addition to and supplemental to all other powers and authorities conferred upon the City of Hayward. The method provided in this Article for the acquisition, construction and completion of projects and the issuance of revenue bonds shall be deemed an additional method for acquiring, constructing and completing such projects and

providing funds therefor; provided that the City of Hayward may, in its discretion, acquire any properties for off-street vehicular parking facilities and issue general obligation bonds of the City of Hayward therefore, subject, however, to the condition that the City of Hayward shall not, while any revenue bonds authorized by this Article are issued and outstanding, acquire, construct or complete any off-street vehicular parking facilities, other than those specifically described in a resolution of issue pursuant to the provisions of Section 1415 of this Article, which compete with any project operated or maintained through the issuance of revenue bonds by the Council.

Exemption from debt

Section 1419. Revenue Bonds Excluded From Bonded Indebtedness of City. Revenue bonds issued under this Article shall not be taken into consideration in determining the bonded indebtedness which the City of Hayward is authorized to incur and shall be excluded from any limitation provided by this Charter or by law on the amount of bonded indebtedness of the City.

Article XV. Franchises

Franchises Prohibition Section 1500. Franchises to Operate. No person or corporation shall exercise any franchise right or privilege mentioned in this Article in the City except insofar as he or it may be entitled to do so by direct authority of the Constitution of the State of California or of the United States of America, unless he or it shall have obtained grant therefor in accordance with the provisions of this Article and in accordance with the procedure prescribed by ordinance.

Existing franchises Nothing contained in this Article shall be construed to invalidate any lawful franchise heretofore granted nor to necessitate the obtaining of a new franchise for a use for which a franchise holder shall have a valid unexpired franchise.

Authority to grant Section 1501. Authority to Grant Franchises. The Council shall be empowered to grant by ordinance a franchise to any person, firm or corporation, whether operating under an existing franchise or not, 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, or to use the public streets, ways, alleys and places, as the same may now or may hereafter exist, either separately or in connection therewith.

Terms. conditions, procedures Section 1502. Franchise Terms, Conditions and Procedures. The Council shall, by ordinance, prescribe the terms, conditions and procedure under which franchises will be granted, subject to the provisions of this Charter; provided, however, that such procedural ordinance or ordinances shall make provisions for the giving of public notice for franchise applications, for protests against the granting of such franchises and for public hearings on such applications.

The Council, in granting franchises, shall prescribe the terms and conditions of such franchises in accordance with

the applicable provisions of this Charter and any ordinance adopted pursuant thereto, and may in such franchise impose such other and additional terms and conditions not in conflict with said Charter or ordinances, whether governmental or contractual in character, as in the judgment of said Council are in the public interest or as the people, by initiative, indicate they desire to have so imposed.

Section 1503. Method of Granting Franchise. The Coun-Blds cil may grant a franchise without calling for bids or may, in its discretion, advertise for bids for the sale of a franchise upon a basis, not in conflict with the provisions of this Article, to be set out in the advertisement for bids and notice of sale.

Section 1504. Term of Franchise. Every franchise shall term be either a fixed term or for an indeterminate period. If for a fixed term, the franchise shall state the term for which it is granted; if indeterminate, it shall set forth the terms and conditions under which it may be terminated.

Section 1505. Purchase or Condemnation by City. No limitation franchise granted shall in any way or to any extent impair or effect the right of the City now or hereafter conferred upon it by law 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 of to any public utility.

Section 1506. Adequate Compensation. No new franchise compensation or renewal of an existing franchise shall be granted without reserving to the City just and adequate compensation.

Section 1507. Article Not Applicable to Certain Cases. scope of Nothing in this Article shall be construed as applying to or requiring the operators of refrigeration or storage utilities or the carriers of freight or passengers not operating over a fixed route, or other public utilities or services not specifically described in this Article, to obtain a franchise to operate within the City unless required so to do by ordinance of the City of Hayward.

Section 1508. Exercising Right Without Franchise. The Misdemeanor exercise by any person, firm or corporation of any privilege for which a franchise is required without procuring such franchise, shall be a misdemeanor; and each such day that such condition continues shall constitute a separate violation.

Section 1509. Article Not Applicable to City. Nothing in Exemption this Article shall be construed to apply to the City, or any department thereof, when furnishing any public utility or service.

Article XVI. Public School System

Section 1600. Effect of Charter. The organization, gov-Effect on ernment and administration of the public school system in the city of Hayward shall not be affected by the adoption of this

Charter, but shall continue in existence as is now or hereafter prescribed by the Education Code of the State of California.

Article XVII. General Provisions

Validity of charter

Section 1700. Validity of Charter. 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.

Violations

Section 1701. Violations. The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine not exceeding Five Hundred Dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment.

We do further certify and declare that the foregoing constitutes a true and correct statement of the actions and proceedings had by the City of Hayward and the City Council of said City, in the matter of the framing, proposal and submission of said proposed Charter for the government of the City of Hayward, and in the calling, voting upon, and canvassing the returns and declaring the results of said election.

IN WITNESS WHEREOF, we have hereunto set our hands and hereto affixed the seal of said City of Hayward, this 19 day of January, 1956.

(SEAL)

W. O. Wilson Mayor of the City of Hayward, California

ATTEST:

IRENE TEMPLETON JAMIESON City Clerk of the City of Hayward, California

Whereas, The said charter 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 or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Approval

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all members elected to each house voting therefor and concurring therein, That said charter of the City of Hayward, 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, as and for the charter of the City of Hayward.

CHAPTER 3

Senate Concurrent Resolution No. 3—Approving the charter amendment to the charter of the City of San Leandro, a municipal corporation in the County of Alameda, State of California, ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the fourteenth day of June, 1955.

[Filed with Secretary of State, March 8, 1956.]

Whereas, Proceedings have been taken and had for the cuty of san proposal, adoption and ratification of a certain amendment Leandro to the charter of the City of San Leandro, a municipal cor-amendment poration of the County of Alameda, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of said city, as follows, to wit:

CERTIFICATE OF MAYOR AND CITY CLERK OF THE CITY OF SAN LEANDRO

State of California County of Alameda City of San Leandro

We, the undersigned, Thomas O. Knick, Mayor of the City Certificate of San Leandro, State of California, and H. H. Burbank, City Clerk of said City, do hereby certify and declare as follows:

That the City of San Leandro, a municipal corporation in the County of Alameda, State of California, now is and at all times herein mentioned was, a city containing a population of more than three thousand five hundred inhabitants but less than fifty thousand population and has been ever since the sixteenth day of December, 1949, and is now, organized, existing, and acting under a Freeholders' Charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which Chapter was duly ratified by the qualified electors of said City at an Election duly held for that purpose on the sixteenth day of September, 1949, and approved by the Legislature of the State of California, by Concurrent Resolution filed with the Secretary of State on the sixteenth day of December, 1949. (Senate Concurrent Resolution No. 2.)

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, on its own motion, the Council of the City of San Leandro, being the legislative body thereof, by its Resolution No. 2635 C. M. S., entitled "Resolution Proposing a Charter Amendment, on the Motion of the City Council, Calling a Special Municipal Charter Amendment Election in the City of San Leandro for the Purpose of Submitting to the Electors of said City, said Proposal to Amend the Charter of said City; Fixing the Date of said Election, the manner of Holding the

Same. Establishing Election Precincts and Polling Places for said Election, and Appointing Boards of Election Therefor, and Providing for Notice Thereof," duly and regularly submitted to the qualified electors of said City a certain proposal to amend the Charter of said City and to be voted on by the qualified electors at the Special Municipal Charter Amendment Election called and held for that purpose in said City on the 14th day of June, 1955.

That said certain proposal was designated and entitled as follows:

"Proposal A

Shall the Charter of the City of San Leandro be amended by adding thereto Article XVI, comprising Sections 1601-1604, both inclusive, to authorize said City to provide for off-street vehicular parking facilities and, for the payment of the cost thereof, to issue bonds payable from the revenues of such parking facilities and from revenues from on-street parking meters and existing off-street parking facilities as provided in said Article XVI, the text of which is set forth in Section 3 of Resolution No. 2635 C. M. S. adopted by the Council of said City of San Leandro on Monday, April 25, 1955, and now on file in the office of the City Clerk?"

That said proposed amendment was published and advertised in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California and in accordance with the provisions of the Charter of the City of San Leandro, on the 29th day of April, 1955, in the "Morning News", a newspaper of general circulation published every day except Sundays and Mondays in the City of San Leandro and the official newspaper of said City of San Leandro, and in each edition thereof, during the day of publication.

That under and pursuant to proceedings duly and regularly taken in the manner provided by law, said proposed amendment was submitted to the voters at said Special Municipal Charter Amendment Election on the 14th day of June, 1955, which day was not less than forty (40) nor more than sixty (60) days after the completion of the publication and advertisement of the aforementioned proposed amendment in the "Morning News", the official newspaper of said City.

That thereafter on the 21st day of June, 1955, the City Council of the City of San Leandro in the manner provided by law, did regularly canvass the returns of said election, and did so on said day duly certify the results of the canvass of the said returns of said Special Municipal Charter Amendment Election by Resolution No. C. M. S. adopted on the 21st day of June, 1955, and declared the result of said Special Municipal Charter Amendment Election as determined from the canvass of the returns thereof; and by said Resolution did find, determine, and declare that said proposed amendment to the Charter of the City of San Leandro was ratified by a majority of the electors of said City voting thereon.

That this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

That said amendment to the Charter of the City of San Leandro so ratified by the electors of said City is in words and figures as follow; to wit:

That Article XVI, comprising Sections 1601-1604, both inclusive, be added to the San Leandro City Charter. Said Article XVI to read as follows:

ARTICLE XVI Off-street Vehicular Parking

Section 1600. General.

- (a) The City, in addition to all other powers elsewhere enu- off-street merated in this Charter, shall have power to acquire (whether parking. by purchase, lease, eminent domain, or otherwise), construct, General authority establish, improve, extend, maintain, operate, administer, lease, and sublease off-street vehicular parking facilities and places within the City, including any and all public parking lots, garages, or other automotive parking facilities, in order to relieve traffic congestion and promote the welfare of the citizens and inhabitants of the City, and, for the payment of the cost thereof, to issue bonds payable from the revenues of any such parking facilities and from other revenues, all as hereinafter provided in this Article.
- (b) Article Confers Complete Authority. The provisions of this Article constitute full and complete authority for the issuance of revenue bonds as herein provided by the Council of the City and no other procedure, or proceedings, consents, approvals, orders, or permission from any municipal officer or board of the City, shall be required for the acquisition, construction, or completion of any project, or the issuance of any revenue bonds under this Article, except as specifically provided in this Article.
- (c) Provisions of Article Alternative. The powers and authorities conferred by this Article are in addition to and supplemental to all other powers and authorities conferred upon the City. The method provided in this Article for the acquisition, construction, and completion of projects and the issuance of revenue bonds shall be deemed an additional method for acquiring, constructing, and completing such projects and providing funds therefor; provided that the City may, in its discretion, acquire any properties for off-street vehicular parking facilities and issue general obligation bonds of the City therefor, subject, however, to the condition that the City shall not, while any revenue bonds authorized by this Article are issued and outstanding, acquire, construct, or complete any off-street parking facilities, other than those specifically described in a resolution of issue pursuant to the provisions of subparagraph (10) of paragraph (f) of Section 1603 of this

Article, which compete with any project operated or maintained through the issuance of revenue bonds by the Council.

(d) Revenue Bonds Excluded From Bonded Indebtedness of City. Revenue bonds issued under this Article shall not be taken into consideration in determining the bonded indebtedness which the City is authorized to incur and shall be excluded from any limitation provided by this Charter or by law on the amount of bonded indebtedness of the City.

Definitions

Section 1601. Definitions. The following terms whenever used or referred to in this Article, or in any resolution of issue, shall have the following meanings, respectively, unless a different meaning appears from the context:

- (a) Bonds. The term "bonds" or "revenue bonds" means the written evidence of any obligation issued by the City, payment of which is secured by a pledge of revenues or any part of revenues, as provided in this Article, in order to obtain funds with which to carry out any of the purposes of this Article, irrespective of the form of such obligation.
- (b) Project. The term "project" means any one or more off-street vehicular parking facilities referred to in Section 1600 and designated by the City as a project in a resolution of issue.
- (c) The term "existing off-street parking facilities" means and includes any off-street vehicular parking facilities now or hereafter owned by the City and operated or controlled by the City at the time of adoption of a resolution of issue and not theretofore designated by the City as a project in a resolution of issue and not acquired, constructed, established, improved, and extended, maintained or operated, in whole or in part, from the proceeds of sale of any revenue bonds.
- (d) Revenues. The term "revenues" means and includes any and all rates, fees, and other charges received or receivable in connection with, and any and all income and receipts of whatever kind and character derived by the City from, the operation of a project, or arising from a project, including any such revenues as may have been or may be impounded or deposited in any fund created for the security or further protection of revenue bonds or for the purpose of providing for the payment of the principal thereof or the interest thereon. The term "revenues" also includes net revenues from on-street parking meters within the City now owned or controlled or hereafter acquired or controlled by the City and net revenues of any existing off-street parking facilities to the extent that the same shall be pledged or otherwise made available for the payment of operation and maintenance costs of any project or as security or further protection for bonds by a resolution of issue.
- (e) Net Revenues. The term "net revenues" when used with reference to on-street parking meters within the City means and includes the gross revenues collected by the City during any fiscal year from the establishment and operation of such on-street parking meters after deducting therefrom

the actual necessary costs and expenses of the acquisition, installation, maintenance, and replacement of such parking meters and of the collection of revenues therefrom, all calculated on sound accounting principles, but without any allowance for depreciation or obsolescence. The term "net revenues" when used with reference to any existing off-street parking facilities means and includes the gross revenues collected by the City during any fiscal year from the establishment and operation of such existing off-street parking facilities after deducting therefrom the actual necessary expenses of maintaining and operating such facilities, calculated on sound accounting principles, but without any allowance for depreciation or obsolescence.

- (f) Resolution of Issue. The term "resolution of issue" means any agreement entered into by the Council, including any resolution adopted by the Council, pursuant to which revenue bonds are issued, and includes any agreement entered into or resolution adopted by the Council amending, modifying, or supplementing a resolution of issue irrespective of the form thereof.
- (g) City and Council. The term "City" means the City of San Leandro. The term "Council" means the City Council of the City of San Leandro.

Section 1602. Grant of Power. Without limiting the gen-powers of erality of Section 1600, the Council of the City has power for council any of the purposes of this Article:

- (a) To acquire, by grant, purchase, gift, devise, lease, or by the exercise of right of eminent domain, and to hold, use, sell, lease, sublease, or dispose of any real or personal property or any interest in any thereof, including rights-of-way, necessary or appropriate for the full exercise, or convenient, or useful for the carrying on, of any of its powers pursuant to this Article ;
- (b) To acquire, by any of the means specified in the foregoing clause (a), any lands, property, or rights-of-way necessary or convenient for the opening, widening, straightening, and extending of streets or alleys necessary or convenient for ingress to or egress from any project;
- (c) To improve any lands so acquired by the construction thereon of garages or other buildings or improvements necessary or convenient for any project;
- (d) To construct, establish, improve, extend, maintain, operate, administer, lease, and sublease any project;
- (e) To fix rates, fees, or charges for the use of the facilities provided by any project, or for any services rendered in connection therew th, and to alter, change, or modify the same at its pleasure, subject to any contractual obligation which may be entered into by the City with respect to the fixing of such rates, fees, or charges; and, by resolution of issue or otherwise, to enter into covenants to increase rates, fees, or charges from time to time; provided, however, that any person shall be permitted to use or operate any facilities provided

by any project only upon payment of the regularly established charge therefor, except as may be otherwise specifically provided in a resolution of issue. All rates, fees, and charges shall be paid only in such coin or currency as on the date of payment is legal tender for public and private debts, or in scrip or tokens issued only upon payment of the face value thereof in such coin or currency;

- (f) At any time and from time to time to issue revenue bonds in order to raise funds for the purpose of establishing any project or of acquiring lands for any project or of acquiring, constructing, completing, improving, extending, maintaining, operating, or administering any project, or of refinancing any project, or for any combination of such purposes, which bonds may be secured as hereinafter provided;
- (g) To make contracts, leases, subleases, and agreements relative to the acquisition, operation, or maintenance of any project or any part of any project with any person or public corporation, political subdivision, city, county, district, the State of California, or the United States of America, or any department or agency of any thereof, subject to any contractual obligation which may be entered into by the City with respect to the issuance of bonds;
- (h) To lease for commercial purposes space in any project which in the opinion of the Council is not and will not during the term of such lease be required for off-street vehicular parking facilities, provided that the aggregate of all such space so leased at any one time in any project shall not exceed twenty per cent (20%) of the surface area of such project and that the term of any such lease shall not exceed a period of five (5) years from its date:
- (i) To sell, lease, convey, or otherwise dispose of any rights, interests, or property acquired under this Article, subject to any contractual obligation which may be entered into by the City with respect to the issuance of bonds;
- (j) To exercise the right of eminent domain for the condemnation of private property or any right or interest therein for any of the purposes of this Article;
- (k) To adopt such rules and regulations as may be necessary regarding the operation and maintenance of any project and to enable the City to exercise the powers and perform the duties conferred or imposed by this Article; and
- (1) To do any and all acts or things necessary or appropriate to carry out the purposes of this Article and the provisions, covenants, and agreements contained in any resolution of issue adopted pursuant to the authority conferred by this Article; provided that nothing in this Section or elsewhere in this Article contained shall be construed directly or by implication to be in any way in derogation or in limitation of any powers conferred upon or existing in the City by virtue of the provisions of the Constitution or laws of the State of California or any other provision of this Charter.

(m) Pledge of Net Parking Meter Revenues. In addition to all other powers elsewhere enumerated in this Article, the Council shall have power to pledge, place a charge upon, or otherwise make available and authorize payment of all or any part of the net revenues collected by the City from the establishment and operation of (i) on-street parking meters within the City now owned or controlled or hereafter acquired or controlled by the City, and (ii) existing off-street parking facilities, for such periods of years as shall be determined by the Council, for the payment of operation and maintenance costs of any one or more projects authorized by this Article or as security or further protection for the payment of principal of and interest on bonds issued pursuant to this Article.

Section 1603. Revenue Bonds.

(a) Issues of Bonds: Series and Divisions. The Council Revenue may provide for one or several issues of bonds and may issue listues bonds in series, or may divide any issue into one or more series or divisions and fix different maturities or dates for each series or division, different rates of interest, or different terms and conditions for the bonds of the several series or divisions. It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or be of the same interest rate, but the terms thereof shall in each case be provided for by the Council by a resolution of issue at the time of or prior to the issue thereof.

(b) Authorization of Revenue Bonds. Each issue of reve- Authorizanue bonds shall be authorized by the Council by a resolution of then issue adopted by affirmative votes of at least four-fifths (\$) of the members of the Council at a duly assembled meeting. Resolutions of issue shall provide for the aggregate principal amount, date or dates, maturities, interest rates, denominations and form, and may provide for the registration, transfer, and interchange, of any revenue bonds and coupons issued pursuant to this Article; and shall prescribe the purpose or purposes for which said bonds are to be issued and the terms and conditions on which said bonds are to be executed, issued, secured, sold, and paid, and, if desired, the terms and conditions on which said bonds may be redeemed prior to maturity or refunded.

(c) Provisions Relating to Bonds. The following provi- Provisions sions shall govern and apply to (a) all revenue bonds issued pursuant to this Article and (b) each resolution of issue relating to the bonds thereby authorized:

(1) Date of Bonds. Bonds shall bear dates prescribed by the resolution of issue.

(2) Maturity. Bonds may be serial bonds or sinking fund bonds with such maturities as shall be provided in the resolution of issue. No bond by its terms shall mature in more than forty (40) years from its own date and, in the event any authorized issue is divided into two or more series or divisions. the maximum maturity date of each such series or division shall be calculated from the date on the face of each bond

- separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.
- (3) Interest. Bonds shall bear interest at a rate of not to exceed six (6) per cent per annum, payable annually or semi-annually, or in part annually and in part semi-annually.
- (4) Coupon or Registered Bonds. Bonds may be issued as coupon bonds or as registered bonds. A resolution of issue may provide for the interchange of coupon bonds for registered bonds and registered bonds for coupon bonds, and may provide that the bonds shall be registered as to principal only, or as to both principal and interest, or otherwise as the resolution of issue shall prescribe.
- (5) Redemption. Bonds may be callable upon such terms and conditions and upon such notice as the resolution of issue shall prescribe and upon payment of such premium (not exceeding six per cent (6%) of the par value of such bonds) as may be fixed in the resolution of issue. No bond shall be subject to call or redemption prior to its fixed maturity date, unless the right to exercise such call is expressly stated on the face of the bond.
- (6) Source of Payment. All revenue bonds shall be payable exclusively from revenues.
- (7) Reference on Bonds to Resolution of Issue. Reference on the face of a revenue bond to the resolution of issue by its date of adoption is sufficient to incorporate all of the provisions thereof and of this Article into the body of said revenue bond and its appurtenant coupons. Each taker and subsequent holder of a revenue bond or coupons, whether such coupons are attached to or detached from said revenue bond, shall have recourse to all of the provisions of the resolution of issue and of this Article and shall be bound thereby.
- (8) Recital in Bonds. All revenue bonds shall contain a recital on their face that neither the payment of principal of nor of interest on such bonds constitutes a debt, liability, or obligation of the City of San Leandro, except as provided in this Article.
- (9) Place and Manner of Payment. The principal of and interest on bonds may be paid at any one or more places within or without the State of California and in any specified coin or currency of the United States of America, as may be provided in the resolution of issue.

Execution and authentication (10) Execution and Authentication of Bonds; Validity of Signatures and Countersignatures. Bonds may be executed in the name and on behalf of the City and under its seal and authenticated by the manual, lithographed, or printed facsimile signature of any officer or officers of the City and may also be authenticated by a trustee or fiscal agent appointed by the Council, and the seal of the City may be affixed to the bonds by printed, lithographed, or other reproduction thereof, all as may be provided in the resolution of issue. If any of the officers whose signatures or countersignatures appear on

the bonds cease to be officers before the delivery of the bonds or coupons to the purchasers thereof, their signatures or countersignatures shall nevertheless be valid and of the same force and effect as if such officers had remained in office until the

delivery of the bonds and coupons.

(11) Issuance of Temporary Bonds. Pending the actual Temporary issuance or delivery of definitive bonds, the Council may issue temporary or interim bonds, certificates, or receipts of any denominations whatsoever, and with or without coupons, and with such provisions as the Council shall determine, to be exchanged for definitive bonds when ready for delivery. In the absence of an express recital on its face that a temporary bond or interim receipt is non-negotiable, such bond or interim receipt is a negotiable instrument.

(12) Replacement of Lost, Destroyed, Mutilated, or Stolen Replacement Bonds. Lost, destroyed, mutilated, or stolen bonds or coupons etc, bonds

may be replaced as provided in the resolution of issue.

(13) Security. All revenue bonds shall be secured by an Security exclusive pledge and charge upon all or a portion of (a) the gross revenues of the project for the acquisition, construction, and completion of which said bonds are issued or authorized to be issued, (b) revenues from on-street parking meters, and (c) revenues of any existing off-street parking facilities, all as provided for in the resolution of issue. Gross revenues of a project includes improvements and extensions of such project later constructed or acquired. The pledged portion of the gross revenues of the project and all pledged on-street parking meter revenues and pledged revenues of existing off-street parking facilities and all interest earned on all pledged revenues shall constitute a trust fund for the security and payment of the principal of and interest on the bonds and so long as any bonds or interest thereon are unpaid said revenues and interest shall not be used for any other purpose; provided, however, that a resolution of issue may provide that if the principal of and interest on the bonds and all charges to protect and secure them are paid when due, amounts for the maintenance and operation costs of the project and any and all other costs and expenses relative to the project or to the bonds and amounts for any other lawful purpose or purposes of the City may be apportioned from said revenues and interest, but only to the extent specified in the resolution of issue.

(14) Bonds of Same Issue to Be Equally Secured Bonds of the same issue shall be equally secured by a pledge and charge upon revenues, without priority for number, date of bonds, of sale, of execution, or of delivery; except that if the Council authorizes the issuance of bonds of different series it may provide that the bonds of any series shall, to the extent and in the manner prescribed in the resolution of issue, be subordinated and be junior in standing with respect to the payment of principal and interest and the security thereof to such other bonds as may be specified in the resolution of

issue.

Refunding bonds

(15) Refunding Bonds. The Council may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming, retiring, or refunding any revenue bonds issued under this Article, subject to any limitations contained in the resolution of issue pursuant to which such revenue bonds are issued. All provisions of this Article applicable to the issuance of revenue bonds shall be applicable to the refunding bonds and to the issuance, sale, or exchange thereof. Refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be refunded thereby, and, in addition, for the payment of all expenses incident to the calling, retiring, or paying of such outstanding bonds and the issuance of such refunding bonds. Such expenses may include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded, or to the date upon which the bonds to be refunded will be paid pursuant to call thereof or agreement with the holders thereof, and also the premium, if any, necessary to be paid in order to call and retire the outstanding bonds and the interest accruing thereon to the date of call or retirement.

Validity

- (16) Validity of Bonds Not Affected by Actions of City Relative to Project. The validity of the authorization and issuance of any revenue bonds by the Council shall not be dependent on or affected in any way by:
- (a) Proceedings taken by the City for the acquisition, construction, or completion of any project or any part thereof.
- (b) Any contracts made in connection with the acquisition, construction, or completion of any project; or
- (c) The failure to complete any project for which bonds are authorized to be issued.

Sale

(d) Sale of Bonds. Before selling any bonds the Council shall give notice inviting sealed bids in such manner as the Council may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the Council determines that the bids received are not satisfactory, the Council may reject all bids received, if any, and either readvertise or sell the bonds at private sale. The Council may sell bonds at a price below the par or face value thereof, provided that the maximum net interest cost (computed on a 360-day year basis) on bonds sold below par or face value shall not exceed an average of six per cent (6%) per annum, payable semi-annually, to the respective maturity dates of said bonds.

Costs and expenses

(e) Payment of Incidental Expenses and Interest and Creation of Funds From Proceeds of Sale of Bonds. All costs and expenses incidental to the issuance and sale of bonds, including (without limiting the generality of the foregoing) the cost of preparation of the bonds and coupons, the cost of all

surveys, of preparation of plans and specifications, of all architectural, engineering, inspection, legal, financial and economic consultant's, trustee's and fiscal agent's fees, the creation of a bond reserve fund, the creation of a working capital fund, and bond interest estimated to accrue during the period of acquisition or construction of a project and for a period of not to exceed six (6) months thereafter, all as provided for in the resolution of issue, may be paid out of the proceeds of sale of the bonds.

- (f) Provisions Relating to Resolutions of Issue. The fol-Resolutions lowing provisions shall govern and apply to each resolution of Provisions issue adopted by the Council:
- (1) Construction Fund; Investment. A resolution of issue may provide that the proceeds of sale of all revenue bonds authorized thereby shall either be deposited in a fund separate and apart from all other funds of the City or paid direct to any bank or trust company designated by the Council as the fiscal agent of the City, and that said proceeds shall be held by the City or such fiscal agent in a separate account to be designated the "Construction Fund" and be disbursed in the manner and upon the conditions provided in the resolution of issue for the object and purpose of the acquisition, construction, and completion of the project therein designated, including the payment of all incidental expenses and interest and the creation of funds as provided for in this Article, Moneys in any construction fund may be invested as the Council in its sole discretion shall determine. subject only to such limitations as may be provided in the resolution of issue. A resolution of issue may provide that any moneys in a construction fund remaining unexpended after said object and purpose shall have been completed shall be applied to the payment of the principal of and interest on said bonds, and that none of said moneys shall be transferred to any other fund of the City or used for any purpose other than as specified in the resolution of issue.
- (2) Continuous Operation of Project; Repairs, Renewals, and Replacements. A resolution of issue may provide that, so long as any bonds thereby authorized shall be outstanding, the City shall operate the project designated in the resolution of issue continuously and in an efficient and economical manner and in good working order and condition and shall make all necessary repairs, improvements, and replacements.
- (3) Rates, Fees, and Other Charges. A resolution of issue may provide that the Council will prescribe, revise, and collect rates, fees, and charges (i) for use of the facilities provided by the project acquired, constructed, or completed from the proceeds of sale of the bonds issued pursuant to such resolution of issue, (ii) for any services rendered in connection with such project, and (iii) for use of any on-street parking meters and existing off-street parking facilities any revenues from which are pledged to secure the bonds Λ resolution of issue may provide that such rates, fees, and charges shall at

- all times be sufficient to yield revenues from the project and net revenues from such on-street parking meters and existing off-street parking facilities equal to all redemption payments and interest charges on said bonds as the same fall due, together with such additional sums as may be required for any sinking funds, reserve fund, or other special fund provided for the security or further protection of said bonds, or as a depreciation charge or other charge in connection with such project. A resolution of issue may provide that such rates, fees, and charges shall not be reduced below an amount sufficient to provide funds to meet all obligations specified in the resolution of issue.
- (4) Holding and Application of Revenues. A resolution of issue may require the City to hold or cause to be held in trust the revenues pledged to the payment of the principal of and interest on the bonds issued pursuant to said resolution of issue, or to any reserve or other fund created for the security or further protection of the bonds, and to apply such revenues or cause them to be applied only as provided in the resolution of issue.
- (5) Preservation and Protection of Security of Bonds. resolution of issue may require the City to preserve and protect the security of the bonds issued thereunder and the rights of the holders thereof and to warrant and defend such rights. A resolution of issue may require the City to pay and discharge or cause to be paid and discharged all lawful claims for labor, materials, and supplies or other charges which, if unpaid, might become a lien or charge upon revenues, or which might impair the security of any bonds issued for the acquisition, construction, or completion of any project. A resolution of issue may limit, restrict, or prohibit, except upon such terms and conditions as may be provided therein, any right, power, or privilege of the City to mortgage or otherwise encumber, or to sell, lease, or dispose of a project or to enter into any lease or agreement which impairs or impedes the operation of a project or of any part thereof necessary to provide adequate revenues, or which otherwise impairs or impedes the rights of the holders of the bonds with respect to such revenues.
- (6) Proceeds of Project Taken by Eminent Domain. A resolution of issue may provide that if any part of a project shall be taken by eminent domain or other proceeding authorized by law, the proceeds to the City therefrom shall be applied to the replacement of such project or to the payment and retirement of the bonds issued pursuant to such resolution of issue, or as otherwise set forth in said resolution of issue.
- (7) Insurance. A resolution of issue may specify or limit the kinds and amounts of insurance to be maintained by the City on a project, or any part thereof (including insurance of any project against loss of revenues from any cause whatsoever, against public liability or property damage, and against loss by fire or any other hazard, as may be provided in any

resolution of issue), and may provide for the payment of the premiums thereon, and may specify the use and disposition of proceeds of any such insurance thereafter collected.

(8) Books, Records, and Accounts. A resolution of issue

may provide:

- (a) That the City will keep accurate books and records of account showing all revenues received from the operation of any project and all expenditures thereof, and all revenues from on-street parking meters and existing off-street parking facilities pledged or otherwise made available as security or as further protection for the bonds issued pursuant to said resolution of issue:
- (b) That all such books and records shall be open at all times during business hours to the inspection of the holders of one or more of the bonds or of any specified percentage of such holders or their duly authorized representatives;
- (c) That annual or other periodic statements of the condition of such project and of all of said other revenues will be furnished to the holders of the bonds;
- (d) That summaries of all such statements will be published at least annually in the official newspaper of the City; and
- (e) That the books and records of the City pertaining to the operation of any project and to all of said other revenues shall be audited by independent public accountants in such manner and under such circumstances as may be set forth in said resolution of issue.
- (9) Trustees; Fiscal Agents; Paying Agents. A resolution of issue may designate a bank or trust company, qualified to do business in the State of California, as a trustee or fiscal agent for the City and holders of bonds issued under said resolution of issue, and may authorize any such trustee to act on behalf of the holders of the bonds or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders. A resolution of issue may authorize the City to designate any bank or trust company in any city in which any bonds are made payable as the City's paying agent in such city. A resolution of issue may fix and determine the conditions upon which any trustee, fiscal agent, or paying agent shall receive, hold, or disburse any or all revenues deposited with it by or by authority of the City. A resolution of issue may prescribe the duties and powers, if any, of any such trustee, fiscal agent, or paying agent with respect to the issuance, authentication, sale, and delivery of the bonds, the payment of the principal thereof and interest thereon, the redemption thereof, the registration and discharge from registration of bonds, and the management of any funds provided for in the resolution of issue as security for the bonds.
- (10) Competitive Projects. A resolution of issue may contain a covenant that the City shall not, while any revenue bonds authorized by this Article are issued or outstanding,

acquire, construct, complete, or maintain within the City or permit any person to maintain on any City-owned property within the City any off-street vehicular parking facilities or places, excepting those therein described, which compete in any way with any project or which are similar to any off-street vehicular parking facilities or places maintained or operated by the City through the issuance of revenue bonds pursuant to this Article. A resolution of issue may except from the covenant authorized to be made by this paragraph any and all off-street vehicular parking facilities then or thereafter maintained by the City.

- (11) Limitation on Additional Indebtedness. A resolution of issue may limit or restrict the incurring of additional indebtedness payable in whole or in part from the revenues charged with payment of the bonds issued pursuant to such resolution of issue.
- (12) Events of Default. A resolution of issue may designate the rights, limitations, powers, and duties arising upon breach by the City of any of the covenants, conditions, or obligations therein contained, and may provide the terms and conditions upon which all bonds issued thereunder may be declared or become due and payable prior to maturity and the terms and conditions upon which such declaration and its consequences may be waived.
- (13) Amendment or Modification of Resolution of Issue. A resolution of issue may prescribe a procedure by which its terms and conditions may be subsequently amended or modified with the consent of the City and the vote or written assent of the holders of a specified principal amount or proportion of the bonds issued and outstanding, including provision for meetings with bondholders and the manner in which the consents of the bondholders may be given. A resolution of issue may set forth a specific statement of the effect of each such amendment or modification upon the rights of the holders of all of the bonds and interest coupons appertaining thereto. A resolution of issue may contain a provision that bonds held by the City or by the State of California or any public corporation, political subdivision, city, county, district or any agency of any thereof, shall not be counted as outstanding bonds or be entitled to vote or consent, but shall nevertheless be subject, to any such amendment or modification.
- (14) Use of Surplus. After all of the revenue bonds issued pursuant to a resolution of issue shall have been fully paid or discharged, or provision for their payment and discharge irrevocably made, any surplus moneys in any construction fund or other fund provided for the security or further protection of the bonds shall, subject to the limitations and restrictions in said resolution of issue, become and be the property of the City and be used by the City for any lawful purpose.
- (15) Additional Covenants and Agreements. A resolution of issue may provide for such other acts and matters and may

include any and all such additional covenants and agreements on the part of the City as the Council shall deem necessary or advisable.

Section 1604. Rights of Bondholders. Except as provided Rights of otherwise in any resolution of issue, the holder of any bond issued pursuant to this Article may by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the City or any official or employee of the City or assumed by any thereof in connection with the acquisition, construction, completion, operation, maintenance, repair, reconstruction, or insurance of any project, or the collection, deposit, investment, application, and disbursement of rates, fees, and charges derived from the operation and use of any project and all other revenues, or in connection with the deposit, investment, or disbursement of the proceeds received from the sale of the bonds under this Article. The enumeration of such rights and remedies does not, however, exclude the exercise of prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this Article "

And we further certify that we have compared the foregoing proposed and ratified amendment to the Charter of the City of San Leandro with the original proposal submitting the same to the electors of said City and find that the foregoing is a full, true, and correct copy thereof

In Witness Whereof, we have hereunto set our hands and caused the Seal of the City of San Leandro to be affixed hereto, this 21st day of June, 1955.

THOMAS O. KNICK Mayor of the City of San Leandro (SEAL) H. H. BURBANK City Clerk of the City of San Leandro

Whereas, The said proposed charter amendment as ratified as hereinabove 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

Resolved, by the Senate of the State of California, the As-Approval sembly 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 San Leandro, as proposed to and adopted and ratified by the electors of said city, as hereinbefore fully set forth, be and the same is hereby approved as a whole, without alteration or amendment, for and as amendment to and as part of the charter of said City of San Leandro.

CHAPTER 4

Assembly Concurrent Resolution No. 2—Relative to the selection of the Legislative Counsel of California.

[Filed with Secretary of State, March 12, 1956]

Resolved by the Assembly of the State of California, the Scnate thereof concurring, That, pursuant to Section 10201 of the Government Code, Ralph N. Kleps is selected Legislative Counsel of California.

CHAPTER 5

Assembly Concurrent Resolution No. 5—Relative to the death of Wilkie Ogg.

[Filed with Secretary of State, March 12, 1956]

Whereas, It is with the deepest sorrow that the Members of this Legislature have learned of the death, on November 23, 1955, of their good friend and co-worker, Wilkie Ogg, Sergeant-at-Arms of the Assembly; and

WHEREAS, Wilkie Ogg was elected Sergeant-at-Arms of the Assembly at each of the five special sessions of the Legislature in 1940 and was re-elected at each regular and special session thereafter. He performed his duties faithfully and well and with a spirit of friendliness and helpfulness that gained him the sincere affection and respect of all who knew him; and

Whereas, Wilkie Ogg was born in the City of Sacramento on April 6, 1887, and was educated in the schools of that city and made his home there. He had a varied and colorful career. He was a professional musician for many years and served for eight years as business agent of the Sacramento Musicians Union. He was also a printer and for a time owned and operated his own printing shop. Since 1943 he was employed as a special agent by the State Department of Justice. His fraternal affiliations included membership in the Masons, Elks, Native Sons of the Golden West, and the Press and Union League Club of San Francisco; and

Whereas, He leaves to mourn his passage his wife, Marion Ogg, his children, Wilkie Ogg, Jr., Katherine Ogg Smith, Francis Ogg, and Elizabeth Ogg Marty, and eight grandchildren; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the absence of Wilkie Ogg and his genial smile from his customary post in the Assembly Chamber upon the convening of this session of the Legislature is a poignant reminder of our loss, and that the Members of this Legislature hereby convey to the bereaved members of his family their sincere sympathy and condolences; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the widow and family of the late Wilkie Ogg.

CHAPTER 6

Assembly Concurrent Resolution No. 6—Relative to the passing of the Honorable Carl Fletcher.

[Filed with Secretary of State, March 12, 1956]

Whereas, On the fourth day of November, 1955, after a full and rich life characterized by public service and solicitude for his fellow man, a most able and distinguished Californian, our good friend and former colleague, the Honorable Carl Fletcher, was called unto his eternal rest; and

WHEREAS, We, the Members of the Legislature of the State of California, are profoundly saddened by the passing of so

outstanding a citizen and civic leader; and

Whereas, Born in Hollister, California, August 13, 1885, after attending grammar and high school, Carl Fletcher, in 1900, moved to San Francisco, where he remained until the fire of 1906. Subsequently he lived in Nevada for nine years during the boom period; and

WHEREAS, He served as Superintendent of Civilian Labor, U. S. Army, during the American Expedition in Mexico and thereafter, in 1918, settled in Long Beach, the city which was to remain his home superintendent.

to remain his home until his death; and

WHEREAS, Mr. Fletcher, for 28 years the editor of the Long Beach Labor News, was elected to the Long Beach City Council in 1934, serving as mayor during his first term, and remained a councilman until elected in 1944 to represent the then Seventy-first Assembly District; and

Whereas, Re-elected in 1946 and 1948, during his sevenyear tenure as a Member of the Assembly, prior to returning to Long Beach to fill a vacancy in the city council, he served with distinction as the Chairman of the Assembly Industrial Relations Committee and as the Chairman of the Assembly Interim Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining and the Use of Petroleum Oil and Its Products; and

Whereas, Mr. Fletcher was a past president of the Los Angeles County League of Cities and had served on the Long Beach Harbor Commission and as vice president of the California State Federation of Labor His fraternal affiliations included the B. P. O. Elks, Loyal Order of Moose, Native Sons of California, Army and Navy Union, and the Painters Union; and

WHEREAS, To mourn his passing and receive the heartfelt sympathy of all, he leaves his widow, Mrs. Anne Fletcher, two stepchildren, Mrs. Vivian Fitzgerald and Edwin A Kinsey; and a brother and sister; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the deepest condolences of the Members of the Legislature of the State of California are hereby extended to the bereaved widow and family of the Honorable Carl Fletcher, with the sincere wish that the Lord may comfort them in this time of sorrow; and be it further Resolved, That the Chief Clerk of the Assembly be directed to prepare and transmit suitable copies of this resolution to the widow and family of the Honorable Carl Fletcher.

CHAPTER 7

Assembly Concurrent Resolution No. 7—Approving the charter amendment to the charter of the City of Riverside, a municipal corporation in the County of Riverside, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of February, 1956.

[Filed with Secretary of State, March 12, 1956]

City of Riverside Charter amendment Whereas, Proceedings have been taken and had for the proposal, adoption and ratification of a certain amendment to the charter of the City of Riverside, a municipal corporation of the County of Riverside, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of said city, as follows, to wit:

CERTIFICATE OF ADOPTION OF AN AMENDMENT TO THE CHARTER OF THE CITY OF RIVERSIDE (Section 1305)

STATE OF CALIFORNIA COUNTY OF RIVERSIDE SECURITY OF RIVERSIDE

Certificate

We, the undersigned, Edward V. Dales, Mayor of the City of Riverside, State of California, and Winfield G. Waite, City Clerk of said City and ex officio Clerk of the City Council of said City, do hereby certify and declare as follows:

That at all times since the 21st day of April, 1953, the City of Riverside has been and now is a municipal corporation and city in the County of Riverside, State of California, containing a population of more than 3,500 inhabitants, and organized and existing under a charter adopted pursuant to the provisions of Section 8 of Article XI of the Constitution of the State of California and approved by the Legislature by Assembly Concurrent Resolution No. 8, adopted in Assembly January 12, 1953, and in Senate January 15, 1953, and filed with the Secretary of State February 4, 1953.

That the legislative power of said City is vested in a City Council consisting of seven (7) members; and that the City Clerk of said City is ex officio Clerk of the legislative body of said City.

There is no official newspaper of said City. The Riverside Daily Press hereinafter mentioned is a daily newspaper of general circulation within said City and printed and published therein.

That at all times herein mentioned Edward V. Dales has been and now is the duly elected, qualified and acting Mayor of said City of Riverside; and Winfield G. Waite has been and now is the duly appointed, qualified and acting City Clerk of said City.

That the City Council of said City, on its own motion, by Resolution No. 7004, adopted December 13, 1955, submitted to the electors of said City a proposal to amend its Charter as hereinafter mentioned, to be voted on as a measure at a Special Municipal Election to be held in said City on February 7, 1956. Said proposal is in words and figures as follows:

Measure to Amend Charter: The ratification or rejection of a proposal to amend Section 1305 of the Charter of the

City of Riverside, to be as follows:

"Section 1305. Sale of Public Utility. No public utility now or hereafter owned or controlled by the City shall be sold, leased or otherwise transferred unless authorized by the affirmative votes of at least two-thirds (3) of the voters voting on such proposition at a general or special municipal election at which such proposition is submitted."

That the City Council caused said proposed charter amendment to be published in the Riverside Daily Press on December 28, 1955, and in each edition thereof during said day; and also caused copies of such proposed charter amendment to be printed in convenient pamphlet form in type of not less than 10-point and mailed to each of the qualified electors of said City on January 20, 1956; and also caused a notice that copies of said proposed charter amendment could be had upon application at the office of the City Clerk of said City to be published in every edition of said Riverside Daily Press during the period of time beginning December 28, 1955, and ending February 7, 1956.

That Sections 1000, 1001, and 1002 of the Charter of the

City of Riverside provide as follows:

"Section 1000. General Municipal Elections. General municipal elections for the election of officers and for such other purposes as the City Council may prescribe shall be held in the City on the second Tuesday in April in each odd numbered year commencing with the year 1955.

"Section 1001. 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 elec-

tions.

"A special municipal election shall be held for the election of the first Mayor and the first members of the City Council under this Charter on the tenth Tuesday following the approval of this Charter by the Legislature

"Section 1002. 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 hereafter may be amended, for the holding of elections in cities of the sixth class so far as the same are not in conflict with this Charter."

No other procedure has been provided.

That the City Council adopted a Resolution No. 7004 on December 13, 1955, ordering, providing for and giving notice of the Special Municipal Election to be held in said City on February 7, 1956; and the City Clerk duly published Notice of Election, which included said proposed charter amendment as a measure, in said Riverside Daily Press on the 14th day of December, 1955; and the City Clerk duly published Notice of Measures to be Voted on, which included a synopsis of the charter amendment measure, in said Riverside Daily Press on January 23rd and January 30th, 1956.

That the Special Municipal Election was duly held in said City on Tuesday, February 7, 1956, and the voters voted upon said measure to amend the Charter. On Tuesday, February 14, 1956, the City Council of said City met in a duly adjourned regular meeting at its regular place of meeting and canvassed the returns of said election and canvassed and counted the absent voters ballots. It was found and determined that the voters voting on said measure at said election cast 9984 votes in favor of the amendment and 2102 votes against the amendment, and that the amendment was ratified by the votes of a majority of the electors who voted on said measure.

That the City Council thereupon and on February 14, 1956, adopted a Resolution No. 7074 reciting the fact of said election and the matters enumerated in Section 9919 of the Elections Code, and the City Clerk thereupon entered upon the records of the City Council a statement of the result of such election.

That the amendment to the Charter as so proposed and rati-

fied is in words and figures as follows:

"Section 1305. Sale of Public Utility. No public utility now or hereafter owned or controlled by the City shall be sold, leased or otherwise transferred unless authorized by the affirmative votes of at least two-thirds (\frac{2}{3}) of the voters voting on such proposition at a general or special municipal election at which such proposition is submitted."

We do further certify that the foregoing constitutes a full, true and correct statement of the actions and proceedings had by the City of Riverside and its City Council and City Clerk in the matter of submitting the proposal to amend the City Charter and in calling, noticing and conducting the election and canvassing the returns and declaring the results thereof.

IN WITNESS WHEREOF we have hereunto set our hands and affixed the seal of the City of Riverside this 28th day of February, 1956.

(SEAL)
Attest:

E. V. DALES
Mayor of the City of Riverside
W. G. WAITE
City Clerk of the City of Riverside

Sale of public utility

Whereas, The said proposed charter amendment as ratified as hereinabove 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

Resolved by the Assembly of the State of California, the Approval 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 Riverside, as proposed to and adopted and ratified by the electors of said city, as hereinbefore fully set forth, be and the same is hereby approved as a whole, without alteration or amendment, for and as amendment to and as part of the charter of said City of Riverside.

CHAPTER 8

Assembly Concurrent Resolution No. 9—Relative to merit awards to state employees.

[Filed with Secretary of State, March 15, 1956.]

Whereas, Section 13926 of the Government Code provides awards may be made to state employees in excess of one hundred fifty dollars (\$150) when such awards are approved by concurrent resolution of the Legislature; and

Whereas, An award of one hundred fifty dollars (\$150) has already been made to Marcia Pansy Bowen, Supervising Clerk II, Board of Equalization, for a suggestion that effects an annual saving of three thousand four hundred fifty dollars (\$3,450) recommending that when the master files of sales tax returns are reviewed, a simultaneous check of monthly accounts be made. The purpose of this check is to see if it is possible to change them from a monthly accounting basis to a quarterly or an annual accounting basis. This eliminated the handling of approximately 43,110 folders for the second time; and

Whereas, An award of one hundred fifty dollars (\$150) has already been made to William I McElligott, Supervising Auditor, Board of Equalization, for a suggestion that results in an annual saving of four thousand three hundred twenty-nine dollars (\$4,329) through a simplified method of collecting use tax on vehicles purchased outside of the State of California and which made it possible for the Board of Equalization to process 33,167 more work units without an increase in staff position; and

WHEREAS, An award of one hundred fifty dollars (\$150) has already been made to Erwin G. Brown, Supervising Clerk II, Franchise Tax Board, for a suggestion that results in annual savings of two thousand nine hundred seventy-four dollars (\$2,974) and related to the mailing of directories issued by the various units of the Department of Professional and Voca-

tional Standards, the Department of Insurance and the Division of Real Estate as well as other state departments and

agencies; and

Whereas, An award of fifty dollars (\$50) each has already been made to Ralph J. Langford, Regional Supervisor, and Max Bogner, Supervising Psychiatric Social Worker, Department of Mental Hygiene, for a suggestion that effects an annual saving of four thousand one hundred eighty-six dollars (\$4,186) for recommending that the activities of the Bureau of Patients' Accounts of the Department of Mental Hygiene be extended to include recovery of funds expended by the department for patients placed in family care; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the following additional awards are hereby authorized, subject to the approval of the State Board of Control, to the employees named:

Marcia Pansy Bowen, one hundred ninety-five dollars

(\$195);

William I. McElligott, two hundred eighty-three dollars (\$283);

Erwin G. Brown, one hundred forty-seven dollars (\$147); Ralph J. Langford, seventy-five dollars (\$75);

Max Bogner, seventy-five dollars (\$75);

and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Board of Control and the State Controller.

CHAPTER 9

Assembly Concurrent Resolution No 11—Relative to the recognition and honoring of George J. Harrison.

[Filed with Secretary of State, March 15, 1956]

Whereas. George J. Harrison, Shafter agriculturalist, has recently retired after more than 35 years of service with the United States Department of Agriculture, the last 20 years being devoted to the improvement of California erops at the California Experiment Station at Shafter; and

Whereas, He developed Acala 4-42 cotton for California, and introduced wilt resistance into Acala 4-42 with sufficient

seed for the needs of California farmers; and

Whereas, He was largely responsible for world-wide acceptance of irrigated cotton on the basis of its value; and

Whereas, These salutary accomplishments have created a great demand for California cotton that has reputedly added twenty-five million dollars (\$25,000,000) annually to California's agricultural income; and

WHEREAS. Notwithstanding his many experimental duties, George J. Harrison has always found time to advise and assist the individual farmer; and

Whereas, In recognition of his merit and service, he received the California Farm Bureau Federation's 1955 award for distinguished service to agriculture; and

Whereas, This exceptional man is also a pioneer in the field of aviation, having been a flying cadet and instructor in military aeronautics in World War I; 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 take recognition of the many singular contributions of George J. Harrison and congratulate him upon receiving the California Farm Bureau Federation's 1955 distinguished service award; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably engrossed copy of this resolution to George J. Harrison of Shafter, California, and his daughter Mrs. Norman Fraizer now at East Malling Research Station at Maidstone, Kent, England.

CHAPTER 10

Assembly Concurrent Resolution No. 14—Relative to the death of Governor Paul L. Patterson of Oregon.

[Filed with Secretary of State, March 16, 1956]

WHEREAS, The Members of the Legislature received with deep regret the news of the untimely passing of Governor Paul L. Patterson of Oregon on January 31, 1956; and

Whereas, Governor Patterson first won public notice as a trial lawyer, later served with distinction in the Oregon State Legislature, becoming President of the Senate, and on the resignation of Governor Douglas McKay succeeded to the governorship of Oregon, to which position he was elected in his own right in 1954; and

Whereas, He was known and respected by his colleagues as a sincere, able, and conscientious public servant; and

WHEREAS, He had many admirers as well as personal friends among the California legislators; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Legislature of California hereby expresses its profound sorrow at the passing of Governor Paul L. Patterson; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Secretary of State of the State of Oregon.

CHAPTER 11

Assembly Concurrent Resolution No. 15—Honoring and congratulating Fresno County on its one hundredth anniversary.

[Filed with Secretary of State, March 16, 1956]

WHEREAS, There have been numerous reports of festive activity in and about the County of Fresno, fit to bust loose like another earthquake any day now; and

Whereas, It has been rumored that this exuberant commotion is commencing to shake down the hills abutting the San

Joaquin Valley; and

Whereas, Recent visitors to this Central Valley Empire have been shocked, dismayed, daunted, appalled, and otherwise fit-to-be-tied by the sight of shaggy brush growing along, around, and upon the cheeks and chins of the male inhabitants thereabouts; and

Whereas, It is now celebrated history how the male citizenry has forthrightly endured the infuriating itching and scratching these past months in preparation for a gigantic whiskerino contest; and

WHEREAS. It is a cause for tribute and encomium that the womenfolk of these hirsute citizens have tolerated the tickling and hispidulous discomfort with all the fortitude and resoluteness of their pioneer grandmothers; and

Whereas, The occasion for this tumultuous activity and the brushy facial adornment is the one hundredth anniversary of the founding of Fresno County on the twenty-first day of April, 1856; and

WHEREAS, The beautiful expanse of this abundantly endowed county, lying in the geographical center of the State, embraces the stately Sierras and the broad San Joaquin Valley in one deft sweep; and

WHEREAS, Since its humble but auspicious beginning, Fresno County has grown into a world-famous agricultural empire and progenerated sons and daughters of the highest and finest mold; and

WHEREAS, The people of the State of California join with their brothers of Fresno County and share in their jubilation; and

Whereas, It is proper and fitting that the whole State should reverberate to its four corners on the day of this grand centennial celebration; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature honors Fresno County for its century of progress and congratulates it on its one hundredth anniversary; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to forward a suitably engrossed copy of this resolution to the Board of Supervisors of Fresno County and to the mayor of each city in Fresno County.

CHAPTER 12

Assembly Concurrent Resolution No. 16—Relative to the death of Paul Crum.

[Filed with Secretary of State, March 22, 1956]

Whereas, It is with deep regret that the Members of this Legislature learned of the passing on July 24, 1955, of Paul Crum, who ably served the Assembly as the Assistant Chief Clerk; and

WHEREAS, A resident of Sacramento for the past 20 years, Paul Crum was born in Waukegan, Illinois, on September 17, 1913; and

Whereas, Shortly after finishing his schooling, he became a musician and played saxophone, clarinet and trumpet in the bands of Tommy Dorsey and Dick Jurgens; and

WHEREAS, A sergeant in World War II, he served as a forward observer for the 191st Field Artillery and participated with his unit in many of the campaigns in Italy where he was wounded: and

Whereas, Paul Crum's legislative service began in 1941 as a member of the staff of the legislative bill room and in 1942 he became supervisor of the bill room, in which capacity he remained until 1949 except for his tour of military duty in 1943, 1944 and 1945; and

Whereas, In 1949 he served the Assembly as an assistant clerk and continued in such capacity until 1953 when he became the Assistant Chief Clerk and until his death he was devoted to carrying out his duties as such officer of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature hereby express their deep sorrow occasioned by the passing of Paul Crum and extend their sincerest sympathy to the members of his family who survive him; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Leona Crum, widow of Paul Crum, his daughter, Judith, and to his sisters, Mrs. Rhoda Ward and Mrs. Helen Gallaugher.

CHAPTER 13

Assembly Concurrent Resolution No. 18—Relative to the passing of the Honorable Roscoe L. Patterson.

[Filed with Secretary of State, March 22, 1956]

Whereas, The Members of the Legislature were deeply saddened by the passing of one of their most esteemed colleagues, Assemblyman Roscoe L. Patterson, on July 9, 1955; and

WHEREAS, This man possessed not only all of the qualities of a statesman and scholar but also the humility and under-

standing of a truly fine human being and in addition he was one of those rare persons who could always see beyond his own personal interests and desires and acted in accordance with the dictates of greatest public good; and

Whereas, Throughout his long service to the public which included 16 years as a Tulare County Supervisor and two and one-half years as Assemblyman for the 35th District, the Honorable Roscoe L. Patterson always displayed those qualities, so essential to a true public servant, of helpful cooperation, intelligent counseling, and unswerving devotion to the attainment of the greatest public benefit; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the memory of the Honorable Roscoe L. Patterson will be forever in our hearts for a man's wealth is no measure of his greatness for it passes into dust but a man's deeds live on forever and Roscoe L. Patterson leaves behind only records of deeds most worthy of emulation; and be it further

Resolved, That the Members of the Legislature of the State of California express their grief at the passing of the Honorable Roscoe L. Patterson and desire by this resolution to pay tribute to his excellent qualities and to convey to his bereaved family their sympathy in this great loss; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Mrs. Josephine Patterson, the widow, and his family.

CHAPTER 14

Assembly Concurrent Resolution No. 22—Relative to Major General C. Lyn Fox.

[Filed with Secretary of State, March 22, 1956.]

Whereas, The American Legion has bestowed upon Major General C. Lyn Fox, commanding officer of the Ninety-first Infantry Division of the Army Reserves, its citation for "long and devoted service" to the Army Reserve program; and

Whereas, The military career of General Fox extends back for more than 40 years, including his service in combat in World War I as a front-line officer; and

Whereas, His experiences in the First World War of seeing many green and untrained youngsters going into battle emphasized to him the tragedy of our unpreparedness and, determined to do what he could to rectify such a situation, General Fox has since devoted much of his lifetime and energy to the development of a well-trained reserve corps of men prepared to defend our Country in the event of another war; and

Whereas, Between the periods of his active duty in the military during both world wars, General Fox has aided in keeping the people of his community well informed by his work as a newspaper writer, presently in the capacity of political

editor for the Call-Bulletin; and

Whereas, By his efforts for the past 40 years, General Fox has made a great contribution to the present state of preparedness of our Nation and State and it is fitting that the American Lorious so howard him, now, therefore, he it

can Legion so honored him; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature hereby wish to extend their heartiest congratulations to General C. Lyn Fox for the honor bestowed upon him by the American Legion, which he so justly deserved, and to commend him for his significant contribution to the national defense program; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolu-

tion to General C. Lyn Fox.

CHAPTER 15

Assembly Concurrent Resolution No. 23—Relative to St. Patrick's Day.

[Filed with Secretary of State, March 22, 1956]

WHEREAS, On this seventeenth day of March, 1956, throughout the entire world, those of Irish birth and those of Irish heritage and, yes, even those of other races, look forward to it with gaiety and solemnity of heart; for, on this day, we celebrate St. Patrick's Day in honor of a scholar, a servant of God, and one whose memory survives in American minds as a gracious symbol of understanding; and

Whereas, Everywhere beneath the sun—under blue vault of heaven—as the exile plods his weary way homeward to a humble and contented roof, on the seas, in the marts of industry and trade, wherever Irish blood pulses in the vein of a generous Celt, he is carried back to a far-off yesterday; and

Witereas. On this St. Patrick's Day, 1956, we again commemorate the life of an ancient race and an illustrious saint who dedicated himself to tolerance and his faith in God and found his strength to enable him to preach Christianity to the pagan peoples of Ireland in the early days of paganism and which teachings have spread throughout the entire world; and

Whereas, While we honor the patron saint of Ireland, St. Patrick, it is the hope of all who would hold St. Patrick as a happy symbol of American tolerance that the men and women of this Nation and those of Irish heritage, whatever their creed or race or color, shall remain before the world sons and daughters of one national family; now, therefore, be it

Resolved that the Assembly of the State of California, the Senate concurring, Does hereby extend to the officers and members of the United Irish Societies of California their commendation for keeping alive the traditions of the Irish race and for all of the guarantees we enjoy under the Constitution of the United States of America; and be it further

Resolved, That a suitably prepared engrossed copy of this resolution be forwarded to the United Irish Societies of San Francisco.

CHAPTER 16

Assembly Concurrent Resolution No. 25—Relative to the University of San Francisco Dons' Western Regional N. C. A. A. victoru.

[Filed with Secretary of State, March 22, 1956]

Whereas, The University of San Francisco Dons have written another page in basketball history by acquiring the second straight Western Regional N. C. A. A. title at Corvallis; and

WHEREAS. The defeat of the best the Pacific Coast Conference (U. C. L. A.) and the Skyline Conference (Utah) had to offer in defending their national championship standing at Corvallis brought to a total of 53, the number of successive victories scored by the Dons; and

WHEREAS, This signal victory places the incomparable Dons within two games of their second successive N. C. A. A. championship, by qualifying them for the semifinals to be played in Evanston, Illinois, Thursday, March 22; and

Whereas, The Dons on that date will meet the Mustangs of Southern Methodist University, who have won 20 straight games and took the Southwest title for the second straight year and are rated a high rolling, fast break team; and

Whereas, The fabulous Dons, their renowned coach, Phil Woolpert, and the University of San Francisco, have carried the great names of the City of San Francisco and the State of California to national acclaim in the sports world, thereby meriting the loyal support of the citizens of this State; 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 express its heartiest congratulations to the University of San Francisco Dons on the occasion of their second straight winning of the Western Regional N. C. A. A. Championship, its confidence in their ability, and its hope of their continued success and achievement; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to University President Rev. John F. X. Connolly, S. J.; to Phil Woolpert, coach of the Dons; and to each member of the team; and be it further

Resolved. That the Chief Clerk of the Assembly be hereby directed to transmit a copy of this resolution by wire to the team in care of the coach, Phil Woolpert, at Evanston, Illinois, prior to their semifinal game with S. M. U. Thursday, March 22, 1956.

CHAPTER 17

Senate Concurrent Resolution No. 2—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

[Filed with Secretary of State, March 23, 1956]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That in addition to any money heretofore made available to it, the sum of three hundred thousand dollars (\$300,000) 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.

CHAPTER 18

Senate Concurrent Resolution No. 4—Honoring the 400th anniversary of the death of St. Ignatius of Loyola.

[Filed with Secretary of State, March 23, 1956.]

Whereas, The year 1956 marks the 400th anniversary of the death of St. Ignatius of Loyola; and

Whereas, This great leader of Christianity, after spending his early life in the worldly atmosphere of the Spanish court, underwent a spiritual conversion and thenceforth devoted his life to the service of God and of the Catholic Church; and

Whereas, By the wisdom and magnetism of his teaching he drew around him a small band of followers which became the nucleus of the order later to be known as the Society of Jesus; and

Whereas, The influence and teachings of this pious and truly spiritual man have developed and spread over the centuries and today exercise a world-wide influence through the medium of the great Jesuit brotherhood which he founded; and

WHEREAS, Many of today's leaders in the fields of business, professions, and government have received their education at the fine Jesuit schools and colleges conducted throughout the Country; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature hereby pay honor to the memory of St. Ignatius of Loyola in recognition of the 400th anniversary of his death; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit a copy of this resolution to the Reverend Caroll O'Sullivan, S. J., Provincial Superior of the Society of Jesus in California.

Senate Concurrent Resolution No. 8-Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly and the Executive Officer of the State Personnel Board.

[Filed with Secretary of State, March 23, 1956.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That leaves of absence from the State for a longer period than 60 days during their terms of office are hereby granted to His Excellency Goodwin J. Knight, Governor of the State of California; the Honorable Harold J. Powers, Lieutenant Governor of the State of California; to Frank M. Jordan, Secretary of State; to Edmund G. Brown, Attorney General; to Robert C. Kirkwood, Controller; to Charles G. Johnson, Treasurer; to Roy E Simpson, Superintendent of Public Instruction; to George R. Reilly, James H. Quinn. Paul R. Leake, and Robert McDavid, Members of the Board of Equalization; to John F. Fisher, Executive Officer, State Personnel Board; and to the following Members of the Senate and Assembly:

Senators F. Presley Abshire, Stanley Arnold, Swift Berry, Arthur H. Breed, Jr., Charles Brown, Hugh M. Burns, James E. Busch, Paul L. Byrne, James A. Cobey, Randolph Collier, Nathan F. Coombs, James E. Cunningham, Jr., Earl D. Desmond, Nelson S. Dilworth, Hugh P. Donnelly, Jess R. Dorsey, A. A. Erhart, Fred S. Farr, Luther E. Gibson, Donald L. Grunsky, John J. Hollister, Jr., Ben Hulse, Ed. C. Johnson, Harold T. Johnson, Fred H. Kraft, James J. McBride, John F. McCarthy, Robert I. McCarthy, George Miller, Jr., Robert I. Montgomery, John A. Murdy, Jr., Harry L. Parkman, Edwin J. Regan, Richard Richards, Alan Short, Louis G. Sutton, Stephen P. Teale, John F. Thompson, A. W. Way, and J. Howard Williams; Assemblymen Bruce F. Allen, L. M. Backstrand, Jack A. Beaver, Carlos Bee, Frank P Belotti, Frank G. Bonelli, Clark L. Bradley, Bernard R. Brady, Ralph M. Brown, Montivel A. Burke, Thomas W. Caldecott, J. Ward Casey, Charles Edward Chapel, George A. Clarke, John L. E. Collier, Charles J. Conrad, Glenn E. Coolidge, Rex M. Cunningham, Walter I. Dahl, Pauline L Davis, Randal F. Dickey, Clayton A. Dills, Richard J. Dolwig, Dorothy M. Donahoe, Donald D. Doyle, Thomas J. Doyle, Edward E. Elliott, Thomas M. Erwin, Edward M. Gaffney, Ernest R. Geddes, Samuel R. Geddes, William S. Grant, William W. Hansen, Augustus F. Hawkins, Sheridan N. Hegland, Wallace D. Henderson, James L. Holmes, Seth J. Johnson, H. W. Kelly, Vernon Kilpatrick, Herbert R. Klocksiem, Frank Lanterman, Harold K. Levering, L. H. Lincoln, Francis C. Lindsay, Lloyd W. Lowrey, Frank Luckel, Thomas J. MacBride, Thomas A. Maloney, William F. Marsh, S. C. Masterson, Richard H. McCollister, John J. McFall, Patrick D. McGee, Lester A. McMillan, Charles W. Meyers, Allen Miller, William A. Munnell, Roy J. Nielsen, Eugene G. Nisbet, John A. O'Connell, Alan G. Pattee, Carley V. Porter, Thomas M. Rees, William Byron Rumford, Wanda Sankary, Jack Schrade, Harold T. Sedgwick, Joseph C. Shell, H. Allen Smith, Earl W. Stanley, A. I. Stewart, Vincent Thomas, Jesse M. Unruh, Caspar W. Weinberger and Charles H. Wilson.

The leaves of absence granted by this resolution are also granted to the successors of any of the above named officers during their terms of office as such successors.

CHAPTER 20

Senate Concurrent Resolution No. 9—Relative to honoring Dr. B. F. Keene.

[Filed with Secretary of State, March 23, 1956]

Whereas, It was exactly 100 years ago this very day, March 12, 1856, that 76 of our State's leading physicians gathered here at Sacramento to form the California Medical Association; and

WHEREAS, Dr. B. F. Keene, the State Senator from El Dorado County, was elected the association's first president; and

WHEREAS, The constitution of the association declared that its purposes are "to promote the science and art of medicine and the protection of the public health"; and

WHEREAS, The now 14,000 members of the California Medical Association continue to carry out this original dedication of service to the people of our State through the ever-advancing standards of medical care and through the continued efforts in medical research, education and rehabilitation; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the Members of the Legislature hereby extend to the California Medical Association, its officers and its members, sincerest congratulations on the 100th anniversary of the association; 100 years of dedication and service to all Californians, and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit suitably engraved copies of this resolution to Doctors Sidney J. Shipman, San Francisco, and Donald A. Charnock, Los Angeles, the President and the President-elect respectively, of the California Medical Association.

Scnate Joint Resolution No. 1—Relative to the "Status of Forces Treaty."

[Filed with Secretary of State, March 23, 1956.]

WHEREAS, On June 19, 1951, the parties to the North Atlantic Treaty, including the United States, entered into an agreement commonly referred to as the "Status of Forces Treaty," which was ratified by the Senate of the United States on July 15, 1953; and

Weight agreement confers on each of the contracting nations criminal jurisdiction over the military personnel of the other contracting nations stationed in the former; and thus permits American military personnel accused of crime to be tried in the courts and according to the laws of other countries; and

Whereas, In many countries where American military personnel are stationed the law does not provide the same safeguards as are provided by the courts of this Country, including such fundamental requirements of due process as a full statement of the specifications of the crime alleged, right to bail, presentation to the grand jury in all serious cases, fair trial by an unbiased judge and jury, confrontation of witnesses, presumption of innocence, and entitlement to counsel; and

WHEREAS, Foreign military personnel stationed in this Country would under the agreement be placed in a better position than our servicemen since they would be entitled to the safeguards mentioned, indicating that the agreement is not truly reciprocal; and

WHEREAS, There is no justification whatever for this Country continuing such an arrangement that is so unfair and unjust to those who are making the greatest sacrifices to serve the Nation and who are entitled to the full protection of our government; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That the Members of the Legislature of the State of California take this means to indicate their dissatisfaction with the so-called "Status of Forces Treaty," and to urge the Federal Government to terminate that agreement at the earliest possible time; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit suitably prepared copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of State of the United States, and to each Senator and Representative from California in the Congress of the United States.

Assembly Concurrent Resolution No. 1—Relative to the Sixtyeighth Annual A.A.U. Track and Field Meet.

[Filed with Secretary of State, March 26, 1956]

Whereas, Each year the very finest of American athletes gather to perform in competitive contests of track and field endeavors under the auspices of the Amateur Athletic Union;

Whereas, This meet gives an opportunity to amateur athletes to compete for nationally recognized championships under conditions which not only guarantee the closest observance of all amateur athletic rules but also insure to all participants the utmost in cooperation and assistance in putting forth their greatest efforts; and

WHEREAS, The citizens of the community selected as the site for this track and field meet are given a rare opportunity to observe the achievements of the world's greatest athletes in their selected events and also to become acquainted with these participants who are the finest examples of tomorrow's leaders in not only athletics but all other walks of life; and

WHEREAS, In these troubled times when a true understanding of the American way of life is so vitally necessary to our Nation's well-being, this track and field meet takes on added significance for not only will the contestants be competing at this meet for Amateur Athletic Union championships but also they will be competing to be selected to represent the United States at the World Olympics where the athletes from the United States have proven to be our most effective ambassadors for the American way of life; and

Whereas, The State of California and the City of Bakersfield are to be honored as the location of the Amateur Athletic Union's 68th Annual Track and Field Meet and Olympic Trials which will be held at the Bakersfield Memorial Stadium June 22d and 23d; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Greater Bakersfield Chamber of Commerce and its committee on arrangements are to be congratulated for their untiring efforts to bring this athletic event to the State of California and are sincerely commended for their sponsoring of this meet; and be it further

Resolved, That the Central Section of the Amateur Athletic Union is commended for its part in bringing this 68th Annual Amateur Athletic Union Track and Field Meet and Olympic Trials to the City of Bakersfield; and be it further Resolved, That the Chief Clerk of the Assembly is directed

to transmit suitably prepared copies of this resolution to the Greater Bakersfield Chamber of Commerce, the Committee on Arrangements of the Greater Bakersfield Chamber of Commerce, and the Central Section of the Amateur Athletic Union.

Senate Joint Resolution No. 2—Mcmorializing Congress H. R. 4446, a bill to provide assistance to the states in the construction, modernization, additions, and improvements of domiciliary and hospital buildings of state veterans' homes by a grant to subsidize, in part, the capital outlay cost.

[Filed with Secretary of State, March 26, 1956]

Whereas, There is an alarming shortage of hospital and domiciliary beds in California provided by the United States Veterans Administration for veterans of all wars;

Whereas, The ever increasing migration of veterans into California from every state in the Nation has brought here hundreds upon hundreds of thousands of veterans; and

WHEREAS, The veterans population of California stands today as one of if not the largest in the United States; and

Whereas, The Federal Government has recognized assistance given by the states in their care for thousands of disabled war veterans through federal aid subsidies in part payment for day-by-day operating expenses to maintain establishments for the care of such veterans; and

WHEREAS, A master building program of the Veterans' Home of California ultimately will provide hospital and domiciliary beds for 3,300 disabled California veterans; and

WHEREAS, The construction of four new buildings containing 800 beds for such purposes will be urgently needed in the next few years; and

Whereas, Financial assistance in part will be needed from the Federal Government for construction of these buildings; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of this State respectfully memorializes the Congress of the United States to enact legislation and appropriate moneys as proposed in H. R. 4446, Eighty-fourth Congress, First Session, introduced by the Honorable George P. Miller, Congressman, Eighth District, California, which provides states with federal aid in part for construction, modernization, additions, and improvements of state operated soldiers' homes; and be it further

Resolved, That copies of this resolution be forwarded to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Administrator of the Veterans Affairs, and to each Senator and Representative from California in the Congress of the United States.

Senate Joint Resolution No. 1—Relative to the enactment of federal highway legislation.

[Filed with Secretary of State, March 26, 1956]

Whereas, The California Legislature at its 1955 Session adopted Senate Joint Resolution No. 28, California 1955 Statutes, Chapter 126 of Resolutions, relative to the enactment of federal highway legislation; and

WHEREAS, The Congress has not, up to this time, enacted

such federal highway legislation; and

Whereas, There is now pending before the Congress legislation pertaining to the highways of the Nation, which if enacted by the Congress, will be of great importance to California, not only as to that portion of the National System of Interstate Highways but to all other public highways in California; now, therefore, be it

Resolved by the Scnate and the Assembly of the State of California, jointly, That the Congress of the United States is memorialized to enact legislation at the current session for the completion of the system of interstate highways, without interfering with the orderly allocation of funds to the other systems of federal-aid highways, and that such legislation should recognize the principles set forth in Senate Joint Resolution No. 28, giving particular emphasis to:

1. That the formula for the allocation of funds among the various states for the improvement of the system of interstate highways should be based upon the cost of completing the system in each state, as related to the cost of completing the

entire national system.

2. That any provision for credit by reason of the previous completion or toll financing of any portion of the national system be subordinated to the completion of the entire system and that if credit is to be given to any state therefor, such credit be considered as a portion of the allocation to such state under the above formula.

3. That in formulating such legislation the Congress give due consideration to the experience and demonstrated ability of the states to perform highway work under existing federal and state law and procedures that have been promulgated

thereunder; and be it further

Resolved, That copies of this resolution and copies of Senate Joint Resolution No. 28, California 1955 Statutes, Chapter 126 of Resolutions be transmitted to the President of the United States, the Vice President of the United States, the chairmen of the appropriate committees of the Congress, and to each Senator and Representative from the State of California.

Senate Concurrent Resolution No. 6—Relative to Joint Rules of the Senate and Assembly.

[Filed with Secretary of State, March 26, 1956]

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 1956 Regular Session of the California Legislature.

JOINT RULES OF THE SENATE AND ASSEMBLY

COMMITTEES AND COMMITTEE MEETINGS

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

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.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those rules.

BILLS AND RESOLUTIONS

Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

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

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

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

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

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

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

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

- 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 eity 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

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. Except as otherwise provided by either the Assembly or Senate, each Member of the Senate and Assembly shall be permitted to submit a list of 10 organizations 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 one hundred fifty dollars (\$150) at a General Session or twenty-five dollars (\$25) at a Budget Session, 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, onehalf 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 total number of each bill to be printed shall be not more than 2,500.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

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

- 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.

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.

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.

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.

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 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

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

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

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 10 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).

Enrollment of Bill After Passage

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

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. Two copies of 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

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

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

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 chairman 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 the Assembly.

Report of Committee on Conference

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 two of the Senate members and two of the Assembly 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

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.

30.5. When the report of a Committee on Conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency measure, the procedure and the 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 adopt the report of the Committee on Conference shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby 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 adopt the report of the Committee on Conference.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

- 32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 24 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 Haudbook 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 in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Opinions of Legislative Counsel

- 34. Whenever the Legislative Counsel issues an opinion to any person other than the first named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, he is authorized and instructed to deliver two copies of the opinion to the first named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.
- 34.1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he shall inform each subsequent requester that such a resolution is being, or has

been, prepared, and shall furnish such subsequent requester with the name of the member for whom the resolution was, or is being, prepared.

Expense of Members

35. As provided in Sections 2 and 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 authorized for other elected state officers at the time the expense is incurred.

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 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

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute 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, when such authorization may lawfully be made, 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 subpense, 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 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 ten cents (\$0.10) 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 expeditiously 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.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally; provided, that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing.

36.5. The provisions of this rule shall apply whenever a joint interim committee is created by a statute or resolution which either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or which makes no provision for the appointment of members or the filling of vacancies.

The Senate Members of the committee shall be appointed by the Senate Committee on Rules; the Assembly Members of the committee shall be appointed by the Speaker; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

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, which is hereby declared to be a continuing body.

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 five Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general 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 re-elected at the general election.

Any vacancies occurring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly 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 Member of the Assembly 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 Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money re-

ceived by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislature Budget Committee.

The provisions of Joint Rule No. 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 duties of the Legislative Auditor shall be as follows:

- (1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:
 - (a) State Budget.
 - (b) Revenues and expenditures of the State.
- (c) The organization and functions of the State, its departments, subdivisions and agencies.
- (2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.
- (3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.
- (4) To maintain a record of all work performed by the Legislative Auditor under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. 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 general 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 or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the government of the State of California. 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 the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Auditor, upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requester to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requester or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be any material delay he shall subsequently communicate this fact to the requester. In the event the committee refuses such authorization, he shall inform such requester forthwith.

37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "clerk" or "secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the joint rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee.

Adjournment

38. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

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.

Joint Committee on Interhouse Cooperation

40. The Joint Committee on Interhouse Cooperation is hereby created. It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof, concerning the relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has a continuing existence and may meet, act, and conduct its business at any place within the State, during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate membership shall consist of 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, the Chairman of the Assembly Committee on Rules and the three 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 committee shall be filled by the Senate Committee on Rules. Vacancies occurring in the Assembly membership shall be filled by appointment by the Speaker.

The committee shall have authority to make rules to govern its own proceedings. It may also create subcommittees from its membership and assign to such subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold.

The provisions of Joint Rule 36 shall apply to the committee, and it shall have all the authority provided in such rule or in Article IV, Section 37 of the Constitution.

41. The chairman of the Rules Committee of each house of the Legislature shall sign any required workmen's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer or employee of the house, or any employee of a standing or interim committee thereof. In the case of a joint committee, the chairman of the Rules Committee of either house may sign any such report in respect to a member or employee of such joint committee.

CHAPTER 26

Senate Concurrent Resolution No. 1—Relative to expenses of the legislative investigating committee that is authorized to meet and act with the Fairs Classification Committee.

[Filed with Secretary of State, March 26, 1956]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Senate Committee on Rules (in the case of the Contingent Fund of the Senate) and the Assembly Committee on Rules (in the case of the Contingent Fund of the Assembly) are hereby authorized and directed to make funds available from said contingent funds to the members of the Legislative Investigating Committee on Agricultural Fairs, created by Section 92.7 of the Agricultural Code, and authorized to meet and act with the Fairs Classification Committee. Such funds may be made available for the expenses of the committee and its members that have heretofore been incurred and for any charges, expenses or claims it may hereafter incur, 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; and be it further

Resolved, That the sum of three thousand dollars (\$3,000) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Senate and Assembly equally for the purposes of carrying out the provisions of this resolution, to be disbursed as provided in this resolution.

CHAPTER 27

Senate Joint Resolution No. 5—Relative to inviting the President of the United States to attend the dedication of Folson Dam.

[Filed with Secretary of State, March 29, 1956.]

WHEREAS, On May 5th of this year, Folsom Dam, one of the great multiple purpose dams in the United States, will be formally dedicated; and

WHEREAS, This dam, the reservoir it has created, and the power house and allied facilities constructed in connection with the dam represent an investment of one hundred million dollars (\$100,000,000) and are a great tribute to the abilities of the Army Engineers and the Bureau of Reclamation; and

WHEREAS. Folsom Dam has already demonstrated its necessity for flood control purposes, for during the recent period

of floods in this State it restrained water in an amount near the 1,000,000 acre feet capacity of the reservoir behind it and is widely credited with saving the Sacramento area from catastrophic property damage and human suffering; and

WHLREAS, The people of California would be greatly honored if the President of the United States would be present at the historic occasion of the dedication of Folsom Dam, which event is expected to be attended by numerous prominent public officials and other distinguished guests; now, therefore, be it

Resolved by the Scnate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby invites the President of the United States to attend the dedication of Folsom Dam and urges Representatives Clair Engle and John Moss also to personally extend this invitation on behalf of the State of California; and be it further

Resolved, That the Secretary of the Senate is directed to transmit suitably prepared copies of this resolution to the President of the United States, to Senators Kuchel and Knowland, and to Representatives Clair Engle and John Moss.

CHAPTER 28

Assembly Concurrent Resolution No. 19—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 ninth day of February, 1956.

[Filed with Secretary of State, March 29, 1956]

City of Long Beach Charter amendment Whereas, Proceedings have been had for the proposal, adoption and ratification of a certain amendment to the charter of the City of Long Beach, as set out in the certificate of the mayor and city clerk of said city, 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 9TH DAY OF FEBRUARY, 1956, OF A CERTAIN AMENDMENT TO THE CHARTER OF THE CITY OF LONG BEACH, STATE OF CALIFORNIA.

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES,
CITY OF LONG BEACH.

Certificate

We, George M. Vermillion, Mayor of the City of Long Beach, and Margaret L. Heartwell, 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 free-holders' 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 and filed with the Secretary of State of the State of California on the 26th day of April, 1921, (Statutes of 1921, page 2054); and

That the legislative body of said City, namely, the City Council thereof, did, by motion 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 an amendment to the charter of said City, and ordered that said proposed amend ment be submitted to said qualified electors of said City at a special municipal election to be held in said City on the 9th

day of February, 1956; and

That said proposed amendment was thereafter designated as Proposition A, and was on December 29, 1955, 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 amendment, 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 amendment, 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 amendment; and

That said proposed amendment was 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 amendment could be had upon application therefor in the office of the City Clerk of said City, and said proposed amendment so printed in convenient pamphlet form was duly and regularly distributed in the manner provided by law; and

That said City Council did, by ordinance designated as Ordinance No C-3554, order the holding of a special municipal election in said City of Long Beach on the 9th day of February, 1956, which date was not less than forty nor more than sixty days after the completion of the publication of said pro-

posed amendment, 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 January 26, January 27, and January 28, 1956, 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 9th day of February, 1956, which day was not less than forty days nor more than sixty days after the completion of the publication of said proposed amendment once in the Long Beach Independent, as aforesaid: and

That the City Council did, by resolution adopted on the 28th day of February, 1956, duly declare the results of said special municipal election and did 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 said proposed amendment; 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 thereby ratified said proposed charter amendment; and

That said proposed amendment to the charter of the City of Long Beach, so ratified by the voters of said City as aforesaid, is in words and figures as follows, to wit:

Proposition A

That the Charter of the City of Long Beach be amended by amending Subdivision 2 of Subsection (c) of Section 229x thereof and by adding thereto a new section to be known and numbered as Section 260.7, to read, respectively, as follows:

2. Revenue From Lands Other Than Tidelands and Submerged Lands. Any and all money derived by the City of Long Beach from oil, gas or other hydrocarbon substances, from all lands acquired by the City by purchase, tax deed, exchange, trade or gift, located in the Harbor District of the City of Long Beach, as distinguished from tidelands and submerged lands specified and described in those certain grants from the State of California to the City of Long Beach, to wit, 1911 Statutes, page 1304, 1925 Statutes, page 235, and 1935 Statutes, page 794, together with all money derived from cash bonuses paid by oil companies or individuals for oil leases on said lands other than said tidelands and submerged lands (including all money paid for permits for drilling oil wells or for the erection of oil well derricks or other buildings in connection with oil development, anywhere in the Harbor District, and irrespective of whether or not such wells, derricks

Revenue from lands other than tide and submerged lands

or buildings are located on said tidelands and submerged lands), shall be paid into the General Bond Redemption and Interest Fund so that there shall at all times be in said fund sufficient money to pay all interest and principal installments falling due during the then current fiscal year, and the succeeding fiscal year, of any and all outstanding general obligation bonds issued by the City, except bonds issued for Harbor, Water and Gas Department purposes. Until July 1, 1957, any such money not required for such purpose shall be paid into the General Purpose Fund.

Commencing July 1, 1957, all such money shall be paid into said fund so long as any such money shall be required for payment of any unpaid principal or interest on any and all such general obligation bonds which shall be outstanding regardless of when such principal and interest shall be due or payable. Such money so paid into said fund shall be used

solely for said purpose.

When there shall have been deposited in said fund sufficient of such money to pay the principal and interest on any and all such outstanding bonds, thereafter and until there may be other such bonds outstanding, such money shall be paid into the Public Improvement Reserve Fund, so long as the amount of money therein shall be not more than the authorized maximum for said fund. Thereafter whenever said funds shall be filled, and until such money shall be further required for, first, the General Bond Redemption and Interest Fund, and, secondly, for the Public Improvement Reserve Fund, such money, as received, shall be paid into the General Purpose Fund.

Sec. 260.7. Effective July 1, 1957, any and all money re-Revenue ceived by the City from oil, gas or other hydrocarbon sub- from lands outside stances, produced or saved from land belonging to the City Halbor and located outside the Harbor District, other than tide lands or submerged lands which were acquired by the City by grant from the State of California by the provisions of the Statutes of 1911, page 1304, Statutes of 1925, page 235, or Statutes of 1935, page 794, shall be paid into the General Bond Redemption and Interest Fund so long as any such money shall be required for payment of any unpaid principal or interest on any and all outstanding general obligation bonds of the City other than those issued for Harbor, Water or Gas Department purposes, regardless of when such principal or interest shall be due or payable. Such money so paid into said fund shall be used solely for said purpose.

When there shall have been deposited in said fund sufficient of such money to pay the principal and interest on any and all such outstanding bonds, thereafter and until there may be other such bonds outstanding, such money shall be paid into the Public Improvement Reserve Fund, so long as the amount of money therein shall be not more than the au-

thorized maximum for said fund. Thereafter whenever said funds shall be filled, and until such money shall be further required for, first, the General Bond Redemption and Interest Fund. and, secondly, for the Public Improvement Reserve Fund, such money, as received, shall be paid into the General Purpose Fund.

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, George M. Vermillion, Mayor, as aforesaid, and Margaret L. Heartwell, 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 7th day of March, 1956.

GEO. M. VERMILLION

Mayor of the City of Long Beach

MARGARET L. HEARTWELL

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

Approval

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.

CHAPTER 29

Assembly Concurrent Resolution No. 21—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 ninth day of February, 1956.

[Filed with Secretary of State, March 29, 1956.]

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of a certain amendment to the charter of

City of Long Beach Charter amendment the City of Long Beach, as set out in the certificate of the mayor and city clerk of said city, as follows, to wit:

CERTIFICATE OF ADOPTION BY THE QUALIFIED ELECTORS OF THE C1TY OF LONG BEACH AT A SPECIAL MUNICIPAL ELECTION HELD THEREIN ON THE 9TH DAY OF FEBRUARY, 1956, OF A CERTAIN AMENDMENT TO THE CHARTER OF THE CITY OF LONG BEACH, STATE OF CALIFORNIA.

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES,
CITY OF LONG BEACH.

We, George M. Vermillion, Mayor of the City of Long Beach, Certificate and Margaret L. Heartwell, 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 free-holders' 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 and filed with the Secretary of State of the State of California on the 26th day of April, 1921, (Statutes of 1921, page 2054); and

That the legislative body of said City, namely, the City Council thereof, did, by motion 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 an amendment to the charter of said City, and ordered that said proposed amendment be submitted to said qualified electors of said City at a special municipal election to be held in said City on the 9th day of February, 1956; and

That said proposed amendment was thereafter designated as Proposition C, and was on December 29, 1955, 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 amendment, 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 amendment, 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 amendment; and

That said proposed amendment was 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 amendment could be had upon application therefor in the office of the City Clerk of said City, and said proposed amendment so printed in convenient pamphlet form was duly and regularly distributed in the manner provided by law; and

That said City Council did, by ordinance designated as Ordinance No. C-3554, order the holding of a special municipal election in said City of Long Beach on the 9th day of February, 1956, which date was not less than forty nor more than sixty days after the completion of the publication of said proposed amendment, 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 January 26, January 27, and January 28, 1956, 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 9th day of February, 1956, which day was not less than forty days nor more than sixty days after the completion of the publication of said proposed amendment once in the Long Beach Independent, as aforesaid; and

That the City Council did, by resolution adopted on the 28th day of February, 1956, duly declare the results of said special municipal election and did 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 said proposed amendment; 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 thereby ratified said proposed charter amendment; and

That said proposed amendment to the charter of the City of Long Beach, so ratified by the voters of said City as aforesaid, is in words and figures as follows, to wit:

Proposition C

That the Charter of the City of Long Beach be amended by amending subdivision 3 of subsection (c) of Section 229x thereof, to read as follows:

3. The City Treasurer shall, from time to time, and at least once each calendar month, transfer from the "Harbor Revenue Fund" to the "Harbor Reserve Fund", which latter fund was heretofore created and is hereby continued, sixty per

Harbor Reserve Fund Creation, use, etc

centum (60%) of all money hereafter derived by the City from the development of oil, gas and other hydrocarbon substances from beneath tidelands and submerged lands required by this Charter to be paid into said "Harbor Revenue Fund". Said "Harbor Reserve Fund" shall be a continuing fund and not subject to transfer at the close of the fiscal year. Money placed in the "Harbor Reserve Fund", which is not required by this Charter to be transferred to the "Public Improvement Fund", may, if approved by a majority vote of all the members of the Board of Harbor Commissioners and by not less than a two-thirds vote of all the members of the City Council, be retransferred to the "Harbor Revenue Fund" and used for the following purposes:

1. Subsidence remedial work, and

2. To replace in the "Harbor Revenue Fund" money, the use of which may have been restricted, by agreement or as a result of litigation which is now, or hereafter may be, pending.

Provided, however, money equal in amount to the interest, earnings, income and/or profits paid into said fund may be expended therefrom by the Board of Harbor Commissioners, whether or not such expenditure shall have been provided for in the official budget of said Board, for any purpose for which money in the "Harbor Revenue Fund" may lawfully be used. Provided, however, that no money in said "Harbor Reserve Fund" constituting interest, earnings, income and/or profits shall be expended therefrom unless the Board of Harbor Commissioners, by a vote of a majority of all its members, and the City Council, by a vote of not less than two-thirds of all its members, shall have authorized the same. Provided, further, that if the expenditure of any portion or all of the interest, earnings, income and/or profits in said fund shall have been provided for in the official budget adopted by the Board of Harbor Commissioners, by a vote of a majority of all its members, and approved by a vote of not less than twothirds of all of the members of the City Council, expenditures of such money so provided in said budget may be made in the manner otherwise provided in this Charter for the expenditure of money by the Board of Harbor Commissioners.

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, George M. Vermillion, Mayor, as aforesaid, and Margaret L. Heartwell, 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 7th day of March, 1956.

(SEAL)

GEO. M. VERMILLION

Mayor of the City of Long Beach

MARGARET L HEARTWELL

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

Approval

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.

CHAPTER 30

Assembly Concurrent Resolution No. 24—Relative to the retirement from state service of Paul O. Harding.

[Filed with Secretary of State, March 29, 1956.]

WHEREAS, On February 8, 1956, Paul O. Harding, Assistant State Highway Engineer in charge of District VII, consisting of the Counties of Los Angeles, Ventura, and Orange, retired from the state employment after 27 years of service; and

Whereas, Mr. Harding was born in Kansas, served as first lieutenant in World War I, and graduated in 1922 from the University of Nebraska with a degree of bachelor of science in civil engineering; and

Whereas, He gained engineering experience in Illinois, Nebraska, and Oregon before coming to California in 1929 to enter state employment in District IV of the Division of Highways at San Francisco, where his engineering ability and capacity for planning made it possible for him to play an important part in the construction of the approaches for the world's largest and most magnificent span, the San Francisco-Oakland Bay Bridge; and

WHEREAS, Mr. Harding later became District Engineer of District X at Stockton and in 1947 was transferred to Los Angeles, where he became Assistant State Highway Engineer; and

Whereas, In addition to his regular duties, Paul O. Harding gave liberally of his time and efforts to serve on several highway, traffic, and transit committees such as the Metropolitan Transportation Engineering Board, the Board of Directors of the Los Angeles Metropolitan Traffic Association, and the Traffic and Transit Committee of the Los Angeles Chamber of Commerce, and is a past State President of the California State Employees' Association and a member of the American

Society of Civil Engineers, City and County Engineers Association of Los Angeles County, Sigma Tau, honorary engineering fraternity, Sigma Xi, honorary scientific fraternity, and other organizations; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Legislature extends to Mr. Paul O. Harding its sincere appreciation for his years of faithful and constructive service to the State of California; and be it further

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

CHAPTER 31

Assembly Joint Resolution No. 2—Relative to providing increased benefits for survivors of military personnel.

[Filed with Secretary of State, March 29, 1956.]

Whereas, Action is now pending in the United States Senate on H. R. 7089, the Hardy Bill, which provides for substantially increased benefits for survivors of military personnel; and

WHEREAS, In view of the reduced purchasing power of the dollar it is imperative that the benefits payable to survivors of military personnel be increased so that these people will not become a burden upon the communities in which they live; and

WHEREAS, Although the cost of living has greatly increased in the past few years and, in line with such increase, most employees have received substantial raises in pay, nothing yet has been done to increase the meager benefits now payable to survivors of military personnel; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact H. R 7089; and be it further

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

CHAPTER 32

Senate Joint Resolution No. 3—Relative to the construction of Buchanan Dam and Reservoir on the Chowchilla River and Hidden Dam and Reservoir on the Fresno River.

[Filed with Secretary of State, March 30, 1956]

Whereas, It is currently estimated that over two million dollars (\$2,000,000) in damage to property was done in Madera County, California, by flood waters in December, 1955; and

Whereas, Such flood waters came from the Chowchilla and Fresno Rivers and their tributaries which rivers drain relatively low elevation watersheds of approximately 500 square miles of the Sierra Nevada mountains between the Merced and San Joaquin Rivers basins of the Central Valley of California; and

WHEREAS, Prior to 1955 these rivers repeatedly caused extensive and increasing flood damage in Madera County; and WHEREAS, Therefore, during the past 25 years the State of California, the Corps of Engineers of the United States Army, and the Bureau of Reclamation of the United States Department of the Interior have independently recommended the construction of the Buchanan Dam and Reservoir on the Chowchilla River and of the Hidden Dam and Reservoir on the Fresno River to control the flood waters of these rivers and to conserve such waters for irrigation use to the extent con-

sistent with effective flood control; and

WHEREAS, Approximately 10 years ago the State of California recommended that the construction of these dual purpose facilities be deferred because they were not justified on the basis of flood control alone and the local need for additional irrigation water had not then been sufficiently demonstrated; and

WHEREAS, After further study over the intervening years the State of California in February, 1956, through its State Water Resources Board did formally recommend to the Congress of the United States the immediate authorization of the construction of these two dams and reservoirs on the basis of the great damage resulting from the December, 1955, floods and in order to meet the irrigation water requirements of the rapidly expanding agricultural economy of the area; and

Whereas, More specifically, the State of California through its State Water Resources Board recommended that the Congress authorize immediately the construction of these two dams and reservoirs substantially, as recommended by the Chief of Engineers, United States Army, in 1948 in House Resolution No. 367, Eighty-first Congress, First Session, but with such modifications as may be necessary to coordinate them with the federally authorized and approved flood control works now proposed to be constructed by the State of California along the San Joaquin River and tributaries between Merced River and Friant Dam and with such further modifications as may be necessary to conform the water conservation feature of these two facilities to the proposed California Water Plan; 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 memorializes the President and the Congress of the United States to take steps forthwith to authorize and otherwise implement the immediate construction of Buchanan Dam and Reservoir on the Chowchilla River and Hidden Dam and Reservoir on the Fresno River by the Chief of Engineers

of the United States Army for the control and conservation of the flood waters of these rivers; and be it further

Resolved, That these two dams and reservoirs be constructed in accordance with the aforestated recommendations of the State of California through its State Water Resources Board; and be it further

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

CHAPTER 33

Senate Concurrent Resolution No. 11—Relative to the Diamond Jubilee of the United States Lawn Tennis Association.

[Filed with Secretary of State, March 30, 1956.]

WHEREAS, The year 1956 marks the Diamond Jubilee of the United States Lawn Tennis Association; and

Whereas, Within only a few years after the introduction of the new game to America in the latter part of the nineteenth century, this association was formed to standardize both the equipment to be used and the rules of play; and

WHEREAS, In the intervening years the association has done much to promote and popularize the sport of tennis both na-

tionally and internationally; and

Whereas, The Legislature is also aware of the important role played by the Ojai Valley Tennis Club during the last 60 years in fostering the game in the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby extends congratulations to the United States Lawn Tennis Association on its seventy-fifth anniversary and commends the Ojai Valley Tennis Club on its contribution throughout the years to the success of the association; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a suitably prepared copy of this resolution to Mr. John D. W. Morrill, President of the Ojai Valley Tennis Club in Ojai, California.

CHAPTER 34

Senate Concurrent Resolution No. 12—Relative to San Diego's first annual Fiesta del Pacifico.

[Filed with Secretary of State, March 30, 1956.]

WHEREAS, San Diego is the birthplace of the colorful and glorious State of California, with an historic past, an astonishingly fast-growing present, and glittering future; and

Whereas, San Diego's subtropical climate, its sprawling, world famous zoo, its clean, gleaming beaches, its juxtaposition to Old Mexico, its broad streets, excellent hotels, its cultural and recreational facilities, its fine cafes and its hospitality are attracting hundreds of thousands of tourists to the area yearly; and

Whereas, San Diego civic leaders have determined to establish the city's first annual Fiesta del Pacifico, to start July 18, 1956, for the benefit of both tourists and citizens and to focus national and international attention on the area as the Nation's Number 1 vacation center; and

Whereas, The Fiesta del Pacifico will continue for one month in featuring such events as a horse show of champions, aquatic championship performances, the appearance of chorale groups, a Spanish-Mexican type fair, historical street pageant parade, a Harbor Days celebration, Governors Days and opera, exhibits and displays and community celebrations throughout the county; and

Whereas, The Honorable Goodwin J. Knight, Governor of California, has given the city permission to reproduce the state-owned drama pageant, "The California Story," world's largest outdoor, nonmovie spectacle requiring a cast of 1,000, which will be shown for 14 consecutive nights in Balboa Stadium; and

WHEREAS, Governor Kuight has assured San Diego of the cooperation of his office in the producing of Fiesta del Pacifico and has agreed that "The California Story" be the central theme of the fiesta; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California applauds the vision and the unselfish devotion of time and effort of the civic leaders of San Diego who are working toward the success of this magnificent extravaganza and that they urge the citizens of this State and of all other states to attend and enjoy the Fiesta del Pacifico in San Diego; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to have a fittingly engrossed copy of this resolution forwarded to the civic group, chairmaned by Ewart Goodwin, which is responsible for this notable observance.

CHAPTER 35

Assembly Concurrent Resolution No. 12—Relative to a study and report by the California Law Revision Commission concerning the provisions of law relating to the filing of claims against public bodies and employees.

[Filed with Secretary of State, April 2, 1956.]

WHEREAS, The provisions of law regulating the filing of claims against the State and its political subdivisions, including cities and districts, and against public employees, are ex-

tremely varied in their procedural requirements (as for example, the periods within which various claims shall be filed are 60 days, 90 days, 180 days, six months, one year, and two years, respectively, and the requirements as to the contents of the claim and the person with whom it shall be filed are also divergent); and

Whereas, The various claim provisions, which are set forth not only in state statutes and codes, but in city charters and ordinances as well, are so overlapping and inconsistent that it is frequently difficult to ascertain which of the different provisions controls in a particular case; and

Whereas, The lack of uniformity in these various provisions of law and their overlapping and inconsistent requirements have frequently caused persons having valid claims against public bodies and employees unwittingly to fail to comply strictly with some technical requirement in the filing of their claims and thereby unjustly lose their substantive rights; and

Whereas, It will be in the public interest to have these varying claims statutes, which have been characterized by the Supreme Court as "traps for the unwary" (Stewart v. Mc-Collister, 37 Cal. 2d 203, 207), and by a legal writer who has studied the subject as "a bramble patch of legislation which, in many cases, completely chokes off the substantive rights of an unwary litigant" (Ward, 38 Cal. Law Rev. 259, 271), made as uniform as possible; and

Whereas, The California Law Revision Commission has been created by the Legislature for the purposes, among others, of examining the statutes of the State and judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms and of recommending, from time to time, such changes in the law as it deems necessary to eliminate or modify antiquated and inequitable rules of law and to bring the law of this State into harmony with modern conditions; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California Law Revision Commission is authorized and directed to study and analyze the various provisions of law relating to the filing of claims against public bodies and public employees to determine whether they should be made uniform and otherwise revised; and to submit a report on the subject of its study and determination to the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the California Law Revision Commission.

CHAPTER 36

Assembly Concurrent Resolution No. 17—Relative to the proper interpretation of Section 4364 of the Agricultural Code in its application to prices for fluid milk.

[Filed with Secretary of State, April 2, 1956]

Whereas, In order that justifiable changes in prices paid to producers of fluid milk by distributors under the provisions of Chapter 17 of Division 6 of the Agricultural Code may not be delayed; and

Whereas, This Legislature at its 1955 Regular Session enacted through Chapters 1070 and 1310 of the Statutes of 1955 extensive amendments to those provisions of Chapter 17 of Division 6 of the Agricultural Code providing for establishment by the Director of Agriculture of stabilization and marketing plans for fluid milk and of minimum wholesale and retail prices for fluid milk; and

WHEREAS, These amendments included the addition of Section 4364 to the Agricultural Code to provide as follows:

"4364. No amendment of any provision of this chapter shall have the effect of terminating or invalidating any minimum wholesale or minimum retail prices for fluid milk or fluid cream, or both, established by the director prior to the effective date of such amendment; provided, that the director shall establish minimum wholesale and minimum retail prices pursuant to the provisions of such amendment, for each marketing area, at the earliest practicable date and in any event within two years from the effective date of such amendment."; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the intent of this Legislature in enacting Chapter 1310 of the Statutes of 1955 and thereby adding Section 4364 to the Agricultural Code was to provide that:

- 1. The Director of Agriculture proceed expeditiously to review both stabilization and marketing plans and minimum wholesale and retail prices for fluid milk in all marketing areas of the State as soon as practicable and in any event by September 7, 1957.
- 2. In considering any changes in minimum wholesale and retail prices by reason of increases or decreases in prices paid producers by distributors under stabilization and marketing plans the Director of Agriculture should, where practicable, consider such changes under the standards and purposes as provided for in Chapter 17 of Division 6 of the Agricultural Code as amended at the 1955 Regular Session of the Legislature.
- 3. In any marketing area where such consideration is not possible because changes in the producer prices under stabilization and marketing plans are found necessary by the Director of Agriculture prior to a time when the director has had

an opportunity to make necessary surveys in the area and the examination and investigation required of him in order to amend minimum wholesale and retail prices for fluid milk under the standards and purposes established by the amendments made by Chapter 1310 of the Statutes of 1955; the Director of Agriculture would then be authorized and directed under the provisions of Section 4364 of the Agricultural Code to consider the effect of any changes in producer prices upon the minimum wholesale and retail prices for fluid milk for the areas which were established by the director and which were in effect prior to September 7, 1955.

4. As soon thereafter as practicable, and in any event within the time specified in Section 4364 of the Agricultural Code, the Director of Agriculture should make the necessary investigations and hold the necessary hearings in the marketing area to consider the effect of the changes in producer prices upon minimum wholesale and retail prices for the area under the standards and purposes of Chapter 17 of Division 6 of the Agricultural Code; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Mr. W. C. Jacobsen, Director of Agriculture.

CHAPTER 37

Senate Concurrent Resolution No 15—Relative to the passing of Burr Scott.

[Filed with Secretary of State, April 2, 1956]

WHEREAS, Members of the California Legislature have learned with personal sorrow of the sudden and tragic death on June 8, 1955, of Burr Scott, District Attorney of Monterey County; and

Whereas, Burr Scott was born on December 1, 1918, and was a lifelong resident of Monterey County in which he received his early education, later graduating from the University of California and the Hastings College of the Law, was admitted to the State Bar in 1948, and appointed a deputy district attorney of Monterey County, and was appointed to the office of district attorney when a vacancy occurred, to which office he was twice re-elected; and

Whereas, Burr Scott distinguished himself as one of the most capable district attorneys in the State, despite his youth and limited experience, was on the Executive Committee of the District Attorneys' Association of California and a strong figure in county government where his ability to state his position with frankness and clarity inspired the confidence of his associates; and

Whereas, Burr Scott was the only son of a family in which the father and mother are both active in public affairs, his death ending their dreams of a successor to carry on the activities which they have so diligently pursued to the benefit of the community; and

Whereas, Burr Scott earned for himself a distinguished war record, being the leader of a command of light tanks which led from the Normandy beachhead in France to the Elbe River in Germany, performing reconnaisance work, establishing bridgeheads, pointing the attack and performing other missions of a highly hazardous nature. A task force under his command, consisting of light tanks and infantry established and maintained one of the first bridgeheads over the Bas and Meuse Rivers for the American Army against heavy enemy resistance; and

Whereas, Burr Scott displayed marked personal heroism in action on August 21, 1944, in saving his command from destruction at the risk of his own life for which he was awarded the Silver Star, and thereafter for heroism and meritorious conduct in battle he was given a battlefield promotion from first lieutenant to captain; and

Whereas, Burr Scott was wounded twice in combat requiring hospitalization, the latter occasion being on December 13, 1944, immediately preceding the Battle of the Bulge, for which he was decorated with the Purple Heart with Oak Leaf Cluster, and also received a lengthy citation of highest commendation for bravery and meritorious conduct from his commanding officer: and

Whereas, the death of Burr Scott brings to an untimely close a career which promised to be a brilliant and distinguished success, causing the entire community in which he lived to share the grief of his bereaved parents and wife and children; now, therefore, be it

Resolved, by the Senate of the State of California, the Assembly thereof concurring, That the Legislature deeply deplores the loss of this splendid public spirited official, and extends its most sincere sympathy to his bereaved parents and wife and children, and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to send properly engrossed and authenticated copies of this resolution to members of the bereaved family of Burr Scott.

CHAPTER 38

Scnate Concurrent Resolution No. 17—Relative to congratulating the University of San Francisco basketball team on winning its second successive NCAA championship.

[Filed with Secretary of State, April 2, 1956]

WHEREAS, The greatest team in the history of college basketball, the University of San Francisco Dons, smashed its way to its second successive NCAA championship; and

Whereas, In doing so it extended its victory string to 55 straight games, a record that will probably stand for all time; and

Whereas, This fine team, by its outstanding ability, exceptional teamwork, and the utmost in sportsmanship, has brought glory not only upon itself but also upon the institution it represents, the city whose name it bears, and the entire State of California; and

WHEREAS, The Dons' triumph in the NCAA tourney caps an era in amateur athletics which will not soon be forgotten for never has any one team achieved what the Dons have; and

Whereas, Not only have they won 55 straight games and two successive NCAA championships but they have also been successful in four tournaments, have won the California Basketball Association title for the past two years in a row, and have beaten the best teams in the Country with little difficulty; and

Whereas, Not enough praise can be bestowed upon the Dons and upon their fine coach, Phil Woolpert, for their achievements and for the credit they have been to the sport of basketball; now, therefore, be it

Resolved by the Senate, the Assembly thereof concurring, That the Members of the Legislature take this means to congratulate the University of San Francisco Dons and their coach, Phil Woolpert, for winning the NCAA championship for the second year in a row and to commend them for all of their other great achievements; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit suitably prepared copies of this resolution to each member of the University of San Francisco basketball team, to Coach Phil Woolpert, and to the President of the University of San Francisco.

CHAPTER 39

Senate Joint Resolution No. 6—Relative to the establishment of state parks in Marin County.

[Filed with Secretary of State, April 2, 1956.]

WHEREAS, It has been proposed that the State of California establish state parks at McNear's Beach and Paradise Cove in Marin County; and

WHEREAS, The Legislature should be informed as to the

feasibility of such projects; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Division of Beaches and Parks of the State Department of Natural Resources is requested to conduct a study on the feasibility of establishing state parks at McNear's Beach and Paradise Cove in Marin County and to report its findings to the Legislature upon the convening of the 1957 Regular Session; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Director of the Department of Natural Resources and to the Chief of the Di-

vision of Beaches and Parks.

CHAPTER 40

Schale Concurrent Resolution No 16—Relative to augmenting funds of the Joint Committee on Water Problems.

[Filed with Secretary of State, April 3, 1956.]

WHEREAS, Senate Concurrent Resolution No. 84 creating the Joint Committee on Water Problems, as first amended, made available thirty thousand dollars (\$30,000) for a committee of 10 members; and

Whereas, The resolution was later amended, and adopted (Res. Ch. 249, 1955 Stats.), creating a committee of 20 mem-

bers without any increase in the funds; and

Whereas, While the committee has attempted to keep within its budget, its funds have been nearly depleted, among other things, in payment of expenses of the increased membership and expenditures in connection with furnishing copies of a "Report on the Engineering, Economic and Financial Aspects of the Feather River Project" to meet the requests of Members of the Legislature; and

Whereas, The committee is being asked to study additional matters this year, including possible legislation to provide for state regulation of the operation of dams for flood control pur-

poses; 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 at this or any other session 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 Assembly for the expenses of the Joint Committee on Water Problems (created by Resolutions Chapter No. 249 of the Statutes of 1955) and its members and for any charges, expenses, or claims it may incur under said 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.

CHAPTER 41

Senate Concurrent Resolution No. 18—Relative to the passing of Edward A. Dickson.

[Filed with Secretary of State, April 3, 1956]

Whereas, The people of the State of California were conscious of a serious loss in the death of Edward A. Dickson on February 22, 1956; and

Whereas, Edward A. Dickson was a man of unusual attainments and prominence and one who served the people of the State of California in numerous different capacities; and

Whereas, Edward A. Dickson was a native of Wisconsin, coming to California as a boy and attending Sacramento High

School and the University of California at Berkeley, after which he taught school in Japan, returning to California to enter the field of newspaper work in 1903 in San Francisco, and later as a Washington, D. C., correspondent, after which he became political and editorial writer for the Los Angeles Express of which he became owner and editor in 1919, leaving newspaper work in 1931 to become President of the Western Federal Savings and Loan Association of Los Angeles; and

Whereas, Edward A. Dickson was one of the group of patriots who, in 1907, organized the Lincoln-Roosevelt League which was created for the purpose of divesting the Republican Party of the State of California of the control of a political

machine which had controlled it for years; and

Whereas, In addition to his newspaper work and his political activity, Edward A. Dickson was distinguished as a gentleman of culture, education and capacity who worked so arduously and consistently for the University of California, and particularly its Los Angeles Branch, that he was known as the "Father of the University of California at Los Angeles" having been appointed to the Board of Regents in 1913, serving as chairman of the Board of Regents for several years prior to his death; and

Whereas, Edward A. Dickson served on the Los Angeles Water and Power Commission, Los Angeles Centennial Commission, Olympic Games Association, Art Institute and Library Board, and was President of the Historical Society of Southern California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature deeply deplores the passing of this outstanding citizen and desires by this resolution to convey its sympathy to his wife, Wilhelmenia Dickson, and other bereaved members of his family; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to send suitably prepared copies of this resolution to the bereaved members of the family and close associates of Edward A. Dickson.

CHAPTER 42

Assembly Concurrent Resolution No. 10—Relative to approving a calendar of topics for study by the California Law Revision Commission.

[Filed with Secretary of State, April 3, 1956]

Whereas, Section 10335 of the Government Code provides that the approval of the Legislature, by concurrent resolution, is required in order for the California Law Revision Commission to undertake studies; and

Whereas, The commission has submitted to the Governor and the Legislature its 1956 report, containing its selections for study as prescribed by law; and

Whereas, Other persons and organizations have suggested topics for study by the commission; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California Law Revision Commission is authorized and directed to undertake a study

of each of the following topics:

Topic No. 1: A study to determine whether the Penal Code and the Vehicle Code should be revised to eliminate certain overlapping provisions relating to the unlawful taking of a motor vehicle and the driving of a motor vehicle while intoxicated.

Topic No. 2: A study to determine whether the procedures for appointing guardians for nonresident incompetents and nonresident minors should be clarified.

Topic No. 3: A study of the provisions of the Code of Civil Procedure relating to the confirmation of partition sales and the provisions of the Probate Code relating to the confirmation of sales of real property of estates of deceased persons to determine (1) whether they should be made uniform and (2) if not, whether there is need for clarification as to which of them governs confirmation of private judicial partition sales.

Topic No. 4: A study to determine whether the law relating to motions for new trial in cases where notice of entry of judgment has not been given should be revised.

Topic No. 5: A study to determine whether the provisions of the Civil Code relating to rescission of contracts should be revised to provide a single procedure for rescinding contracts and achieving the return of the consideration given.

Topic No. 6: A study to determine whether the law respecting mortgages to secure future advances should be revised.

Topic No. 7: A study to determine whether Probate Code Sections 259, 259.1 and 259.2, pertaining to the rights of non-resident aliens to inherit property in this State should be revised.

Topic No. 8: A study to determine whether the law relating to escheat of personal property should be revised.

Topic No. 9: A study to determine whether the law relating to the rights of a putative spouse should be revised

Topic No. 10: A study to determine whether the rule, applied in cases involving the value of real property, that evidence relating to sales of nearby properties is not admissible on the issue of value should be revised.

Topic No. 11: A study to determine whether the law respecting postconviction sanity hearings should be revised.

Topic No. 12: A study to determine whether the law respecting jurisdiction of courts in proceedings affecting the custody of children should be revised.

Topic No. 13: A study to determine whether the doctrine of worthier title should be abolished in California.

Topic No. 14: A study to determine whether the Arbitration Statute should be revised.

Topic No. 15: A study to determine whether the law in respect of survivability of tort actions should be revised.

Topic No. 16: A study to determine whether the law of evidence should be revised to conform to the Uniform Rules of Evidence drafted by the National Conference of Commissioners on Uniform State Laws and approved by it at its 1953 annual conference.

Topic No. 17: A study to determine whether the law respecting habeas corpus proceedings, in the trial and appellate courts, should, for the purpose of simplification of procedure to the end of more expeditious and final determination of the legal questions presented, be revised.

Topic No. 18: A study to determine whether the law and procedure relating to condemnation should be revised in order

to safeguard the property rights of private citizens.

CHAPTER 43

Assembly Concurrent Resolution No. 26—Relative to dam and reservoir site acquisition.

[Filed with Secretary of State, April 4, 1956]

Whereas, The recent devastating floods have given most graphic illustrations of the urgent need for adequate flood protection in this State not only to safeguard property but also to save the citizens of this State from the horrible loss of human life and suffering which accompany such floods; and

Whereas, There are within this State areas which are presently in need of water not only on which to base future industrial development and community expansion but to meet the day-to-day minimum requirements of the existing population; and

Whereas, The Budget Act of 1956 contains appropriations for projects which on completion will not only protect vast areas from the ravages of floodwaters but will also store and conserve these waters for beneficial use; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the intention of this Legislature in enacting the Budget Act of 1956, insofar as it appropriates funds for the acquisition of dam and reservoir sites, is that such acquisitions should be made without unnecessary delay in order to give maximum protection to floodendangered lands and conserve these waters for beneficial use; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, Director of Finance and the Director of Public Works.

CHAPTER 44

Assembly Concurrent Resolution No. 27—Relative to the establishment of a state park in Marin County.

[Filed with Secretary of State, April 4, 1956]

WHEREAS, It has been proposed that the State of California establish a state park at Richardson Bay in Marin County; and WHEREAS, The Legislature should be informed as to the

feasibility of this project; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Division of Beaches and Parks of the State Department of Natural Resources is requested to conduct a study on the feasibility of establishing a state park at Richardson Bay in Marin County and to report its findings to the Legislature upon the convening of the 1957 Regular Session; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Director of the Department of Natural Resources and to the Chief of the Division

of Beaches and Parks.

CHAPTER 45

Senate Concurrent Resolution No. 5—Relative to the Joint Rules of the Senate and Assembly.

[Filed with Secretary of State, April 3, 1956]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Rules of the Senate and Assembly are hereby amended as follows:

First: Rule 8.5 is added to said Rules, to read:

Introduction and Digest of Bills.

8.5. No bill shall be introduced in either house, unless it is accompanied by a digest showing the changes in the existing law which are proposed by the bill. If any bill is presented to either the Secretary of the Senate or Chief Clerk of the Assembly for introduction and is not accompanied by a digest prepared by the Legislative Counsel the Secretary of the Senate or the Chief Clerk of the Assembly shall deliver the bill to the Legislative Counsel after its introduction. The Legislative Counsel shall review the digest submitted with the bill, modify it where necessary in his opinion and return both to the officer from whom he received them, for printing.

The digest of each bill shall be printed in the Journal of the house in which it was introduced immediately following the title of the bill. The digests shall also be printed, in looseleaf form (one digest to the page), and distributed in the

same manner as other legislative publications.

The provisions of this rule shall be effective only if a constitutional amendment is adopted providing for the abolishment of the bifurcated session and the establishment of a continuous session.

Second: Rule 10.5 is added to said Rules, to read:

10.5. No departmental bill shall be introduced at the request of or on behalf of any state officer or agency after the thirtieth calendar day of any general session, nor shall any departmental bill be introduced in duplicate in both houses of the Legislature at any session.

The Secretary of the Senate and the Chief Clerk of the Assembly shall have distinctive covers or backs prepared for departmental bills that are introduced at the request of or on behalf of any state officer or agency, which shall show at whose request the bill is introduced. Any such bill when printed shall include in its heading a statement that the introduction of the bill was requested by a state officer or agency and setting forth the title of the officer or agency that made the request. Only those bills which are so identified shall be construed to be departmental bills within the provisions of this rule.

Third: Rule 42 is added to said Rules, to read:

42. The Rules Committee of each house shall provide for a continuous cumulation during interim periods between sessions of the Legislature of information concerning the membership, organization, meetings and studies of legislative investigating committees. Each Rules Committee shall be responsible for information concerning the investigating committees of its own house and concerning joint investigating committees under the chairmanship of a member of that house. To the extent possible, each Rules Committee shall seek to insure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within 30 days after the adjournment of each regular session of the Legislature.

The information thus cumulated shall be made available to the public by the Rules Committee of each house and shall be

published periodically under their joint direction.

CHAPTER 46

Senate Concurrent Resolution No. 13—Relative to adjournment sine die of the 1956 Regular Session of the Legislature of the State of California.

[Filed with Secretary of State, April 3, 1956.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1956 Regular Session of the Legislature of the State of California shall adjourn sine die at 4.30 o'clock p.m. on the third day of April, 1956.

CHAPTER 47

Senate Concurrent Resolution No. 14—Relative to the recording of death certificates.

[Filed with Secretary of State, April 3, 1956.]

WHEREAS, The law now provides that the fees chargeable by a county recorder for recording instruments, papers, or notices required or permitted by law to be recorded shall be doubled in the case of printed forms printed in less than eight-point type; and

Whereas, The law does not prescribe the size of type to be used in printed death certificate forms but authorizes the Department of Public Health to do so; at the same time providing that no forms other than those prescribed by the

department may be used; and

Whereas, The form of death certificate prescribed by the Department of Public Health contains type of a size less than eight-point; and

WHEREAS, A death certificate must be recorded after every death occurring in the State, and in numerous other situations

including probate and other legal matters; and

Whereas, As a consequence of the department's action, a double fee is now charged for the recording of death certificates since persons seeking to record such certificates must use the state-prescribed form, which appears both inequitable and inconsistent; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Health be hereby directed to specifically require that all death certificate forms prescribed by it shall hereafter be printed in eight-point type or greater and that the State Printer be directed to print such forms in type of that size; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the Director of Public Health and to the State Printer.

CHAPTER 48

Senate Concurrent Resolution No. 19—Relative to commemorating Knute K. Rockne.

[Filed with Secretary of State, April 3, 1956]

WHEREAS, On March 31, 1931, a tragedy befell the entire Nation and sports world when an airplane crash claimed as one of its victims the great coach of the University of Notre Dame, Knute Kenneth Rockne; and

WHEREAS, This great shock was felt by one and all alike as people all over the Nation from all walks of life mourned the loss of this great personage, for never before or since has any man attained the preeminent position in coaching that Knute K. Rockne enjoyed; and

Whereas, The feats of Rockne coached teams are now legendary, including those of the Rockne Ramblers of 1920 headed by George Gipp and of the 1924 team of the Four Horsemen and the Seven Mules; and

Whereas, Knute Rockne's innovations in football began in 1913 while a student at Notre Dame when he and Gus Dorais gave birth to the forward pass as an attacking offensive weapon and his subsequent contributions were no less noteworthy, including the "Notre Dame shift," the use of "shock troops," the development of new plays, and the application of speed in both the line and backfield; and

WHEREAS, Of all the great coaches Knute Rockne was the greatest; he had an exacting knowledge of the fundamentals coupled with an inherent ability to inspire his players to great heights and to instill in them a tremendous team spirit; his record and accomplishments know no peer; and

Whereas, The fame of Knute K. Rockne has grown since that fateful day in March of 1931 and has become so wide-spread that today, 25 years later, every youth in our country knows of and reveres "the Rock of Notre Dame"; and

Whereas, It is fitting to pay tribute to this great immortal who did more for the game of football than anyone ever has or ever will; now, therefore, be it

Resolved by the Scnate of the State of California, the Assembly thereof concurring, That the Members of this Legislature hereby respectfully commemorate the 25th anniversary of the death of Knute K. Rockne, football's greatest and most beloved coach; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to Rt. Rev. Theodore M. Hesburgh, President of the University of Notre Dame.

CHAPTER 49

Senate Concurrent Resolution No. 10—Declaring the intent of the Legislature in adding Section 4364 to the Agricultural Code, relative to the application to prices for fluid milk.

[Filed with Secretary of State, April 3, 1956.]

WHEREAS, In order that justifiable changes in prices paid to producers of fluid milk by distributors under the provisions of Chapter 17 of Division 6 of the Agricultural Code may not be delayed; and

WHEREAS, The Legislature at its 1955 Regular Session enacted Chapters 1070 and 1310 of the Statutes of 1955, these chapters being amendments to those provisions of Chapter 17 of Division 6 of the Agricultural Code providing for establishment by the Director of Agriculture of stabilization and mar-

keting plans for fluid milk and of minimum wholesale and retail prices for fluid milk; and

WHEREAS, These amendments included the addition of Section 4364 to the Agricultural Code; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the intent of this Legislature in enacting Chapter 1310 of the Statutes of 1955 and thereby adding Section 4364 to the Agricultural Code was to provide that:

- 1. The Director of Agriculture begin as soon as possible to review both stabilization and marketing plans and minimum wholesale and retail prices for fluid milk in all marketing areas of the State and in any event by September 7, 1957.
- 2. In considering any changes in minimum wholesale and retail prices by reason of increases or decreases in prices paid producers by distributors under stabilization and marketing plans, the Director of Agriculture should consider such changes under the standards and purposes as provided for in Chapter 17 of Division 6 of the Agricultural Code as amended at the 1955 Regular Session of the Legislature.
- 3 In any marketing area where such consideration is not possible because changes in the producer prices under stabilization and marketing plans are found necessary by the Director of Agriculture prior to a time when the director has had an opportunity to make necessary surveys in the area and the examination and investigation required of him in order to amend minimum wholesale and retail prices for fluid milk under the standards and purposes established by the amendments made by Chapter 1310 of the Statutes of 1955; the Director of Agriculture would then be authorized and directed under the provisions of Section 4364 of the Agricultural Code to consider the effect of any changes in producer prices upon the minimum wholesale and retail prices for fluid milk for the areas which were established by the director and which were in effect prior to September 7, 1955.
- 4. As soon thereafter as practicable, and in any event within the time specified in Section 4364 of the Agricultural Code, the Director of Agriculture should make the necessary investigations and hold the necessary hearings in the marketing area to consider the effect of the changes in producer prices upon minimum wholesale and retail prices for the area under the standards and purposes of Chapter 17 of Division 6 of the Agricultural Code; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to Mr. W. C. Jacobsen, Director of Agriculture.

STATUTES OF CALIFORNIA

EXTRAORDINARY SESSION 1956

Began Monday, March 5, 1956, and Adjourned Thursday, April 5, 1956

PROCLAMATIONS BY THE GOVERNOR

CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION

Whereas, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session, now, therefore,

- I, Goodwin J. Knicht, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the fifth day of March, 1956, at 2 p.m. of said day for the following purposes and to legislate upon the following subjects:
- 1. To consider and act upon legislation to provide relief from damage caused by storms and floods, including but not limited to the repair or restoration of roads, streets, schools and other public works, and tax relief with respect to property damaged or destroyed by storms and floods.
- 2. To consider and act upon legislation to authorize participation by the State and cities in projects authorized by Congress for flood control.
- 3. To consider and act upon legislation relative to increasing apportionment of State funds to School Districts in which the assessed value of property or the school enrollment has been decreased because of floods.
- 4 To consider and act upon legislation for the reorganization of that part of the executive branch of the State Government engaged in the administration of statutory and constitutional provisions relating to water
- 5 To consider and act upon legislation revising the method of financing the State Teachers' Retirement System.
- 6 To consider and act upon legislation to limit the deposit of revenue in the State Beach Fund and the State Park Fund.
- 7. To consider and act upon legislation relating to the Legislature, its members, sessions, and procedure.
- 8 To consider and act upon legislation to create a California Beef Council for the purpose of stimulating the use of beef and beef products
- 9 To consider and act upon legislation to amend Section 476a of the Penal Code, relative to the punishment for making or uttering bad checks without sufficient funds, by restoring to that section the provisions making notice of protest admissible as proof of presentation, nonpayment and protest and presumptive evidence of knowledge of insufficiency of funds, and the provisions defining "credit," which were deleted from said section by Chapter 1862, Statutes of 1955
- 10 To consider and act upon legislation to permit an air pollution control district created under Chapter 2 of Division 20 of the Health and Safety Code to consist of a portion of a county whenever the board of supervisors of such county determines that there is special need for such air pollution control district to function within that portion of the county only.
- 11. To consider and act upon legislation to make available additional funds for the acquisition of properties for state highway purposes by amending Chapter 20 of the Statutes of 1952, Second Extraordinary Session.
- 12 To consider and act upon legislation relating to the control of citius pests, and diseases.
- 13 To consider and act upon legislation to exempt "New York Dressed" poultry from the provisions of Article 2 of Chapter 3 of Division 3 of the Agricultural Code, and from the provisions of Article 2 of Chapter 8 of Division 5 of said code, relating to poultry.
- 14. To consider and act upon legislation authorizing districts created pursuant to the Metropolitan Water District Act to incur indebtedness for the construction

or installation of additional works or facilities for development, transportation and distribution of water.

15. To consider and act upon legislation relative to the creation of a state planning

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

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

18. To consider and act upon legislation to include a plea of guilty or a forfeiture of bail within the definition of conviction of a violation of the Vehicle Code

19. To consider and act upon legislation relative to providing funds for the purchase of farms and homes under the Veterans' Farm and Home Purchase Act of 1943, and to establish a disaster relief fund to aid the purchasers of such homes.

20 To consider and act upon legislation to authorize the construction of sewage treatment facilities under Chapter 1 (commencing at Section 4600) of Part 3 of

Division 5, Health and Safety Code.

21. To consider and act upon legislation to extend the time within which a water storage district, created under the California Water Storage District Law, may file its report required by Section 42275 of the Water Code

22. To consider and act upon legislation relative to the jurisdiction and venue

of small claims courts

23. To consider and act upon legislation relative to the Medical Facility under the jurisdiction of the Department of Corrections

24. To consider and act upon legislation to amend the Revenue Bond Law of 1941.

25. To consider and act upon legislation relative to the approaches to the east and west termini of the southern crossing of the San Francisco Bay as defined in Subdivision (b) of Section 30651 of the Streets and Highways Code.

26. To consider and act upon legislation relating to membership on the California Veterans Board.

In Witness Whereof, I have bereinto set my hand and caused the Great Seal of the State of California to be affixed this 2nd of March, 1956.

(SEAL)

(SIGNED) GOODWIN J. KNIGHT Governor of California

ATTEST:

Frank M. Jordan Secretary of State

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

PROCLAMATION

Whereas, The Legislature of the State of California has been called in extraordinary session to convene on March 5, 1956; and

Whereas, On account of extraordinary occasions which have arisen and now exist, it is deemed desirable and necessary to submit additional subjects to the Legislature for consideration; now, therefore,

I, GOODWIN J. KNIGHT, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated March 2, 1956, by adding the following additional purposes thereto, and thereby permitting the Legislature to legislate upon the following subjects, in addition to the subjects specified in the original Proclamation, to-wit:

Item No. 27. To consider and act upon legislation to revise the California Disaster Act.

Item No. 28. To consider and act upon legislation relating to membership on the Citizens Advisory Committee on Aging.

Item No. 29. To consider and act upon legislation to amend Section 952 of the Agricultural Code relative to the establishment of districts in which the planting, harvesting, picking or ginning of cotton other than "Acala" cotton is unlawful.

IN WITNESS WHEREOF, I have beleunto set my hand and caused the Great Seal of the State of California to be affixed this twelfth day of March, 1956.

(SIGNED) GOODWIN J. KNIGHT

(SEAL)

Governor of California

ATTEST:

FRANK M. JORDAN Secretary of State

PROCLAMATION

WHEREAS, The Legislature of the State of California has been called in extraordinary session and has convened on March 5, 1956; and

WHEREAS, On account of extraordinary occasions which have arisen and now exist, it is deemed desirable and necessary to amend a subject heretofore submitted to the Legislature for consideration; now, therefore,

I, GOODWIN J. KYIGHT, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated March

2, 1956, by amending Item 5 thereof to read:

(SEAL)

Item No. 5. To consider and act upon legislation revising the method of financing the State Teachers' Retirement System and legislation relating to school district retirement systems.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of

the State of California to be affixed this twenty-first day of March, 1956.

(SIGNED) GOODWIN J. KNIGHT

(SEAL) Governor of California

ATTEST: FRANK M. JORDAN Secretary of State

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, The Legislature of the State of California has been called in extraordinary session to convene on March 5, 1956; and

WHEREAS, On account of an extraordinary occasion which has arisen and now exists, it is deemed desirable and necessary to submit an additional subject to the Legislature for consideration; now, therefore,

I, Goodwin J. Knight, Governor of the State of California, by virtue of the power vested in me by law, hereby amend and supplement my Proclamation dated March 2, 1956, by adding the following additional purpose thereto, and thereby permitting the Legislature to legislate upon the following subject, in addition to the subjects specified in the original Proclamation and previous supplement thereto, to-wit:

Item No. 30. To consider and act upon legislation relating to the tide and submerged lands conveyed in trust to the City of Long Beach and the revenue therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of April, 1956.

(SIGNED) GOODWIN J. KNIGHT Governor of California

ATTEST: FRANK M. JORDAN

Secretary of State
By Chas. J. Hagerry
Assistant Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1956 EXTRAORDINARY SESSION OF THE LEGISLATURE

CHAPTER 1

An act to add Section 7.3 to the Metropolitan Water District Act, relating to metropolitan water districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 2, 1956. Filed with Secretary of State April 2, 1956.]

In effect immediately

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

Section 1. Section 7.3 is added to the Metropolitan Water District Act. to read:

Sec. 7.3 (a). The board of directors by ordinance may order the submission to the qualified voters of the district, at a special election to be consolidated with an election at which all such qualified voters shall be authorized to vote, of a proposition to authorize the board of directors of such district, by majority vote of such board, to incur and to refund indebtedness in the manner, for the purposes and subject to the limitations provided herein and in Section 7.2 of this act. The proposition so submitted shall be stated upon the official ballot substantially in the following language: "Shall the Board of Directors of _____ (insert name of district) be authorized, by majority vote of said board of directors, pursuant to the provisions of Sections 7.2 and 7.3 of the Metropolitan Water District Act: to incur indebtedness from time to time for terms not exceeding 12 years, for the purpose of constructing or installing additional works or facilities for development, transportation and distribution of water, such indebtedness to be payable primarily or solely from revenues derived from special taxes levied pursuant to annexation proceedings completed prior to the incurring of such indebtedness, and such indebtedness so incurred outstanding at any time not to exceed 50 percent of the aggregate amount of such special taxes thereafter to be levied or 1 percent of the assessed valuation of taxable property within said district, whichever amount shall be the lesser; and to refund all or any part of such indebtedness?" Said ordinance shall call said special election, fix the date on which said election will be held and the manner of holding such election and of voting for or against said proposition, and such special election may be consolidated with the election referred to in said ordinance in any manner permitted under the Elections Code and the provisions of this section.

- Such ordinance shall be published once, at least 10 days before the date of the election therein called, in a newspaper of general circulation printed and published within the district, and no other or further notice of such election need be given or made.
- (b) The board of directors or any member or members thereof or any person or persons designated by the board may file with the secretary of the board an argument for the measure and any member of the board or other voter or voters of the district may file with such secretary an argument against the measure. No such argument shall exceed five hundred (500) words in length and all arguments shall be filed with the secretary of the board at least fifty-five (55) days prior to the date of the election. From the arguments so filed with him, the secretary shall select the argument for and the argument against the measure deemed by him to best express the respective views of the proponents and opponents of the measure. The arguments so selected by the secretary shall be printed and a printed copy of such arguments (which shall be deemed official matter) shall be enclosed in an envelope with each sample ballot. Any irregularities in carrying out the provisions of this paragraph shall not invalidate or affect the results of the election.
- (c) In all particulars not set out in such ordinance, said election shall be held and conducted substantially in accordance with the provisions of the Elections Code. In the event that a majority of the voters of the district voting on such proposition at such election shall vote in favor of the proposition, the board of directors of the district, on behalf of the district, shall thereupon be authorized, by a majority vote of such board, to incur and to refund indebtedness in the manner, for the purposes, and to the extent provided in Section 7.2 of this act, and the provisions of paragraphs (a) and (d) of said Section 7.2 requiring adoption of the respective ordinances by a vote of three-fourths of the total vote of the board shall no longer be applicable to such district. The notes or other evidence of indebtedness may be payable to bearer; and, unless payable only from income derived from the levy and collection of special taxes levied pursuant to Section 9 hereof and annexation proceedings concluded thereunder, shall be negotiable; and may bear interest coupons for the semiannual interest, such interest coupons to be in such form and to bear such facsimile signature or signatures as may be determined by the board. Such notes or other evidence of indebtedness shall be signed by such officers as the board may direct and such signatures except one thereof may be printed, lithographed or engraved. Such notes or other evidence of indebtedness may be registered in the manner provided in Section 7 hereof for the registration of bonds.
- 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 Article IV of

the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The inhabitants of substantial portions of the Counties of Los Angeles, Orange, Riverside, San Bernardino, and San Diego, in the southern part of this State, are in dire need of obtaining immediately adequate supplies of water for domestie and municipal uses which can be obtained from the Metropolitan Water District of Southern California, a district duly organized and existing under the Metropolitan Water District Act of this State, which act is sought to be amended by the within and foregoing act; arrangements for so obtaining said water by said inhabitants are dependent upon the construction and installation by said the Metropolitan Water District of Southern California of additional works and facilities for the transportation and delivery of water from the Colorado River to its unit municipalities for service to said inhabitants; the financing of such additional works and facilities can be accomplished more effectually and expeditiously if the amendments to the Metropolitan Water District Act provided by the within and foregoing amendatory act shall become immediately effective.

CHAPTER 2

An act to validate acts and proceedings increasing school district maximum tax rates, declaring the urgency thereof, to take effect immediately.

> [Approved by Governor April 2, 1956. Filed with Secretary of State April 2, 1956.]

In effect immediately

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

Section 1. All acts and proceedings taken between September 6, 1955, and the effective date of this act by or on behalf of any school district under any law, or under color of any law, to authorize the increase of its maximum rate of tax where the majority of the voters, voting at an election called by the governing body of the district to consider the proposition, vote in favor of the tax increase, are hereby confirmed, validated, and declared legally effective. Where the votes of any such election conducted prior to the effective date of this act have not been canvassed, the county superintendent of schools shall canvass the votes within 15 days after the effective date of this act notwithstanding any other provision of law; and if upon such canvass it is determined that a majority of the voters voting on the proposition vote in favor of the tax increase, all acts and proceedings taken by or on behalf of the school district are hereby confirmed, validated and declared legally effective.

This act shall operate to supply such legislative authorization as may be necessary to validate any such acts and proceedings taken between September 6, 1955, and 16 days after the effective date of this act which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken. 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 or Federal Constitutions.

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:

Certain school districts failed to follow the procedural changes effected by the Statutes of 1955 in the calling and conducting of elections to increase their maximum tax rates, at which a majority of the voters approved the proposed increases. It is necessary that the tax rate increase be validated immediately in order that funds can be secured to meet current expenses.

CHAPTER 3

An act to amend Section 66 of the Military and Veterans Code, relating to the California Veterans Board.

In effect July 5, 1956 [Approved by Governor April 3, 1956, Filed with Secretary of State April 3 1956]

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

Section 1. Section 66 of the Military and Veterans Code is amended to read:

66. Six members of the board shall be veterans as the term "veteran" is defined in either Section 800 or 980 of this code, and one member of the board may, in lieu thereof, be a veteran as the term "veteran" is defined in Section 18540.4 of the Government Code.

CHAPTER 4

An act relating to agencies (as herein defined) constituted or provided for by joint exercise of power agreements under or pursuant to Chapter 5. Division 7, Title 1 of the Government Code and validating said agreements, the organization of said agencies, bonds and contracts of said agencies or for the purposes of said joint exercise of power agreements, transfers or conveyances of property to said agencies, and all acts or proceedings in connection with any of the foregoing, declaring the urgency thereof to take effect immediately.

In effect immediately [Approved by Governor April 3, 1956 Filed with Secretary of State April 3 1956]

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

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

(a) "Joint Exercise of Powers Act" means Chapter 5, Divi-

sion 7, Title 1 of the Government Code.

(b) "Agreement" means any agreement for the joint exercise of powers under or pursuant to said Joint Exercise of Powers Act.

- (c) "Party" means any party to an agreement entered into under or pursuant to said Joint Exercise of Powers Act.
- (d) "Âgency" means agencies, boards, commissions or entities constituted or provided for under or pursuant to said Joint Exercise of Powers Act.
- (e) "Bonds" means revenue bonds, notes or other evidences of indebtedness issued or to be issued by or for an agency under or pursuant to Article 2 of said Joint Exercise of Powers Act and bonds, notes or other evidences of indebtedness issued or to be issued by any party for the carrying out of the purposes of any agreement.

(f) "Now" means the date this act takes effect; "heretofore" means any time prior to such effective date; and "hereafter" means any time subsequent to such effective date.

- SEC. 2. All acts and proceedings heretofore taken by any party under or under color of said Joint Exercise of Powers Act or any other law in connection with the authorization and execution of any agreement are hereby confirmed, validated and declared legally effective This shall include all acts and proceedings of the governing body of such party and of any person, public officer, board or agency heretofore done or taken in connection with the authorization and execution of any agreement.
- SEC. 3. All agencies heretofore constituted, provided for, organized or existing by an agreement under or under color of said Joint Exercise of Powers Act are hereby declared to have been legally constituted, provided for, organized and to be legally functioning as such agency. Every such agency shall have all the rights, powers and privileges provided for in said agreement and shall be subject to all the duties and obligations of such agency as set forth in said agreement, and such agency shall have the additional power to issue bonds pursuant to Article 2 of said Joint Exercise of Powers Act if the exercise of said additional power shall have been authorized by the parties to the agreement.
- SEC. 4. All acts and proceedings heretofore taken by or on behalf of any party or agency for the authorization and execution by or for said agency of any contract authorized to be made by such agency under the provisions of the agreement and all transfers, leases or other conveyances by the State, any institution or department of the State, any city, county, city and county or public corporation to said agency of any property, real or personal, or any interest in such property, are hereby confirmed, validated and declared legally effective. This shall include all acts and proceedings of any governing or legislative body, and of any person, public officer or agency heretofore done or taken in connection with the authorization

and execution of such contract or such transfer, lease or conveyance of such property.

SEC. 5. All acts and proceedings heretofore taken by or on behalf of any party or agency under or under color of said Joint Exercise of Powers Act or any other law for the authorization, issuance or sale of bonds of or for any such agency and bonds of any party issued or to be issued for the carrying out of purposes of any agreement, are hereby confirmed, validated and declared legally effective. This shall include all acts and proceedings of any governing or legislative body of such party or agency and of any person, public officer, board or agency heretofore done or taken in connection with the authorization, issuance or sale of such bonds.

All such bonds heretofore issued shall be in the form and manner in which issued and delivered the legal, valid and binding obligations of the agency or of the party, as the case may be All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the agency or the party, as the case may be.

- SEC. 6. (a) The foregoing provisions of this act shall operate to supply such legislative authorization as may be necessary to validate any such acts and proceedings heretofore taken which the Legislature could have supplied or provided for in the law under which such acts or proceedings were taken.
- (b) The foregoing provisions of 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) The foregoing provisions of 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, and shall not operate to confirm, validate, or legalize any act, proceeding, or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective.
- SEC. 7. This act may be cited as the "Joint Exercise of Powers Validating Act."
- SEC. 8. 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 citizens and residents of the State require the regular and unhampered functioning of cities, counties, districts and other public corporations or bodies. In many cases such functions can be adequately discharged only if two or more thereof may by agreement provide for the joint exercise of powers common to the parties thereto and provide for the administration and execution of such agreement by an agency constituted or provided for by such agreement. The joint exercise of such powers

depends upon the validity of such agreement, the organization of the agency to administer and execute such agreement, the contracts of or for such agency, the bonds issued by or for such agency or of any party to such agreement for the carrying out of purposes of such agreement, transfers or conveyances of property to such agencies, and upon the validity of acts and proceedings in connection therewith. It is therefore imperative that all matters affecting such agreements be validated so that during the period before this act would otherwise become effective:

(1) Public works and construction can be commenced and continued without delay or restriction to provide sewers, waterworks, storm drains, flood control works, sanitary facilities, recreational facilities, public meeting places, hospitals and other works, structures and improvements and facilities required for public peace, health and safety and immediately

needed to provide for an increased population;

(2) Parties can issue and sell bonds heretofore authorized for the purpose of carrying out the purpose of any agreement to provide sewers, waterworks, storm drains, flood control works, sanitary facilities, recreational facilities, public meeting places and other works, structures and facilities required for public peace, health and safety and immediately needed to provide for an increased population and so that agencies can issue and sell bonds heretofore authorized pursuant to Article 2 of said Joint Exercise of Powers Act for the purpose of providing the structures or facilities described therein. In certain metropolitan areas with a large and growing population, existing structures and facilities are completely inadequate to provide such population with seating space adequate for large public meetings, adequate recreational facilities to minimize delinquency among large numbers of the juvenile population, and large exhibition areas for the exhibition of agricultural and industrial products which are essential to the health and economic well-being of such population. Said bonds cannot now be sold because of defects in the proceedings for the authorization of said bonds.

CHAPTER 5

An act to amend Section 952 of the Agricultural Code, relating to the production of cotton, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 4, 1956. Filed with Secretary of State April 4 1956.]

In effect immediately

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

Section 1. Section 952 of the Agricultural Code is amended to read:

952. District number two shall consist of the County of Kern; district number three shall consist of the County of Madera; district number four shall consist of the County

of Fresno; district number five shall consist of the County of Kings; district number six shall consist of the County of Tulare; district number seven shall consist of the County of Merced; district number eight shall consist of the County of Stanislaus; district number nine shall consist of the County of San Joaquin.

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 present law, cotton growers in the area of the Imperial Irrigation District are prohibited from planting any variety of cotton except Acala. It is desirable that other varieties be planted. The planting season for cotton is a short one, and has begun. If different varieties of cotton are to be planted this year, this act must take immediate effect.

CHAPTER 6

An act to add Sections 13.10, 13.11, 13.12, 13.13, and 13.14 to the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 5, 1956. Filed with Secretary of State April 5, 1956]

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

Section 1. Section 13.10 is added to the Sonoma County Flood Control and Water Conservation District Act, to read: (1) Whenever the board determines that a Sec. 13.10. bonded indebtedness should be incurred to pay the cost of any work or improvement in any zone or zones, the board may by resolution determine and declare the respective amount of bonds necessary to be issued in each zone in order to raise the amount of money necessary for each work or improvement and the denomination and maximum rate of interest of said bonds. The board shall cause a copy of the resolution duly certified by the clerk to be filed for record in the office of the Recorder of Sonoma County within five days after its issuance. From and after said filing of said copy of said resolution, the board shall be deemed vested with the authority to proceed with the bond election.

(2) After the filing for record of the resolution specified in subdivision (1) of this section, the board may call a special bond election in said zone or participating zones at which shall be submitted to the qualified electors of said zone or participating zones the question whether bonds shall be issued in the amount or amounts determined in said resolution for the

purpose or purposes therein stated. Said bonds and the interest thereon shall be paid from the revenue derived from annual taxes or assessments levied as provided in Section 13.14.

(3) Said board shall call such special bond election by resolution and submit to the qualified electors of said zone or participating zones the proposition of incurring a bonded debt in said zone or participating zones in the amount and for the purposes stated in said resolution and shall recite therein the object and purposes for which the indebtedness is proposed to be incurred; provided, that it shall be sufficient to give a brief general description of such object and purposes and refer to the recorded copy of the resolution adopted by said board and on file with the county recorder for particulars; and the resolution calling the election shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and the maximum rate of interest to be paid on said indebtedness and shall fix the date on which such special election shall be held and the form and content of the ballot to be used. The rate of interest to be paid on such indebtedness shall not exceed 5 percent per annum. For the purpose of said election, the board shall, in its resolution calling the election, establish special bond election precincts within the boundaries of each zone and participating zone and may form election precincts by consolidating the precincts established for general elections in said district to a number not exceeding six general precincts for each such special bond election precinct and shall designate a polling place and appoint one inspector and one judge and one clerk for each of such special bond election precincts.

In all particulars not recited in such resolution, such election shall be held as nearly as practicable in conformity with the general election laws of the State.

Said board shall cause a map or maps to be prepared covering a general description of the work to be done, which said map shall show the location of the proposed works and improvements, and cause the said map to be posted in a prominent place in the county courthouse for public inspection at least 30 days before the date fixed for such election. The resolution calling the special bond election shall, prior to the date set for such election, be published in a newspaper of general circulation published in the district, and deemed by the board most likely to give notice to the voters, for six consecutive times if published in a daily newspaper of general circulation or two times if published in a weekly newspaper of general circulation. No other notice of such election need be given nor need any polling place cards be issued.

Any defect or irregularity in the proceedings prior to the calling of such special bond election shall not affect the validity of the bonds authorized by said election.

Where a project affects a single zone only, if at such election two-thirds of the vote cast in said zone on the proposition of incurring bonded indebtedness are in favor thereof, then bonds for such zone for the amount stated in the proceedings shall be issued and sold as in this act provided. Where the incurring of bonded indebtedness by participating zones is to be determined at such election, no bonds for any of such participating zones shall be issued or sold unless two-thirds of the votes cast on the proposition in each such participating zone are in favor of incurring bonded indebtedness to be undertaken by such zone

Sec. 2. Section 13.11 is added to said act, to read:

Sec. 13 11. The board shall, pursuant to the provisions of this act, prescribe by resolution the form of the bonds, which must include a designation of the zone or participating zone affected, and of the interest coupons attached thereto. Said bonds shall be payable annually or semiannually at the discretion of the board each and every year on a day and date at a place or places to be fixed by said board and designated in such bonds, together with interest on all sums unpaid on such date until the whole of said indebtedness shall be paid.

The board may divide the principal amount of any issue into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of another series. The maturity of each series shall comply with this section. The board may fix a date not more than two years from the date of issuance for the earliest maturity of each issue or series of bonds beginning with the date of the earliest maturity of each issue or series; not less than one-fortieth of the indebtedness of such issue or series shall be paid every year. The final maturity date shall not exceed 40 years from the time of incurring the indebtedness evidenced by each issue or series.

The bonds shall be issued in such denomination as the board shall determine except that no bond shall be of a less denomination than one hundred dollars (\$100) nor of a greater denomination than one thousand dollars (\$1,000), and shall be payable on the date at the place fixed in said bonds and at the interest rate specified in said bonds, which rate shall not be in excess of five percent (5%) per annum and shall be made payable annually or semiaunually. Said bonds shall be numbered consecutively and shall be signed by the chairman of the board and countersigned by the auditor of said district and the seal of said district shall be affixed thereto by the clerk of the board. Either or both such signatures may be printed, engraved or lithographed. The interest coupons of such bonds shall be numbered consecutively and signed by said auditor or by said auditor by his printed, engraved or lithographed signature. In case any such officer whose signature or countersignatures appearing on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such bonds and coupons and signatures and countersignatures shall nevertheless be valid and legal for all purposes.

SEC. 3 Section 13 12 is added to said act, to read:

The board may issue and sell the bonds of any Sec 13.12 such zones authorized as hereinbefore authorized at not less than par value plus interest to date of delivery and the proceeds of the sale of such bonds shall be placed in the Treasury of the County of Sonoma to the credit of said district and the respective participating zones thereof for the uses and purposes of the zone or zones voting said bonds, and the proper record of such transaction shall be placed upon the books of said county treasurer and said respective zone funds shall be applied exclusively to the purposes and objects mentioned in the resolution calling for such special bond election as aforesaid subject to the provisions in this act contained Payments from said zone funds shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the County of Sonoma.

Sec. 4. Section 13.13 is added to said act. to read:

Sec. 13 13. Any zone bonds issued under the provisions of this act and the interest thereon shall be paid by revenue derived from an annual tax or assessment levied as provided in Section 13.14 of this act. No zone nor the property therein shall be liable for the bonded indebtedness of any other zone nor shall any moneys derived from taxation or assessments in any of the several zones be used in payment of principal, or interest, or otherwise of the bonded indebtedness chargeable to any other zone.

SEC. 5. Section 13.14 is added to said act, to read:

Sec. 13 14. The board shall levy a tax or assessment each year, which shall be in addition to any assessment levy under Section 13.9 of this act, sufficient to pay the interest and such portion of the principal of said bonds as is due or to become due before the time of making the next general tax levy. Such taxes or assessments shall be levied and collected in the respective zones of issuance together with and not separately from taxes for county purposes and when collected shall be paid in to the County Treasury of said Sonoma County to the credit of the zone of issuance and be used for the payment of the principal and interest on said bonds and for no other purpose. The principal and interest on said bonds shall be paid by the County Treasurer of said Sonoma County in a manner provided by law for the payment of principal and interest on bonds of said county.

SEC. 6. This act is an urgoncy 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:

While the Sonoma County Flood Control and Water Conservation District has the power to establish zones for the purpose of undertaking flood control or water conservation works and to levy taxes therein, there is no authorization under the present law for the issuance and sale of general obligation

bonds to finance a zone project, payable solely from taxes on property in the zone. Thus, the authority to create zones has not offered the solution to the pressing problems existing in Sonoma County. These problems have naturally multiplied in view of the disastrous floods of the past few months. In order that flood control projects urgently needed in certain areas of this county may be financed and undertaken at the earliest possible time on a zone basis, it is necessary that this act go into immediate effect.

CHAPTER 7

An act to amend Sections 1, 6 and 7, and to repeal Section 4 of an act entitled "An act relating to the acquisition of properties for state highway purposes, and making an appropriation therefor," approved August 24, 1952, relating to the acquisition of properties for state highway purposes and funds available therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

In effect immediately [Approved by Governor April 5, 1956. Filed with Secretary of State April 5, 1956.]

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

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

Section 1. The sum of thirty million dollars (\$30,000,000), or so much thereof as may be necessary, is hereby appropriated from the funds mentioned and in accordance with the procedure set forth in this act, to be expended by the Department of Public Works for the acquisition of properties to constitute rights of way for state highway purposes. On demand or demands of the Department of Public Works the Controller shall transfer the amounts demanded, not exceeding the total appropriated, to the Highway Right of Way Acquisition Fund which is hereby created, and the expenditures authorized herein shall be made from such fund.

Sec. 2. Section 6 of said act is amended to read:

Sec. 6. The Controller shall from time to time determine whether any portion of the money in the Motor Vehicle Fuel Fund, the Motor Vehicle Fund, the Motor Vehicle Transportation Tax Fund, and the motor vehicle uncleared collections account in the Special Deposit Fund, or any of them, including investments under the provisions of Article 4 of Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, is not necessary for immediate use and, if so, the amount thereof, which shall thereupon be designated as "available money."

Sec. 3. Section 7 of the said act is amended to read:

Sec. 7. On demand of the Department of Public Works from time to time, the amounts demanded, not exceeding thirty million dollars (\$30,000,000) in the aggregate, shall, on order of the Controller, be transferred to the Highway Right of Way Acquisition Fund from such "available

money"; provided, however, that no transfer shall be made which would reduce the aggregate amount of money in the funds mentioned in Section 6, including investments, to less than five million dollars (\$5,000,000).

Sec. 4. Section 4 of said act is repealed.

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

Total funds available for the purposes of the act cited in the title hereof, due to the restrictions placed upon the availability of such funds, have fallen far short of the anticipated amount. Activities of the Department of Public Works in the acquisition of rights of way have been seriously curtailed and the opportunity to accomplish large sayings in right of way acquisition costs will be lost unless the previously planned program is permitted to proceed. Enactment of this act is necessary to furnish funds therefor and this act shall therefore take effect immediately.

CHAPTER 8

An act to add Article 2a to Chapter 1, Part 3, Division 5 of the Health and Safety Code of the State of California, relating to municipal sewer districts, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 5, 1956 Filed with Secretary of State April 5, 1956]

In effect immediately

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

Section 1. Article 2a is added to Chapter 1, Part 3, Division 5 of the Health and Safety Code, to read:

Article 2a. Formation of Districts in Two or More Municipal Corporations and Also in Unincorporated Territory

4614 1. Districts may be formed under this article for the Purposes purpose of providing sanitary sewer systems, including outfall, intercepting and connecting sewer lines, laterals and house connections, treatment plant and disposal facilities of any type or character and also for the purpose of providing storm water drainage and flood control systems, including drains, conduits, pipelines, culverts, embankments and other works necessary or convenient for storm water drainage and flood control works. Any two or more such purposes may be consolidated as a single project and submitted to the electors at any bond election held therein as a single proposition.

Any municipality may initiate proceedings for the Intuation of formation of a district pursuant to this article whenever in proceedings the judgment of the governing body of such city it is deemed district desirable that a district be organized hereunder. The govern-

ing body of the initiating city shall by a resolution set forth (a) that the public interest and necessity require that a district be so organized, (b) a general description of the area of the proposed district, (c) a general description of the improvement deemed desirable, and (d) a general estimate of the cost of the proposed work. The district may be described by reference to a map on file in the office of the clerk of the governing body and it shall not be necessary to set forth a metes and bounds description thereof. A general description of the proposed improvements shall be sufficient and it shall not be necessary to prepare detailed plans and specifications of the work to be done. The estimate of cost may include an estimate of all expenses to be incurred in connection with the formation of the district, including all incidental expenses of financing the proposed work, but neither the cost of physical construction nor the incidental expense need be itemized. The foregoing findings of the governing body of the initiating municipality shall be expressed in a resolution of public interest and necessity adopted by two-thirds vote of all members of the governing body.

46143. If the proposed district includes the whole or any part of any other incorporated city or cities, the governing body of the initiating city shall file with the governing body of such other city or cities a certified copy of its resolution of public interest and necessity together with a request that the governing body of such other city or cities consent to the formation of such district. No further proceedings shall be taken by the initiating city unless the governing body of the city or cities, any part of which is proposed to be included in the district, by resolution, consents and agrees to the forma-

4614.4. If any part of the district includes any unincorporated territory of the county, the governing body of the initiating city shall file with the board of supervisors of the county in which such unincorporated territory is situated, a certified copy of its resolution of public interest and necessity. No further proceedings shall be taken by the governing body of the initiating city unless the board of supervisors of the county in which such unincorporated territory is located, by resolution, consents and agrees to the formation of the district which will include such unincorporated territory within its boundaries.

Jurisdiction of initiating city

tion of the district.

4614.5. Whenever the governing body of any city in which the whole or any part of the district to be organized lies and, if the district includes any unincorporated territory, the board of supervisors of the county in which any part of the unincorporated area proposed to be included within the district lies, agree and consent to the formation of the district, then from and after the filing of such resolutions of concurrence with the governing body of the initiating city, the governing body of the initiating city shall be vested with full jurisdiction to proceed hereunder. From and after the filing

Same

with the governing body of the initiating city of all necessary concurring resolutions of the governing body of any city or of the board of supervisors of the county, as the case may be, the governing body of the initiating city shall have the sole and exclusive jurisdiction to proceed with the formation of the district to conduct all hearings on the formation of the district to consent or permit or cause all necessary changes to be made in the boundaries of the proposed district and to conduct all proceedings on the formation of the district with like force and effect as though such district were wholly within the boundaries of the initiating city.

4614.6. Upon acquiring jurisdiction to proceed, the gov-Resolution erning body of the initiating city shall adopt a resolution of intention to organize the district. Such resolution shall (a) describe the boundaries of the proposed district, which may be by reference to a map on file in the office of the city clerk. (b) state the general purpose of the formation of the district by describing briefly and generally the proposed work to be done, (e) declare that the district and all lands therein will be benefited in the opinion of the governing body of the initiating city by the work proposed to be done, and (d) name a time and place for the hearing of objections by any person interested in the formation of the district or in the inclusion of any land within the boundaries of the proposed district.

4614.7. The resolution of intention of the governing body of the initiating city shall be published once a week for at least two weeks before the day fixed for the hearing in a newspaper designated by the governing body of the initiating city as being the newspaper deemed by such governing body most likely to give notice to all interested persons. Such publication may be made in a daily or weekly newspaper and need not be on the same day of each week. The first publication shall be not more than sixty (60) nor less than twenty (20) days prior to the date fixed for the hearing.

4614.8. Copies of the resolution of intention of the governing body of the initiating city shall be posted in three (3) public places within the district as fixed and determined by the governing body of the initiating city. Such posting shall be made at least twenty (20) days prior to the date fixed for the hearing.

4614.9. On the day fixed for the hearing, the governing Hearing body of the initiating city shall hear and determine any and all objections presented to the formation of the district or to the inclusion of any lands within the district. Such hearing may be adjourned from time to time by public announcement and no further notice of such adjourned hearing need be given by publication or posting or otherwise. Any person interested, including all owners of property within the proposed district, may appear in person or by representative, and be heard. At the hearing the governing body shall consider all objections, oral or in writing, to the formation of the district. the work to be done or otherwise, and may exclude any area

which, in the opinion of the governing body, will not be benefited by the formation of the district. The governing body of the initiating city may also permit the inclusion of additional lands within the district if in the opinion of the governing body such additional lands will be benefited; provided, that such additional lands shall not be included except upon petition of the owners of the land desiring such inclusion within the district.

Establishment of district and boundaries resolution

4614.10. Upon the final hearing and after making all necessary and proper changes in the boundaries of the district, the governing body of the initiating city by resolution passed by two-thirds vote of its members shall establish the district and fix and determine its boundaries. Such boundaries shall be described by metes and bounds sufficient to identify the same for purposes of taxation. The resolution establishing the district shall be recorded in the office of the county recorder, and copies thereof certified by the clerk of the governing body of the initiating city, together with a map or plat showing such boundaries, shall be filed with the county assessor, the county clerk and the State Board of Equalization. From and after such filing, the district shall be deemed organized. No action or proceeding contesting the validity of the district or its organization shall be had or taken in any court, state or federal, unless the same is commenced within sixty (60) days from and after the date of the recordation of the resolution establishing the district in the office of the county recorder.

Governing board 4614.11. From and after the formation of any district formed under this Article 2a, the governing body of the initiating city shall be the governing board of the district and shall have full power and authority to conduct all of the affairs of the district, to call and hold bond elections therein, to construct all improvements therein, to cause taxes to be levied and collected upon all taxable property in said district, and to pass such necessary legislation as may be required for proper sanitation, sewage and flood control purposes, with the same force and effect as though all of the area in the district were included within the boundaries of the initiating city

Bond elections 4614 12. From and after the formation of the district, the governing body of the initiating city may call and hold elections for the issuance of bonds by the district as provided in Article 3 hereof. If bonds are authorized, the work to be done shall be performed as provided in this chapter

Tax Procedure 4614.13. In the event bonds are authorized and issued on behalf of any district organized under this Article 2a, the governing body of the initiating city shall on or before the fifteenth day of July of each year certify to the board of supervisors of the county in which the district is located, the amount to be raised for the payment of the principal of and interest on the bonds. It shall be the duty of the county auditor to estimate and determine the rate of taxation for the payment of principal and interest of the bonds which will become due during the next succeeding year, or which the legislative body

of the initiating city believes will become due during the next year on bonds authorized but not sold. The county auditor shall compute and enter in a separate column in the county assessment roll the respective sums to be paid as the district tax on the taxable property in the district. The board of supervisors of the county in which the district is located shall at the time of fixing the general county tax levy and in the manner provided therefor levy and collect each year upon all of the taxable property in the district a tax sufficient to pay the annual interest on the bonds and such part of the principal thereof as will become due before the time of fixing the next general county tax levy. The taxes so levied shall be collected at the same time and in the same manner as county taxes are collected and when collected shall be paid to the county treasurer who shall forthwith remit the same to the city treasurer of the initiating city. The taxes are a lien on all property in the district and shall be of the same force and effect as the lien for county taxes and their collection shall be enforced by the same means as provided for the enforcement of the lien of county taxes The city treasurer of the initiating city shall hold such taxes in trust, separate and apart from all other city funds and use and apply the same solely to the payment of bond principal and interest.

4614.14. The governing body of the initiating city may Rate cause to be levied and collected an annual tax not to exceed twenty cents (\$0 20) on each one hundred dollars (\$100) of assessed valuation in the district for each year for the payment of the cost of maintenance and operation of the properties of the district. The governing body of the initiating city shall on or before July 15th of each year certify to the board of supervisors of the county in which the district is located the amount of the maintenance and operation costs required to be raised by taxes for the then fiscal year. It shall be the duty of the board of supervisors to levy and collect taxes upon the taxable property in the district sufficient to raise the amount so certified as the cost of maintenance and operation for the fiscal year and it shall be the duty of the county auditor to compute the rate of taxation required to raise such sum Such annual maintenance and operation tax shall be levied and collected in the same manner as district bond principal and interest taxes are levied and collected, and when collected shall be paid by the county treasurer to the city treasurer of the initiating city and shall be used and applied solely for the maintenance and operation of the works of the district.

4614.15. Nothing herein contained shall prevent two or cooperative more cities or the board of supervisors of any county from agreements entering into cooperation agreements for the joint acquisition, construction or use of joint sanitary sewage facilities, flood control works and storm water drainage systems.

This act is an urgency measure, necessary for the urgency immediate preservation of the public peace, health and safety

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

Disastrous floods in the State of California have demonstrated the necessity of forming districts within and without municipal corporations and within and without the boundaries of one or more municipalities and also in unincorporated territory. The Legislature finds and determines that the boundaries of municipalities are not of necessity coterminous with the drainage basins lying in whole or in part within the municipality and that in order to provide effective flood control it is necessary that districts be established within and without municipal corporations or within the boundaries of two or more municipal corporations and also including unincorporated areas.

The Legislature further finds and determines that sanitary sewage works and flood control and storm water drainage works may be more economically combined and consolidated as one improvement and that adequate sanitary sewage facilities may appropriately be constructed in the same drainage basins and that the normal drainage of sanitary sewage systems follows the contour lines of territories lying within the same drainage basins and that neither adequate sanitary sewage facilities nor storm water and flood control systems can be effective unless constructed in the same geographical locations so as to prevent contamination and for the protection of the public health and safety of the inhabitants of the same drainage areas. The provisions of this bill have for their purpose the coordination of sanitary, flood control and drainage facilities for the protection of the public health and it is necessary and urgent that the provisions hereof become law forthwith.

CHAPTER 9

An act to add Article 6, comprising Sections 54150 to 54161. inclusive, to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to the repair and restoration of property damaged or destroyed by storms or floods, and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

In effect ımmediately [Approved by Governor April 6, 1956 Filed with Secretary of State April 6, 1956]

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

Section 1. Article 6 is added to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

Article 6. Flood Relief

54150. This article shall be known and may be cited as Short title the Flood Relief Law of 1956.

"Board" means the State Public Works Board. 54151. "Local agency" means any city, city and county, "Local agency" 54152.county, or public district.

"Department" means the Department of Public "Department" 54153.

Works.

"Project" means the repair or restoration, or both, "Project" 54154. of public property, including but not limited to levees, flood control works, channels, irrigation works, city streets and county roads, and bridges damaged or destroyed by storm and flood or flood conditions during the months of December, 1955, and January and February, 1956. The completion of all or part of a project prior to application for funds hereunder shall not disqualify such project or any portion thereof.

54155. The board, the department, and the Department of Administra-Finance shall administer this article as provided herein. The board may by resolution authorize the Director of Finance to act for the board except that the board shall approve allocations of funds and shall make the determinations as to whether local agencies are financially able to meet the matching requirements provided for by this article.

54156. From any state moneys made available to it for Allocation that purpose, and subject to the conditions specified in Sec- of funds tion 54157, the board shall allocate funds to meet the cost of any one or more projects as defined herein.

54157. No money shall be allocated by the board pursuant conditions to this article, except for the making of investigations, estimates or reports hereunder by the department, unless and until :

(a) Such expenditure and the purpose for which it is made are first approved by the Director of Finance.

(b) A local agency has applied to the department for an allocation of funds, and the department has first investigated and reported upon the proposed work, has found it to be a matter of general public and state interest and concern, has estimated the cost of the work, and filed its report thereon with the Department of Finance.

(c) Moneys as prescribed by the board shall be made available by or on behalf of the agency in control of the damaged facility or facilities. As to street, highway and bridge projects, the board shall determine the respective amounts which the State and the local agency shall contribute, using the following criteria as a guide:

1. The State shall make no allocation as to that portion of the damage equal to 10 percent or less of the total amount apportioned by the State to the local agency from the Highway Users Tax Fund during the previous fiscal year.

2. As to damage exceeding 10 percent but not exceeding 50 percent of such amount apportioned, the State shall allocate 60 percent of the cost.

3. As to damage exceeding 50 percent but not exceeding 150 percent of such amount apportioned, the State shall allocate 80 percent of the cost.

4. As to damage over 150 percent of such amount apportioned, the State shall allocate 95 percent of cost.

As to other types of projects, the board shall consider the extent of the damage and the financial ability of the local agency to contribute to the cost of the project either on a cash or deferred basis as provided for herein and shall make its allocation accordingly, using such measure of need for state assistance as to such projects as will, in the opinion of the board, result in equitable treatment of all projects and in no greater sharing of costs by the State as to any particular project than the maximum rate provided for street, highway and bridge projects.

(d) The local agency has executed an agreement in such form as the department prescribes, providing for the performance of the work by the local agency or by the department, the methods of handling the funds allocated hereunder and the matching funds provided by the local agency, and other provisions prescribed by the department to assure completion of the work included in the project and the proper expenditure of funds as provided herein.

Performance of work 54158. Any work performed by the department pursuant to an agreement with a local agency shall be subject to the State Contract Act. Work performed by a local agency shall be subject to the law governing the performance of such work by the local agency. Neither the State nor any officer or employee thereof shall have any responsibility in connection with any work performed by a local agency.

Matching funds 54159. When the United States or any agency thereof is to provide the matching funds under subdivision (c) of Section 54157 it shall not be required that the funds to be provided from federal sources shall be paid into the State Treasury, but the department may proceed with the work when the department has received assurance, adequate in the opinion of the board and the Department of Finance, that the federal matching funds will be made available for expenditure for said work, or for reimbursement to the board for performance thereof.

State aid

Deferred payments a a

54160. Should the board determine that the local agency is financially unable to meet the matching requirements set forth in subdivision (c) of Section 54157, the board shall, out of any state moneys made available to it for that purpose, authorize the completion of the project or projects. The local agency shall be required by the board to make its contribution by means of deferred payments, such payments to be made in such amounts and at such times as may be provided by the agreement executed in connection with the application but in any event providing full repayment within 10 years, such repayment to include a charge to be fixed by the board in an amount estimated by it to equal the revenue which the State

would have derived by investing the total deferred payment at the interest rate prevailing for legal state investments.

54161. Deferred payments made by a local agency pursuant to Section 54160 shall be made by the agency:

(1) Out of the current revenues of the agency.

(2) If the current revenues of the agency prove insufficient Withholding to enable the agency to meet such payments, the board may of funds order the Controller to withhold from the agency funds which the agency would be entitled to under the Alcoholic Beverage Control Law or, as to street, highway or bridge projects, from the Motor Vehicle License Fee Fund to the extent necessary to meet the deficiency.

Such sums shall be credited to the funds in the State Treasury from which advances of the amounts required to be furnished by the local agency were made.

There is hereby appropriated to the State Public Appropria-Works Board the sum of twenty-four million nine hundred thousand dollars (\$24,900,000), of which fourteen million five hundred thousand dollars (\$14,500,000) is payable from the General Fund and ten million four hundred thousand dollars (\$10,400,000) from the State Lands Act Fund. The amounts herein appropriated from the General Fund or so much thereof as is necessary shall be allocated by the board to provide assistance to local agencies for flood relief pursuant to the Flood Relief Law of 1956.

The money appropriated herein from the State Lands Act Fund shall be used by the board for the completion of any project or projects in cases in which local agencies are unable to meet the matching requirements set forth in the Flood Relief Law of 1956.

This act is hereby declared to be an urgency meas- Urgency ure 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 therefore shall go into immediate effect. The following is a statement of the facts constituting such necessity:

Severe storms and floods in recent months have caused extensive damage to levees, flood control works, channels, irrigation works, city streets and county roads and bridges and other public property to such an extent that special appropriations to augment the funds of local agencies are necessary for the repair and restoration of such public property to put it into condition for public use at the earliest possible time. Therefore it is necessary in the interests of public health and safety that this act take effect immediately.

CHAPTER 10

An act making an appropriation for payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1956 First Extraordinary Session of the Legislature, to take effect immediately.

In effect immediately [Approved by Governor April 6, 1956. Filed with Secretary of State April 6, 1956]

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

Section 1. The sum of ten thousand dollars (\$10,000) is hereby appropriated out of the General Fund in the State Treasury for the payment of the expenses of Members of the Assembly necessarily incurred by them while attending the 1956 First Extraordinary Session of the Legislature, as provided by Section 2(b) of Article IV of the Constitution and the Joint Rules of the Senate and Assembly.

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

CHAPTER 11

An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1956 First Extraordinary Session of the Legislature, to take effect immediately.

In effect immediately [Approved by Governor April 6, 1956. Filed with Secretary of State April 6, 1956.]

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

SECTION 1. The sum of five thousand dollars (\$5,000) is hereby appropriated out of the General Fund in the State Treasury for the payment of the expenses of Members of the Senate necessarily incurred by them while attending the 1956 First Extraordinary Session of the Legislature, as provided by subdivision (b) of Section 2 of Article IV of the Constitution and the Joint Rules of the Senate and Assembly.

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

CHAPTER 12

An act to amend Sections 4601, 4611, 4617, 4621 and 4622 of the Health and Safety Code, relating to sewers, and declaring the urgency of this act, to take effect immediately.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956.]

In effect immediately

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

Section 1. Section 4601 of the Health and Safety Code is

hereby amended to read as follows:

4601. "Sewer," as used in this chapter, means any and all "Sewer" sewers or sewage collection, treatment or disposal facilities for sanitary or drainage purposes, including any and all lateral and connecting sewers, interceptors, trunk and outfall lines and sanitary sewage treatment or disposal plants or works, and any and all drains, conduits, and outlets for surface or storm waters, and any and all other works, property or structures necessary or convenient for the collection or disposal of sewage, industrial waste, or surface or storm waters.

Sec. 2. Section 4611 of the Health and Safety Code is

hereby amended to read as follows:

4611. On the day fixed for the hearing, or any day to Hearing which the hearing is adjourned, the governing body shall hear and consider any objections presented to the formation of the district or to the inclusion of any lands in the district. After the hearing of the objections, if it shall be determined by a vote of two-thirds of all the members of the governing body that the public interest requires the formation of the district, the governing body shall proceed to fix and determine its boundaries. At the hearing, the governing body may exclude from the district any territory that in its opinion would not be benefited by being in the district. The governing body shall not modify the boundaries of the proposed district so as to exclude therefrom any land which would be benefited by the formation of the district, nor shall there be included in the proposed district any lands which will not in the judgment of the governing body be benefited

Sec. 3. Section 4617 of the Health and Safety Code is hereby amended to read as follows:

4617. In all particulars not recited in the ordinance, the Election election shall be held as is provided by law for holding general elections in the district. At the election the measure of incurring indebtedness for the purposes set forth in the ordinance shall be submitted to the voters of the district.

Sec. 4. Section 4621 of the Health and Safety Code is hereby amended to read as follows:

4621. All bonds issued under this chapter shall be issued Bonds in the name of the city in which the district has been formed, and shall be payable in the manner determined by the city govSame

erning body, at a place within the United States, to be fixed by the governing body and designated in the bonds, together with the interest on all sums unpaid at that date, until the whole of the indebtedness has been paid. The governing body may divide the principal amount of any issue of bonds into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of any other series. The final maturity date of any issue of bonds, or of any series, shall not exceed 40 years from the date of such bonds, or the date of such series thereof.

SEC. 5. Section 4622 of the Health and Safety Code is

hereby amended to read as follows:

4622. The bonds shall be issued in such denominations as the governing body determines, except that no bonds shall be of a denomination less than one hundred dollars (\$100) nor greater than one thousand dollars (\$1,000).

The bonds shall be signed by the mayor, or by such other officer of the city as shall be designated for that purpose by the governing body by resolution adopted by a two-thirds vote of all its members, and shall also be signed by the city treasurer and countersigned by the city clerk or a deputy clerk.

The coupons of the bonds shall be numbered consecutively

and signed by the treasurer.

All signatures and countersignatures on the bonds and coupons, except that of the clerk or his deputy, may be printed, lithographed or engraved.

If any officer whose signature or countersignature appears on the bonds or coupons ceases to be an officer before the delivery of the bonds to the purchaser, his signature or countersignature is as valid and sufficient for all purposes, as if he had remained in office.

Urgency

SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public health within the meaning of Article IV of the Constitution and shall go into effect immediately. The facts constituting such necessity are:

It is necessary for cities to comply with the requirements of the Water Pollution Control Board in disposing of sewage. Public works and construction by cities to provide sewers required for the public health and immediately needed to provide for an increased population, and the financing of such public works and construction, may in many instances be best undertaken under the Municipal Sewer District Act of 1911, being California Health and Safety Code Sections 4600 to 4639, inclusive. In order that such public works and construction may be undertaken without delay by cities under said Municipal Sewer District Act of 1911 and in order that said cities can authorize, issue and sell bonds under said act, it is necessary that said act be amended as hereinabove set forth.

CHAPTER 13

An act to amend Sections 16463 and 16467.1 of the Public Utilities Code, relating to public utility districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956] In effect immediately

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

SECTION 1. Section 16463 of the Public Utilities Code is amended to read:

16463. A district may acquire, construct, own, complete, use, and operate a fire department, public parks, public playgrounds, public swimming pools, public recreation buildings, buildings to be used for public purposes, and works to provide for the drainage of roads, streets, and public places, including, but not limited to, curbs, gutters, sidewalks, and pavement of streets. For the purposes of this division all of the foregoing projects shall be considered a public utility or public utility works.

- SEC. 2. Section 16467.1 of said code is amended to read: 16467.1. Notwithstanding the provisions of Section 16467 of this code, fire departments, public parks, public playgrounds, public swimming pools, public recreation buildings, buildings used for a public purpose, and works to provide for the drainage of roads, streets, and public places, including, but not limited to, curbs, gutters, sidewalks, and pavement of streets need not be operated on a self-sustaining, revenue producing basis. Revenue to defray the cost of acquiring, constructing, installing, maintaining, improving, and operating such utilities and to pay the principal and interest and to create reserve and sinking funds on any indebtedness incurred in connection therewith, may be raised in any manner authorized by this division.
- SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

During and since the Second World War, the State of California has sustained an unprecedented growth. The demand for and value of property has increased by reason thereof far beyond the adequacy of works for the collection and disposal of storm waters and the protection of life and property against floodwaters.

There presently exists a period of heavy storms approximating the high point of rain water precipitation in a 100-year cycle.

Many public utility districts exist throughout the State in areas where works are needed for the collection and disposal of storm waters and for protection against floodwaters.

A great urgency exists in many places in the State within such districts where such works are required to be completed before the winter of 1956-57.

CHAPTER 14

An act making an appropriation in augmentation of the Emergency Fund specified in Item 276 of the Budget Act of 1955 to reimburse that fund and appropriations for state agencies for expenditures incurred in repairing or replacing property damaged or destroyed by storms or floods and in financing flood emergency operations, and declaring the urgency hereof, to take effect immediately.

In effect immediately [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

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

Section 1. The sum of one million dollars (\$1,000,000) is appropriated to the Emergency Fund specified in Item 276 of the Budget Act of 1955 in augmentation thereof to reimburse that fund and appropriations heretofore made to state agencies for expenditures incurred in repairing or replacing property damaged or destroyed by storms or floods and in financing flood emergency operations.

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:

State funds have been expended for the repair or replacement of property damaged or destroyed by storms and floods and for flood emergency operations, which funds had been appropriated for the performance of normal state functions during the remainder of the 1955-56 Fiscal Year. It is necessary that this act take effect immediately in order that these essentials continue to be performed without interruption or curtailment.

CHAPTER 15

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

In effect immediately [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

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

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

(a) The term "public body" means counties, cities and counties, and cities, and the following districts and authorities:

Air pollution control districts

Airport districts

Assessment districts

Bridge and highway districts

Cemetery districts

Citrous pest control districts

Community service districts

Conservancy districts

County fire protection districts

County maintenance districts

County power pumping districts

County sanitation districts

County sewerage and water districts

County water authorities

County water districts

County water works districts

Drainage districts

Fire protection districts

Flood control districts

Garbage and refuse disposal districts

Garbage disposal districts

Harbor districts

Harbor improvement districts

Highway districts

Highway lighting districts

Horticultural protection districts

Horticultural development districts

Irrigation district distribution districts Irrigation district improvement districts

Irrigation district improvem

Joint harbor improvement districts

Joint highway districts

Joint municipal sewage disposal districts

Junior college districts

Levee districts

Library districts

Local health districts

Local hospital districts

Metropolitan water districts

Mosquito abatement districts

Municipal improvement assessment districts

Municipal port districts

Municipal sewer districts

Municipal utility districts

Municipal water district improvement districts

Municipal water districts of any kind

Parking authorities

Parking districts

Park, recreation and parkway districts

Permanent road divisions

Pest abatement districts

Port districts

Public cemetery districts Public utility districts Reclamation districts Recreational harbor districts Recreation, park and parkway districts Regional park districts River port districts Road districts Sanitary districts Sanitary districts annexed areas School districts of any kind or class Separation of grade districts Sewer maintenance districts Soil conservation districts Storm water districts Unified air pollution control districts Vehicle parking districts Veterans' memorial districts Water conservation districts Water districts Water storage districts Weed abatement districts Zones of flood control districts

The term "public body" and the plural thereof, as used in this act, shall include only those entities which are specifically enumerated in this section.

- (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.
- 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.
- 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.
- Sec. 4. 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 or for the annexation of any such public body to any other such public body or for the withdrawal or exclusion of territory from 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 or of the withdrawal or exclusion of such territory.

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 bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal, valid and binding obligations of the public body.

- Sec. 6. Any action or proceeding contesting the validity of any action or proceeding heretofore taken under any law, or under color of any law, for the formation, organization or incorporation of any public body, or for any annexation thereto, exclusion therefrom or other change of boundaries thereof, or for the authorization, issuance, sale or exchange of bonds thereof upon any ground involving an alleged defect or illegality not effectively validated by the prior provisions of this act and not otherwise barred by any statute of limitations or by laches must be commenced within six months of the effective date of this act; otherwise each and all of said matters shall be held to be valid and in every respect legal and incontestable. This subsection shall not extend the period in which any action may be brought beyond the period in which it would be barred by any presently existing valid statute of limitations.
- Sec. 7. (a) This act shall operate to supply such legislative authorization as may be necessary to validate any such acts and 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 bound-

aries 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 Sections 54900 to 54904, inclusive, of the Government Code, is filed within the time and substantially in the manner required by said sections.

- (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 or which may be pending and undetermined during the period of 30 days from and after the effective date of this act, and shall not operate to confirm. validate, or legalize any act, proceeding, or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective, or to confirm, validate or legalize the organization of, or any proceedings for the organization of, any municipal corporation, when any part of the area of such municipal corporation within the boundaries thereof described in the resolution or order of the board of supervisors defining and establishing the boundaries of the proposed municipal corporation has been held by any court to be a part of another municipal corporation or has, directly or indirectly, been held illegally included within such boundaries of the proposed municipal corporation as described in said resolution or order of the board of supervisors or in the notice of election on the incorporation of the proposed municipal corporation.
- (e) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States.
- SEC. 8. As used in this act, the word "now" means the date this act takes effect; the word "heretofore" means any time prior to such effective date; and the word "hereafter" means any time subsequent to such effective date.
- SEC. 9. This act may be cited as the First Validating Act of 1956.
- 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 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:

- (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 pro-

vide 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.

CHAPTER 16

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

> [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

In effect July 5, 1956

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

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

(a) The term "public body" means counties, cities and counties, and cities, and the following districts and authorities:

Air pollution control districts

Airport districts

Assessment districts

Bridge and highway districts

Cemetery districts

Citrous pest control districts

Community service districts

Conservancy districts

County fire protection districts

County maintenance districts

County power pumping districts

County sanitation districts

County sewerage and water districts

County water authorities

County water districts

County waterworks districts

Drainage districts

Fire protection districts

Flood control districts

Garbage and refuse disposal districts

Garbage disposal districts

Harbor districts

Harbor improvement districts

Highway districts

Highway lighting districts

Horticultural protection districts

Horticultural development districts

Irrigation district distribution districts

Irrigation district improvement districts

Irrigation districts

Joint harbor improvement districts

Joint highway districts

Joint municipal sewage disposal districts

Junior college districts

Levee districts

Library districts

Local health districts

Local hospital districts

Metropolitan water districts

Mosquito abatement districts

Municipal improvement assessment districts

Municipal port districts

Municipal sewer districts

Municipal utility districts

Municipal water district improvement districts

Municipal water districts of any kind

Parking authorities

Parking districts

Park, recreation and parkway districts

Permanent road divisions
Pest abatement districts

Port districts

Public cemetery districts

Public utility districts

Reclamation districts

Recreational harbor districts

Recreation, park and parkway districts

Regional park districts

River port districts

Road districts

Sanitary districts

Sanitary districts annexed areas

School districts of any kind or class

Separation of grade districts

Sewer maintenance districts Soil conservation districts

Storm water districts

Unified air pollution control districts

Vehicle parking districts

Veterans' memorial districts

Water conservation districts

Water districts

Water storage districts
Weed abatement districts
Zones of flood control districts

The term "public body" and the plural thereof, as used in this act, shall include only those entities which are specifically enumerated in this section.

- (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.
- 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.
- 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.
- SEC. 4. 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 or for the annexation of any such public body to any other such public body or for the withdrawal or exclusion of territory from 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 or of the withdrawal or exclusion of such territory.
- 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 bonds of any public body heretofore issued shall be, in the form and manner in which issued and delivered, the legal, valid and binding obligations of the public body. All such bonds heretofore authorized to be issued and hereafter issued and delivered in accordance with such authorization shall be the legal, valid and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, such bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with such authorization, shall be the legal,

valid and binding obligations of the public body.

- Sec. 6. Any action or proceeding contesting the validity of any action or proceeding heretofore taken under any law, or under color of any law, for the formation, organization or incorporation of any public body, or for any annexation thereto, exclusion therefrom or other change of boundaries thereof, or for the authorization, issuance, sale or exchange of bonds thereof upon any ground involving an alleged defect or illegality not effectively validated by the prior provisions of this act and not otherwise barred by any statute of limitations or by laches must be commenced within six months of the effective date of this act; otherwise each and all of said matters shall be held to be valid and in every respect legal and incontestable. This subsection shall not extend the period in which any action may be brought beyond the period in which it would be barred by any presently existing valid statute of limitations.
- SEC. 7. (a) This act shall operate to supply such legislative authorization as may be necessary to validate any such acts and 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 Sections 54900 to 54904, inclusive, of the Government Code, is filed within the time and substantially in the manner required by said sections.
- (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 or which may be pending and undetermined during the period of 30 days from and after the effective date of this act, and shall not operate to confirm, validate, or legalize any act, proceeding, or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective, or to confirm, validate or legalize the organization of, or any proceedings for the organization of, any municipal corporation, when any part of the area of such municipal corporation within the boundaries thereof described in the resolution or order of the board of supervisors defining and establishing the boundaries of the proposed municipal corporation has been held by any court to be a part

of another municipal corporation or has, directly or indirectly, been held illegally included within such boundaries of the proposed municipal corporation as described in said resolution or order of the board of supervisors or in the notice of election on the incorporation of the proposed municipal corporation.

(e) This act shall not operate to confirm, validate, or legal-

ize a contract between any district and the United States

SEC. 8. As used in this act, the word "now" means the date this act takes effect; the word "heretofore" means any time prior to such effective date; and the word "hereafter" means any time subsequent to such effective date.

SEC. 9. This act may be cited as the Second Validating

Act of 1956.

CHAPTER 17

An act to add Chapter 18 to Division 6 of the Agricultural Code, relating to cattle, beef, and beef products, including programs for stimulating the use of beef and beef products, creating the California Beef Council and prescribing its organization, powers and duties, and making an appropriation.

> [Approved by Governor April 13, 1956 Filed with Scoretary of State April 13, 1956]

In effect July 5, 1956

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

SECTION 1. Chapter 18 is added to Division 6 of the Agricultural Code, to read:

CHAPTER 18. CALIFORNIA BEEF COUNCIL

Article 1. Short Title

5000. This chapter shall be known and may be cited as short tule the California Beef Council Law.

Article 2. Declaration of Policy

5025. It is hereby declared, as a matter of legislative de-Public policy termination, that the provisions of this chapter are enacted in the exercise of the police power of this State for the purposes of protecting and furthering the public health and welfare. It is further declared that the cattle industry of this State is affected with a public interest, in that, among other things,

(a) The production, processing, manufacture, and distribution of beef and beef products constitute a paramount industry of this State which not only provides substantial and required revenues for the State and its political subdivisions, and employment and a means of livelihood for many thousands of its population, but also furnishes essential foods that are vital to the public health and welfare.

(b) The stabilization, maintenance, and expansion of the cattle industry of California, and of the state, nation-wide, and foreign markets for its products are necessary to assure the consuming public an adequate supply of foods which are indispensable in a proper human diet, to protect, for the State and its political subdivisions, a necessary source of tax revenue, to provide and maintain an adequate standard of living for a great segment of the population of this State, to maintain proper wage scales for those engaged in the cattle industrial proper wage scales for these engaged in the cattle industrial proper wage scales for these engaged.

try, and to maintain existing employment.

(c) The essentiality of beef and beef products in a proper human nutrition and to the maintenance of a high level of public health is such as to require that the public be made thoroughly aware thereof, and be protected against misrepresentation and deception, by the dissemination of accurate and scientific information relative to the healthful qualities of beef and beef products, their various classifications and the food values and industrial and medicinal uses thereof, the methods, care and precautions necessary to their proper production, processing, manufacture, and distribution, and the necessary costs and expenses thereof, and the necessity and desirability on the part of the public of using and consuming beef and beef products of the highest standards of quality.

5026. The purposes of this chapter are:

Purposes of chapter

(a) To enable the cattle industry with the aid of the State, to develop, maintain, and expand the state, nation-wide, and foreign markets for beef and beef products produced, processed, or manufactured in this State, and the use and con-

sumption of such beef and beef products therein.

(b) In aid, but not in limitation, of the purpose in subdivision (a), to authorize and enable the director to formulate and effectuate, directly or in cooperation with other agencies and instrumentalities hereinafter specified, sales stimulation and consumer, or other, educational programs designed to increase the use and consumption of beef and beef products.

(c) To provide funds for the administration and enforcement of this chapter by fees to be paid by producers of beef and beef products in the manner prescribed in this chapter.

Article 3. Definitions

Definitions

5050. The definitions in this article govern the construction of this chapter, unless otherwise apparent from the context.

"Council"

5051. "Council" means the California Beef Council.

"Person"

5052. "Person" means an individual, corporation, partnership, trust, association, cooperative association, and any other business unit or organization.

"Producer"

5053. "Producer" means any person who raises, breeds, feeds, or grows cattle or calves for dairy production or for beef production.

"Beef"

5054. "Beef" includes veal, and "beef products" includes veal products.

Article 4. Administration

The director shall administer and enforce the pro-Powers of visions of this chapter, and may exercise any of the administrative powers conferred by Sections 11180 to 11191, inclusive, of the Government Code upon a head of a department. In order to effectuate the declared purposes of this chapter, the director may contract and be contracted with to carry out the

declared intent and purposes of this chapter.

There is hereby established the California Beef Beef Council Council which consists of 15 members, all of whom shall be citizens and residents of this State and producers. Of the 15 members of the council, five shall be primarily producers in the dairy industry, five shall be primarily producers in the beef cattle industry, and five shall be producers primarily of cattle in feed lot operations.

5077. No proceedings shall be had pursuant to this chapter Assent re unless and until the director has determined as provided in program this article that 65 percent of the producers who have voted have assented to the institution of programs as provided for in this chapter.

Within 60 days after the effective date of this chapter, the director shall, from records of the department and independent investigation by him, prepare a list of producers, and shall prepare and mail to all such producers a ballot form, together with a summarization of the provisions of this chapter, its intent and purposes, a summary of all arguments for and against the proposal submitted to the director and the name of their respective supporters not exceeding five in number, and a self-addressed stamped envelope. Such ballot shall be in such form as provided in this section. Each producer shall be entitled to one vote, which shall be mailed by him so that it shall be postmarked not later than 20 days after it was mailed to him by the director.

Within 15 days after the final period permitted for voting, the director shall count the assents and dissents and make a determination as to the result thereof. If he finds that 65 percent of the total number of producers voting have assented, he shall make a finding as to the result thereof and proceed in accordance with the provisions of Section 5078.

The ballot shall be substantially in the following form:

PRODUCER BALLOT CALIFORNIA BEEF COUNCIL LAW

Shall programs of education, research, advertising, and publicity to be financed by a mandatory collection of ten cents (\$0.10) per head at the time of sale become effective as provided in the California Beef Council Law, Chapter 18, Division 6, of the Agricultural Code?

	-,	Yes	No
		Signature of producer _	
		Address of producer _	
Date	1	-	

Referendums

If 65 percent of the total number of producers voting fail to assent to the institution of proceedings as provided in this section, it shall not preclude the conducting of subsequent referendums. No referendum, except one conducted pursuant to Section 5201, shall be conducted within two years after a referendum where the required percentage of assenting votes was not obtained.

Notice of

5078. Within 20 days after the determination that 65 percent of the producers have assented as provided in Section 5077, the director shall, by mail, notify the producer organizations and associations within the State of that fact. Such notice shall also state that council nominations from such organizations and associations may be sent by mail to the director at his office in Sacramento setting forth the name, addresses, citizenships, and types of producers of the respective nominees, and bearing the name and address of the nominating organization or association. The director shall consider such nominations if postmarked not later than 20 days after the notice was mailed to such organizations or associations by the director.

Meetings

Notice

5079. In addition to the provisions of Section 5078, the director, within 30 days after the determination that 65 percent of the producers have assented as provided in Section 5077, shall call and hold meetings of producers engaged in business as such in this State, at such places in the State as he shall determine will give a reasonable opportunity to every such producer to attend one of such meetings, for the purpose of receiving from them nominations of members of the council. Every producer shall be entitled to nominate a nominee for membership on the council. Notice of each of such meetings shall be given by the director by publishing notice thereof in a newspaper of general circulation published in the capital of the State, and in such other newspaper or newspapers or by such other means as the director shall determine to be necessary to give reasonable notice of such meeting to producers in the general area in this State wherein such meeting is to be held. Such notice of meeting shall set forth the time, place, and purpose thereof, and shall state that nomination by mail to the director at his office in Sacramento, setting forth the names, addresses, citizenships, and types of producers of the respective nominees, and bearing the signature and address of the nominator, if received by the director not later than five days subsequent to such meetings, will be considered. Such meeting shall not be held prior to three days after the last publication of notice thereof. At each meeting the director shall receive from those present and qualified oral nominations for each membership on the council.

Nominees

5080. Within a reasonable time after receiving the nominations as provided in Section 5078 and after completing the meetings, if any, provided in Section 5079, the director shall prepare three lists from the names of the nominees submitted; one list for nominees who are primarily producers in the dairy industry, one list for nominees who are primarily producers in

the beef cattle industry, and one list for nominees who are producers primarily of cattle in feed lot operations. The di- Appointment rector shall then appoint to the council five members from each list.

5081. The terms of office of the members of the council council shall be three years, except as provided in this section. The members first appointments made under this chapter shall be so made that the terms of one member appointed from each of the three lists provided in Section 5080 shall expire at the end of one year, two members appointed from each of such lists shall expire at the end of two years, and two members appointed from each of such lists shall expire at the end of three years. The Additional director, whenever he deems necessary, shall obtain additional nominations for membership on the council from producer organizations and associations in the manner prescribed under Section 5078 and may obtain such additional nominations from producers in the manner prescribed under Section 5079. All future appointments to the council, except interim ap- Appointpointments, shall be made from lists of nominees prepared as ments provided in Section 5080 from nominations made in the manner provided for in Sections 5078 and 5079. All such future appointments shall be made so that five members on the council shall have been appointed from each list. Any vacancy occur- vacancies ring during the unexpired term shall be filled by the director for the unexpired term from the list of eligible nominees from which the vacating member was appointed. The director may Removal remove any member of the council for cause and upon such removal there shall be a vacancy which shall be filled in the manner as provided for the unexpired term.

5082. A majority of the members of the council shall con- quorum stitute a quorum for the transaction of all business, including the election of officers. Immediately upon the appointment and organization qualification of the council, or of a sufficient number to constitute a quorum, the council shall meet at a time and place designated by the director as temporary chairman and shall organize. The council shall select from its number, to serve Executive at its pleasure, a chairman and vice chairman who, together committee with three other members selected by the council, consisting of one member appointed from each of the three classes of nominees provided for in Section 5080, shall constitute the executive committee of the council. The executive committee shall have and exercise such powers of the council as the council may delegate to it.

The council shall have two regular meetings in each Meetings year at times and places fixed by the council. The times for regular meetings shall be fixed so that there shall be an interval of at least four calendar months between such meetings. The council may meet in special meetings at any time and place at the call of the chairman or on call of a majority of the members of the council. The executive committee shall have four regular meetings each year at times and places fixed by it, and may meet in special meetings at any time and place

at the call of the chairman or on call of a majority of the members of the executive committee.

Compensa-

5084 The appointed members of the council shall receive ten dollars (\$10) per day for each day spent in actual attendance at the meetings or on the business of the council and shall be reimbursed for necessary traveling and other expenses incurred in the performance of their official duties.

5085 No member of the council, other than a member of the executive committee, shall receive compensation for more than 10 days' service per year. No member of the executive committee shall receive compensation for more than three days' service per month.

Bonds

5086. The director may require any employee or agent of the council to give a fidelity bond executed by a surety company authorized to do business in this State in favor of the director, in such sum, and containing such terms and conditions, as the director may prescribe. The cost of all fidelity bonds of employees or agents of the council under the provisions of this chapter shall be paid from the funds collected under this chapter.

Personal Dability 5087. The members of the council duly appointed by the director, including employees of such council, shall not be held responsible individually in any way whatsoever to any person for liability on any contract or agreement of the council, or for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, servant, or employee, except for their own individual acts of dishonesty or crime. The liability of the members of the council shall be several and not joint and no member shall be liable for the default of any other member. All salaries, expenses, costs, obligations and liabilities incurred by such council shall be payable only from funds collected under the provisions of this chapter.

Article 5. Powers and Duties

Duties · Generally

- 5100. The duties of the council shall be advisory, except as to those duties which may be delegated to it by the director, and may include the following:
- (a) To recommend to the director administrative rules and regulations relating to the administration and enforcement of this chapter;
- (b) To investigate all matters affecting the administration of this chapter, and to report violations thereof to the director;
- (c) To employ and, at its pleasure, discharge a manager and such clerical help and other employees as it deems necessary, and to prescribe their duties and powers and fix their compensation;
- (d) To contract with, or employ, and, at its pleasure, discharge such advertising experts, advertising agencies, and advertising agents as it deems necessary, and in the cases of such of them as it shall employ, to outline their powers and duties and fix their compensation;

- (e) To establish offices, and incur expenses incidental thereto:
- (f) To recommend to the director the making of such advertising contracts and other agreements as may be necessary to promote the sale of beef and beef products on either a local, state, national or international basis;
- (g) To cooperate with any other local, state, or national commission, organization, or agency, whether voluntary or created by state or federal law, and engaged in work or activities similar to the work and activities of the council created by this chapter, and recommend to the director the making of contracts and agreements with such organizations or agencies for carrying on joint programs of education, research, publicity and advertising; provided, however, that in matters of research, the council shall cooperate with organizations of recognized professional standing which are adequately equipped with facilities for the research contemplated;
- (h) To recommend to the director the institution and promotion of scientific research to develop or discover, or both, the health, food, therapeutic, dietetic, industrial, or other uses of beef and its products.

The exercise of the foregoing powers of the council shall in all instances be subject to the approval of the director.

5101. The director shall conduct, or may cause the council Advertising to conduct, programs of education, research, advertising, or promotion publicity, designed to accomplish the following purposes, programs among others:

To increase the consumption of beef and beef products; to gather, publicize, and diffuse accurate and scientific information showing the importance of the use and consumption of beef and beef products in relation to the public health, economy, and diet, and proper nutrition of children and adults: to study means and methods employed in producing. processing, manufacturing, marketing, and distributing beef and beef products in order to comply with the sanitary and other regulations imposed by municipalities, State and Nation; to gather and disseminate information regarding the high standards observed and imposed to insure pure and wholesome beef and beef products and the harmful effects on the public health resulting from the breakdown or instability of the cattle industry, the factors and conditions peculiar to the cattle industry which tend to cause an unbalanced production, the price of beef and beef products in relation to the cost of other items of food in a balanced diet, and the factors which tend to promote increased consumption of beef and beef products, stabilize the industry, and foster a better understanding and more efficient cooperation among producers and the consuming public.

5102. No advertising or sales promotion program conducted Probabilion or sponsored under this chapter shall make false or unwarranted claims, or disparage the quality, value, use, or sale of any commodity authorized by law to be marketed in this

State, nor shall any such program be conducted with reference to a brand or trade name.

Records

5103. The council shall keep such books, records, and accounts of all its transactions, dealings, contracts, agreements, funds, and expenditures as it deems necessary, which books, records, and accounts shall at all times be open to inspection and audit by the director.

Statements of activities

The council, from time to time, shall formulate and transmit to the director statements of its contemplated or recommended activities during periods which shall be specified in such statements. Such statements shall be based on and made after an investigation by the council of the necessities of the cattle industry, the extent of the public interest, necessity, and convenience to be served by such contemplated activities, the extent and probable cost of education, research, publicity, and advertising under this chapter during such periods, the estimated cost of administering this chapter, and the probable amount of revenues from the fees provided for in this chapter. The statements shall describe the programs of education, research, publicity, and advertising, relative to beef and beef products which are contemplated or recommended by the council, shall set forth the amounts deemed necessary and proposed to be allocated by the director to effectuate said programs and to perform his administrative duties under this chapter, which shall include reasonable amounts for contingencies, and shall be in such form and detail as the director, in the reasonable exercise of his judgment, shall deem necessary adequately to show whether or not said activities are warranted by the facts disclosed by such statements and investigations and are authorized by this chapter. Contemplated or recommended expenditures for political contributions or for lobbying shall be deemed not warranted by such facts nor authorized by this chapter.

If the activities recommended by the council described in such statements shall be warranted by said facts and authorized by this chapter, the director shall approve the activities, in writing, within 20 days after each of such statements shall have been submitted to him. If he shall refuse or fail to give such approval within such period, he shall notify the council promptly thereof giving, specifically, his reasons therefor.

Same

5105. The council shall prepare, annually, and make available to all producers who so request, summarized statements of the activities in which it has been engaged in the previous annual period, and of the activities in which it proposes to engage in the ensuing annual period.

Rules and regulations

5106. Upon recommendations by the council the director may establish consistent with this chapter such rules and regulations covering the administration and enforcement of this chapter as may be necessary to carry out the purposes and attain the objectives of this chapter. Upon the issuance of any rules and regulations affecting this chapter, a copy thereof shall be posted on a bulletin board to be maintained by the

director in his office, and a copy of such rules and regulations shall be published in a newspaper of general circulation published in Sacramento, California, and in such other newspaper or newspapers as the director may prescribe. No rule or regulation shall become effective until the termination of a period of five days from the date of such posting and publication. The director shall mail a copy of the notice of said issuance to all persons directly affected by the rules and regulations whose names and addresses may be on file in the office of the director and to every person who files in the office of the director a written request for such notice.

Article 6. Financial Provisions

Commencing on the first day of the first calendar Fees month following the date when the director finds that producers have approved the institution of a beef promotion program as provided in Section 5077 hereof, a fee of ten cents (\$0.10) per head on cattle and calves shall be charged and collected at the same time as inspection fees are collected as provided in Article 10 (commencing at Section 353) of Chapter 2 of Division 3 of the Agricultural Code, except that such fee shall not be charged upon reduction hides or skins, or hides previously inspected, or upon hides of cattle and calves slaughtered outside this State, or upon any cattle transported for purposes other than for sale or slaughter and without a change of ownership; and provided, that such fees shall not be charged or collected more than once from each owner upon the same animal. Whenever the fee imposed by this section is not paid, the director may recover the amount thereof in a civil action from the person for whom the inspection was made.

5126. The fees collected herein shall be forwarded to the Disposition director at the same time and in the same manner as the inspection fees provided for in Article 10 (commencing at Section 353) of Chapter 2 of Division 3. The director shall reimburse, from any moneys collected hereunder, the Bureau of Livestock Identification and any other bureaus or agencies of the State for any additional expenses incurred by them in the administration or enforcement of this chapter.

5127. The amount of additional fees prescribed in Section Increase or 5125 may be increased or decreased in the manner prescribed decrease in this section. The council by resolution may recommend an increase or decrease of the amount of such additional fees subject to the approval of the director. Within 30 days after Ballot such approval, the director shall prepare and mail to each producer as shown in the records of the department a ballot form and self-addressed envelope. The ballot form shall be substantially as follows:

> BALLOT California Beef Council Fee Increase (or Decrease)

Shall the fees required from cattle producers under the provisions of Chapter 18 of Division 6

of the Agricultural C	ode be increased (or decreased)
from cents	(\$ to cents
(\$) beginning	ng on the first day of the next
calendar month follo	wing the determination of this
referendum?	
$\mathbf{Yes}_{}$	No
	Signature of producer

The provisions of Section 5077 shall apply to this referendum insofar as they are consistent with this section. If upon a count of the ballots the director finds that less than 65 percent of the total number of producers voting have assented to the increase or decrease, as the case may be, he shall make a finding to that effect, and the amount of the fees shall not be so increased or decreased. If the director finds that 65 percent or more of the total number of producers voting have assented to the increase or decrease, as the case may be, he shall make a finding to that effect and notify each producer of that fact and that such fees shall be increased or decreased beginning on the first day of the next calendar month.

Funds: Deposit

5128. All moneys collected by the director pursuant to this chapter shall be deposited in a bank or banks, or other depository, approved by the Director of Finance, allocated to the purposes of this chapter only, and disbursed by the director only for the necessary expenses incurred by the council and the director in carrying out the purposes and provisions of this chapter. Moneys so collected shall be deposited and disbursed in conformity with appropriate auditing rules and regulations prescribed by the director. The expenditure of such moneys shall be exempt from the provisions of Sections 16003 and 16304 of the Government Code. All such expenditures by the council and the director shall be audited at least once every two years by the Department of Finance and a copy of such audit shall be delivered within 30 days after completion thereof to the Governor, the Director of Agriculture, and the State Controller.

Annual budget

Audıt

The director, after consultation with the council, shall prepare an annual budget setting forth in reasonable detail the proposed expenditures which he deems necessary for the performance by him and by the department of the duties imposed upon them by this chapter, and he shall prepare and submit to the council an annual statement, in reasonable detail, of his expenditures hereunder.

Administrative expenses 5129. The director may receive funds in such amounts as he may deem necessary to defray the expenses in making effective this chapter. The director shall reimburse those persons from whom said funds are received in the amounts received from any funds received by the director pursuant to Section 5125.

Article 7. Construction

5150. This chapter shall be liberally construed. If any sec-construction tion, sentence, clause, or part of this chapter is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portion of this chapter but such unconstitutional or invalid provision shall be deemed separable from the valid parts thereof.

Article 8. Violations

5175. The violation of any provision of this chapter is a Misdemeanor misdemeanor.

Article 9. Termination

5200. This chapter shall remain in force and effect until Duration the ninety-first day after the final adjournment of the 1967 General Session of the Legislature.

5201. At any time prior to the termination of this chapter Termination under Section 5200, the director, on his own motion, at the request of the council, or upon petition of 5 percent of the producers within the State, whenever he determines that it is no longer in the best interests of the State to continue the existence of the council and the programs established and maintained pursuant to the provisions of this chapter, shall Ballot prepare and mail to each producer as shown in the records of the department a ballot form and self-addressed envelope. The ballot form shall be substantially as follows:

BALLOT

California Beef Council Law
Termination of Council and Program
Shall the existence of the California Beef Council
and the programs established and maintained pursuant to the provisions of the California Beef Council Law (Chapter 18 of Division 6 of the Agricultural
Code) be discontinued and terminated?

Υes	No
	Signature of producer

The provisions of Section 5077 shall apply to this referendum insofar as they are consistent with this section. If upon a count of the ballots the director finds that less than a majority of the total number of producers voting have assented to such discontinuance and termination, he shall make a finding to that effect and the council and programs established and maintained pursuant to this chapter shall continue to remain in full force and effect. If the director finds that a majority of the total number of producers voting have assented to the discontinuance and termination of the council and the programs established and maintained pursuant to this chapter,

the director shall make a finding to that effect and declare the existence of the council and the programs established and maintained pursuant to the provisions of this chapter discontinued and terminated. From and after the date of such declaration the council shall cease to exist and all programs established and maintained pursuant to this chapter shall be terminated and discontinued.

Disposition of funds

On the expiration of this chapter pursuant to Section 5200 or the termination and discontinuance of the council and the programs pursuant to Section 5201, notwithstanding those sections the council shall remain in existence for the purpose of furnishing the director with a complete record of its outstanding financial obligations, accrued and to accrue. The director shall pay from the moneys deposited and disbursed as provided in Section 5128 such obligations and any obligations incurred by the director and the department, under the terms and provisions of this section. Any moneys remaining shall be retained by the director to defray the expenses of formulation, issuance, administration or enforcement of any subsequent program for beef promotion. If no such program is undertaken within a period of three years from the date of termination of this chapter, such moneys shall be withdrawn from the approved depository and paid into the State Treasury, allocated to the Department of Agriculture Fund for use by the Director of Agriculture in carrying out the hide and brand provisions of the Agricultural Code, when appropriated by the Legislature.

CHAPTER 18

An act to add Section 153.5 to the Agricultural Code, relating to citrus pest control and Meyer lemon plants.

In effect July 5, 1956 [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956.]

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

SECTION 1. Section 153.5 is added to the Agricultural Code, to read:

153.5. It is hereby declared that the prevention of the introduction or the spread within the commercial citrus growing areas of the State of quick decline in citrus is essential to the welfare of the agricultural industry of the State. It is therefore essential that all steps possible must be taken to prevent the spread of quick decline virus into or within the areas of commercial production where the disease has not as yet appeared. It is hereby declared the policy and intent of the State to limit the application of this section to the smallest possible areas required for sound and safe protection so that the removal or destruction of Meyer lemon plants can be kept to a minimum and not to require the removal or destruction

of plants in home gardens outside the area of commercial citrus production.

To provide for the removal or destruction of Meyer lemon plants in any area where citrus fruit is being produced commercially, and wherein the director determines that the planting, growing, cultivation, or maintenance of Meyer lemon plants is, or is liable to be, dangerous or detrimental to the commercial production of other citrus fruits, the director may declare any such area to be a Meyer lemon-free district, by prescribing the boundaries thereof in a proclamation setting forth such boundaries, and having a copy thereof printed in one or more papers of general circulation in the Meyer lemon-free district.

All Meyer lemon plants within the boundaries of such Meyer lemon-free district are declared to be a public nuisance subject to all laws and remedies relating to the prevention and abatement of nuisances. The director, or the commissioner acting under the supervision and direction of the director, in a summary manner or otherwise may take such action, including removal and destruction, with reference to such nuisance as in his discretion shall seem necessary.

As used in this section the term "Meyer lemon plant" includes:

- (a) Any plant which consists entirely or partly of Meyer lemon plant tissue; or
- (b) Any plant to which Meyer lemon plant tissue has been joined at any time by any method of grafting.

CHAPTER 19

An act to add Sections 12704, 12705, and 12706 to the Water Code, relating to the project for flood protection on San Lorenzo River.

[Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

In effect July 5, 1956

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

SECTION 1. Section 12704 is added to the Water Code, to read:

12704. The project for flood protection on San Lorenzo River in Santa Cruz County is adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 447, Eightythird Congress, Second Session, as authorized by act of Congress approved September 3, 1954, Chapter 1264. Public Law 780, Eighty-third Congress. Second Session (Title II, the "Flood Control Act of 1954"), at an estimated cost to the State of such sum as may be appropriated for state cooperation by the Legislature upon the recommendation and advice of the State Water Resources Board, when funds for carrying

out the project are appropriated by Congress; provided, that the requirement that local interests make a cash contribution to the United States equal to 8.9 percent of the project cost, is for payment of local benefits not related to flood control, and shall not be payable or reimbursable by the State.

SEC 2. Section 12705 is added to said code, to read:

12705. The City of Santa Cruz shall give assurances satisfactory to the Secretary of the Army that the local cooperation required by the Federal Flood Control Act of 1954 will be furnished by the city in connection with the plan of flood control adopted and authorized in Section 12704.

Sec. 3. Section 12706 is added to said code, to read:

12706. The City of Santa Cruz, in conjunction with the Department of the Army, shall execute the plans and projects referred to in Section 12704, and the city may make such modifications and amendments to the plans as may be necessary to execute them for the purposes of Chapters 1 and 2 of this part.

CHAPTER 20

An act to amend Section 42280 of the Water Code, relating to water storage districts.

In effect July 5, 1956 [Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956]

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

Section 1. Section 42280 of the Water Code is amended to read:

42280. If the board of any district fails to complete and file its report within 10 years from the date of the filing of the order of the department declaring the district duly organized, the project of the district shall be deemed abandoned and the board shall within 90 days thereafter pay all outstanding debts and claims against the district and shall within that time remit to the assessment payers of the district in proportion to the amount paid by the assessment payers on the last call or assessment levied by the board the balance of any funds then remaining with the treasurer of the district or to its credit with the county treasurers of affected counties. The department, on hearing and after good cause shown, may extend the time to complete and file the report for an additional period or periods of time which shall not exceed five years altogether; provided, that if such extension has been granted, the department, on hearing and after good cause shown for a further extension, may again extend the time to complete and file the report for a further additional period or periods of time which shall not exceed a further five years.

CHAPTER 21

An act to amend Sections 3, 12, 16 and 36 of, and to add Sections 11.1, 11.2, 11.3, 11.4, 12.1, and 39 to, the Santa Barbara County Flood Control and Water Conservation District Act, relating to the Santa Barbara Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956] In effect immediately

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

SECTION 1. Section 3 of the Santa Barbara Flood Control and Water Conservation District Act is amended to read:

Sec. 3. The board of directors of the district created by this act, by resolution thereof adopted from time to time, may establish zones within said district without reference to the boundaries of other zones, setting forth in such resolutions descriptions thereof by metes and bounds and entitling each of such zones by a zone number or name, and institute zone projects for the specific benefit of such zones.

Such zones may be established in the manner prescribed in Section 11 of this act, and may be created independently of the institution of any project relating to such zone, or such zones may be established in the manner prescribed in Section 11.1 of this act, independently of the institution of any project relating to such zones.

Alternately, such zones may be formed concurrently with and as a part of the proceeding for the installation of a project relating to such zones in the manner prescribed in Section 11 of this act.

Sec. 2. Section 11.1 is added to said act, to read:

Sec. 11.1. As an alternate procedure, zones may also be established in the following manner:

- (a) The board shall adopt a resolution specifying its intention to establish a zone and fixing the time and place for public hearing on said resolution, which public hearing may be held at any place within the district. The resolution shall refer to a map or maps showing the location and outline of said zone and notice of said hearing shall be given as hereinafter provided; or
- (b) A petition signed by ten percent (10%) or more of the landowners, as defined in Section 11 hereof, may be addressed to and filed with the board. The petition may be filed in sections. Each section shall comply with all the requirements for a petition, except that it need not contain all the signatures required for the petition. Before publication of the notice of hearing on the petition, a petitioner may withdraw his signature by filing with the clerk a signed statement of his intention to withdraw his signature from the petition.

The petition shall:

- 1. State the name for the zone.
- 2. Set forth the zone boundaries or describe the land situated in the zone and refer to a map or maps showing the outline and location of said zone.
 - 3. Request that the zone be formed pursuant to this act.
- 4. Request that a time and place be fixed for a public hearing upon said petition.

Upon presentation and filing of the said petition, the board shall fix a time and place for a public hearing thereon. Such public hearing may be held at any place within the district.

If there is a newspaper of general circulation in the territory proposed to be formed into a zone, notice shall be given by publication in said newspaper once a week for two (2) consecutive weeks prior to the hearing, the last publication of which must be at least seven (7) days before said hearing. If there is no such newspaper, notice shall be given by posting notice of the hearing for a period of fourteen (14) days prior to said hearing in five (5) public places in the said territory. The said notice of hearing shall state the following:

- (a) The name of the proposed zone.
- (b) The boundaries of the proposed zone.
- (c) That the resolution or petition may be inspected at the clerk's office.
- (d) A public place in the proposed zone where a copy of a map of the proposed zone may be seen.
 - (e) The time and place for the public hearing.
 - (f) That protests will be considered at the hearing.
- (g) That written requests for exclusion from or inclusion of land in the proposed zone will be heard and considered.

At the time and place fixed for the hearing, or at any time to which said hearing may be continued, the board shall consider all written and oral objections to the creation of the proposed zone. Upon the conclusion of the hearing, the board may abandon the proposed zone or proceed with the same.

At the hearing, any owner of land in the proposed zone may present to the board a written request for the exclusion of all or part of such land, and any owner of land outside the proposed zone may present to the board a written request for inclusion of such land, and the board may include such land within the zone.

At the conclusion of the public hearing, the board may, by resolution, create and establish the zone, excluding any land which it finds will not be benefited, and including lands which it finds will be benefited, except that it may not include any land not included in the original resolution or petition unless the owner or owners of such land consent in writing to the inclusion thereof. The said resolution may specify the effective date of the creation of such zone or, in the absence of such specification, the zone will conclusively be deemed to have been created and established as of the date of the adoption of such resolution.

SEC 3. Section 11.2 is added to said act, to read:

Sec. 11.2. Any parcel, parcels, or tract of land may be annexed to a zone if the land will be benefited, and any parcel, parcels, or tract of land within any zone may be excluded if not benefited. Proceedings for annexation or exclusion may be instituted by the board by resolution specifying its intention to annex or exclude such parcel, parcels, or tract of land, describing the proposed land to be annexed or excluded and specifying a time and place for public hearing on said resolution, which public hearing may be held at any place within the district, and directing the clerk to give notice of such public hearing, as hereinafter provided In the alternative, such proceedings may be instituted by the filing with the board of a petition signed by ten percent (10%) or more of the owners, as defined in Section 11, of the land to be annexed or excluded. The petition shall contain:

- (a) The name of the zone affected by the annexation or exclusion.
 - (b) The reason for annexation or exclusion of the land.
 - (c) A description of the land to be annexed or excluded.
- (d) The assent of the petitioners to the annexation or exclusion
- (e) A request that the described land be annexed to or excluded from the zone.

When the petition has been filed with the board, the board shall fix a time and place for a hearing thereon, which public hearing may be held at any place within the district, and cause a notice of such hearing to be given as hereinafter provided. The notice shall state

- (a) The date the petition was filed
- (b) The location and boundaries of the land described in the petition
 - (e) The prayer of the petition.
 - (d) The time and place fixed for hearing on the petition.
- (e) That all persons interested in or affected by such change in the zone boundaries may appear and show cause why the change should not be made. At the hearing, the board shall hear all relevant evidence for or against the petition.

Failure to show cause by any person interested in or affected by the change is deemed to be his assent to any change the board may make in the zone boundaries.

At the conclusion of the hearing, if it deems the annexation or exclusion of all or part of the land to be for the best interests of the zone, the board may by resolution annex or exclude all or part of the land described in the petition and shall, in such resolution, describe the zone boundaries as changed. If no effective date for such annexation or exclusion is specified in the resolution, then the effective date shall be deemed to be the date of the resolution.

The exclusion of any land or territory from a zone does not release such land or territory from any debts or obligations for which it was liable at the time of the exclusion.

In the case of annexation, the board may require that the owners of annexed land shall pay a sum not to exceed the amount of the taxes or assessments which the owners or their predecessors in interest would have been required to pay if the annexed land had been included in the zone when it was formed.

Any territory annexed to a zone pursuant to this section shall assume its proportionate share of any existing outstanding bonded indebtedness.

Sec. 4. Section 11.3 is added to said act, to read:

Sec. 11.3. Zones may be dissolved in the following manner:

- (a) The board may adopt a resolution specifying its intention to dissolve a zone and fixing the time and place for a public hearing on said resolution, which public hearing may be held at any place within the district. The resolution shall name or describe the zone, and notice of said hearing shall be given as hereinafter provided; or
- (b) A petition signed by ten percent (10%) or more of the landowners in said zone, as defined in Section 11 hereof, may be addressed to and filed with the board. The petition may be filed in sections. Each section shall comply with all the requirements for a petition, except that it need not contain all the signatures required for the petition The petition shall:
 - 1. State the name of the zone.
 - 2. Request that the zone be dissolved pursuant to this act.
- 3. Request that a time and place be fixed for a public hearing upon said petition.

Upon presentation and filing of the said petition, the board shall fix a time and place for a public hearing thereon. Such public hearing may be held at any place within the district.

If there is a newspaper of general circulation in the said zone, notice shall be given by publication in said newspaper once a week for two (2) consecutive weeks prior to the hearing, the last publication of which must be at least seven (7) days before said hearing. If there is no such newspaper, notice shall be given by posting notice of the hearing for a period of fourteen (14) days prior to the said hearing in five (5) public places in the said zone. The said notice of hearing shall state the following:

- (a) The name of the zone.
- (b) That a resolution has been passed by the board declaring its intention to dissolve the zone, or that a petition has been filed with the board requesting dissolution of the zone.
- (c) That the resolution or petition may be inspected at the clerk's office.
- (d) The time and place for the public hearing on the said resolution or petition.
 - (e) That protests will be considered at the hearing.

At the time and place fixed for the hearing or at any time to which said hearing may be continued, the board shall consider all written and oral objections to the dissolution of the zone. After the conclusion of the hearing, the board may by resolution dissolve said zone. If no effective date for the dissolution is specified in the resolution, the dissolution shall be deemed effective as of the date of the resolution. If the zone is not so dissolved, it shall be deemed to be continued in uninterrupted existence.

The dissolution of a zone does not relieve the property in said zone from any debts, obligations or liabilities for which it was liable at the time of the dissolution.

A zone may not be dissolved pursuant to this section until one of the following conditions exists:

(a) All debts, obligations and liabilities are paid in full; or

(b) There is sufficient cash in the county treasury standing to the credit of such zone to pay all debts, obligations and liabilities in full as they become due.

Upon dissolution of a zone, the right, title and interest to any property or funds owned or controlled by, or held for the zone, or for the benefit of the zone, whether in the county treasury or in any other place or manner, shall vest absolutely in the district and may be used for any district purposes.

SEC. 5. Section 114 is added to said act, to read:

Sec. 11.4. Any proposal for the establishment or change in boundaries of a zone shall be referred to the county boundary commission as provided in Chapter 3 of Title 6 of the Government Code.

Sec. 6. Section 12 of said act is amended to read:

Sec. 12. The board shall have power, in any year:

1. To levy ad valorem taxes or assessments upon all property in the district to pay the general administrative costs and expenses of the district, and to carry out any of the objects or purposes of this act of common benefit to the district; provided, however, that said ad valorem tax or assessment shall not exceed two cents (\$0.02) on each one hundred dollars (\$100) of assessed valuation; provided further, that, for the Fiscal Year 1956-57 only, said ad valorem tax or assessment may be levied at a rate not to exceed four cents (\$0.04) on each one hundred dollars (\$100) of assessed valuation to provide initial working capital for the district; and

2. To levy taxes or assessments in each or any of said zones and participating zones to pay the cost and expenses of carrying out, constructing, maintaining, operating, extending, repairing or otherwise improving any or all works or improvements established or to be established within or on behalf of said respective zones, according to the benefits derived or to be derived by said respective zones, by the following method:

By a levy or assessment upon all taxable property within a zone or participating zone; provided, that the total amount of all taxes and assessments levied on property within any zone for the benefit of said zone shall not exceed twenty cents (\$0.20) on each one hundred dollars (\$100) of assessed valuation, exclusive of the amounts necessary for interest and re-

demption of any bonds voted within such zone and exclusive of the district-wide levy provided for in subdivision 1 hereof. It is declared that for the purposes of any tax or assessment levied under this subdivision, the property so taxed or assessed within a given zone is equally benefited.

In the event of project cooperation with any of the governmental bodies as authorized in subdivision 6 of Section 5 of this act, and requiring the making of a contract with any such governmental body for the purposes set forth in said subdivision 6, by the terms of which work is to be performed by any such governmental body in any specified zone or participating zones, for the particular benefit thereof, and by said proposed contract the district is to pay to such governmental body, a sum of money in consideration or subvention for the performance of said work by such governmental body, the board may, after proceedings in the manner prescribed in Section 11 of this act, levy and collect a special tax or assessment upon the property in such zone or participating zones, whereby to raise funds to enable the district to make such payment, in addition to other taxes or assessments herein otherwise provided for.

Said taxes or assessments shall be levied and collected together with, and not separately from taxes for county purposes, and the revenues derived from said district taxes or assessments shall be paid into the county treasury to the credit of said district, or the respective zones thereof, and the board shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any zone from the taxes or assessments levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone, except in the case of joint projects, or for projects authorized or established outside such zone, or zones, but for the benefit thereof. In cases of projects joint to two or more zones, such zones will become, and shall be referred to as, participating zones.

Sec. 7. Section 12.1 is added to said act, to read:

Sec. 12.1. The board may borrow money for the benefit of any zone from any political subdivision authorized to make such a loan or a bank in an amount not exceeding eighty-five percent (85%) of the estimated annual revenue expected to be derived from a tax levy authorized by Section 12 of this act; provided, however, such loan shall be repaid in an amount of not less than one-half (½) of the total loan from the proceeds of the tax levy made in the first fiscal year in which the zone is legally able to levy and collect taxes following the fiscal year in which the loan was made and the balance from the proceeds of the tax levy made in the second fiscal year thereafter. In the event the district has sufficient funds under its control not immediately needed for other purposes, the board, by resolution, may make the loan authorized herein in lieu of borrow-

ing from a bank or other political subdivision subject to the same conditions.

All money borrowed pursuant to this section is available for immediate expenditure notwithstanding the provisions of Title 3, Division 3, Chapter 1 of the Government Code or any other law to the contrary.

The authority contained in this section shall not be construed to authorize the levying of tax rates in excess of those

contained in Section 12 of this act.

Sec. 8. Section 16 of said act is amended to read:

Sec. 16. Any bonds issued under the provisions of this act, and the interest thereon, shall be paid by revenue derived from an annual tax or assessment levied in the zone or zones issuing said bonds by either of the following methods, which method must be determined prior to sale of such bonds:

(a) By a levy or assessment upon all property within the zone or participating zone, including land, improvements

thereon, and personal property; or

(b) By a levy or assessment upon all real property within the zone or participating zone, including both land and im-

provements thereon.

It is declared that for the purposes of any tax or assessment levied under this subdivision, the property so taxed or assessed within a given zone is equally benefited. No zone nor the property therein shall be liable for the bonded indebtedness of any other zone, nor shall any moneys derived from taxation or assessments in any of the several zones be used in payment of principal or interest or otherwise of the bonded indebtedness chargeable to any other zone.

Sec. 9. Section 36 of said act is amended to read:

Sec. 36. The district may contract with and cooperate with the County of Santa Barbara, or any other county of this State, and the Santa Barbara County Water Agency, and with districts, municipal corporations and public agencies, and any other public entity.

The provisions of this act shall not be deemed to affect any of the powers or duties conferred by law on the Santa Barbara County Water Agency, except insofar as such agency is given additional powers by this act.

SEC. 10. Section 39 is added to said act, to read:

Sec. 39. The area of the district is subject to periodical floods of devastating violence during the rainy seasons and during the dry seasons portions of the area are subject to extreme drought, greatly impairing the health and lives of persons and livestock, and the growing of crops. The Legislature hereby finds that flood control problems in the County of Santa Barbara are not general and state-wide; that the county, prior to the organization of this district, for many years has made investigation and engineering surveys of the county's water resources by private, public, and United States' engineers; that to adequately and feasibly control the floods of said county, it is necessary to have a political entity co-

extensive with the geographical limitations of the entire county; and, that the geography of the county is such that there are numerous noncontiguous watersheds therein, and that it is necessary that zones be created for the individual watersheds so that those persons and properties benefited by flood control projects may bear the cost for the construction and maintenance of such projects.

Investigations have shown that flood control conditions in the County of Santa Barbara are peculiar to that county, and it is hereby declared that a general law cannot be made applicable thereto, and the enactment of this special law is necessary for conservation, development, control and use of said waters for the protection of life and property therein, and for the public good.

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 act creating this district was enacted at the 1955 Session of the California Legislature and became effective on September 7, 1955. It has not been possible to create zones prior to February 1, 1956, to comply with Chapter 8 of Part 1 of Division 2 of Title 5 of the Government Code, and, therefore, the district and the zones created thereunder will not be able to levy taxes or assessments to finance flood control works and projects during the Fiscal Year 1956-57, and necessary flood control works and projects will be delayed an additional year unless financing provisions are immediately made available to the district and the zones thereof. Such flood control works and projects are made urgently necessary by reason of the great forest and brush fire which denuded the watersheds over a large portion of the south coastal area of the County of Santa Barbara and because of the increasing urban development in potential flood areas, and particularly the burned areas of the County of Santa Barbara. In order to begin the considerable number of flood control works and projects which are necessary to prevent flood damage in said areas, it is necessary that this act take effect immediately, so that financing can be arranged to commence said operations.

CHAPTER 22

An act to amend Sections 375.1, 375.8, 377.1, 377.8, 1111, and 1118 of the Agricultural Code, relating to poultry, and declaring the urgency thereof to take effect immediately.

In effect immediately [Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956.]

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

Section 1. Section 375.1 of the Agricultural Code is amended to read:

375.1. As used in this article

(a) "Poultry" means domesticated fowl and domesticated "Poultry" rabbit to be used for human food Fowl shall include chickens,

turkeys, ducks, geese and other domesticated birds

(b) "Poultry plant" means (a) any place where poultry "Poultry is slaughtered, dressed or drawn, or (b) any place, other than plant" a retail store or eating place, where poultry meat is cut up, recut, packed or repacked.

(c) "Sanitary" means free from unnecessary dirt, filth, and "Sanitary" contamination and free from any other substance or organism

known to be injurious to human health.

- (d) "Marked" means plainly, legibly and conspicuously "Marked" labeled, stamped, tagged, stenciled or branded to show the name and address of the poultry plant where or the name and address of the distributor in California for whom the poultry meat was slaughtered, prepared, packed or repacked, cut up or recut or handled as set forth above.
- (e) "Mislabel" means the placing, or presence of any false, "Mislabel" deceptive or misleading mark, tag, brand, design, inscription, statement, billing, invoice, placard, sign or other descriptive designation.
- (f) "New York dressed fowl" means fowl from which the "New York feathers have been removed and the blood drawn and which is offered for sale as a whole fowl, with head, feet, and entrails intact.

Sec. 2 Section 375 8 of said code is amended to read:

- 375 8. The provisions of this article shall become opera-operative July 1, 1956, except that the provisions of Section 375.4 dates shall not apply to New York dressed fowl until November 1, 1959.
 - Sec. 3. Section 377.1 of said code is amended to read:

377.1. As used in this article:

(a) "Poultry" means domesticated fowl and domesticated "Poultry" rabbit to be used for human food. "Fowl" includes chickens, turkeys, ducks, geese, and other domesticated birds.

(b) "Poultry meat" means the carcass of poultry or any "Poultry part thereof.

- (c) "Poultry plant" means (1) any place where poultry is "Poultry slaughtered, dressed or drawn, or (2) any place where poultry meat is cut up, recut, packed or repacked other than a retail store or eating place.
- (d) "Poultry meat inspector" means a person who after "Poultry examination and demonstration has been issued a license by inspector" the director to inspect poultry meat for wholesomeness.

(e) "Wholesome" means that the poultry or poultry meat "Wholesome" is free from:

- (1) Physical evidence of disease injurious to human health;
- (2) Pathological conditions which has rendered or would render the poultry meat unsuited for human food;
 - (3) Serious destruction of the flesh by disease or injury; or
- (4) Contamination by any substance injurious to human health.

"Marked"

(f) "Marked" means plainly, legibly and conspicuously labeled, stamped, tagged, stenciled, or branded in accordance with this article and regulations thereunder.

'Mıslabel''

(g) 'Mislabel' means the placing, or presence of any false, deceptive or misleading mark, tag, brand, design, inscription, statement, billing, invoice, placard, sign or other descriptive designation.

"Regula-

(h) "Regulations" means regulations of the director for carrying out the provisions of this article.

'New York dressed fowl" (i) "New York dressed fowl" means fowl from which the feathers have been removed and the blood drawn and which is offered for sale as a whole fowl with head, feet, and entrails intact.

Sec. 4. Section 377.8 of said code is amended to read:

Operative dates

- 377.8. The provisions of this article shall become operative July 1, 1956, except that the provisions of Section 377.4 shall not apply to New York dressed fowl until November 1, 1959. Anything in this article to the contrary notwithstanding, any inspection required by this article shall not, as to New York dressed fowl, require or be construed to mean, the evisceration, cutting, or any internal examination thereof.
 - SEC. 5. Section 1111 of said code is amended to read:

1111. As used in this article:

"Poultry"

(a) "Poultry" means domesticated fowl and domesticated rabbit to be used for human food. Fowl shall include chickens, turkeys, ducks, geese and other domesticated birds.

' Poultry meat'' (b) "Poultry meat" means the carcass of poultry or any part thereof, but shall not include live poultry or processed poultry meat.

"Poultry plant" (c) "Poultry plant" means any place where poultry is slaughtered, dressed or drawn, or any place where poultry meat is cut up, recut, packed or repacked.

"Class"

(d) "Class" means a division of poultry meat based on essential physical characteristics which with the weights differentiate between uses of the meat.

"Marked"

(e) "Marked" means plainly, legibly, and conspicuously labeled, stamped, tagged, stenciled, or branded to show the class of poultry meat as prescribed by regulations.

"Mıslabel"

(f) "Mislabel" means the placing, or presence of any false, deceptive or misleading mark, tag, brand, design, inscription, statement, billing, invoice, placard, sign or other descriptive designation.

"Process"

(g) "Process" means the commercial manufacturing of products of poultry meat including deboning, skinning, cutting up into smaller pieces other than into chicken parts or cut up poultry meat, cooking, or placing in cans or other containers.

"New York thessed fowl"

(h) "New York dressed fowl" means fowl from which the feathers have been removed and the blood drawn and which is offered for sale as a whole fowl with head, feet, and entrails intact.

SEC. 6. Section 1118 of said code is amended to read:

The provisions of this article shall become opera- operative tive July 1, 1956. The provisions of Sections 1113 and 1114, dates except those requiring that poultry, poultry meat, or carcasses be placed in classes and marked to show the class of poultry meat, shall not apply to New York dressed fowl until November 1, 1959

Sec. 7. This act is an urgency measure necessary for the Urgency 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:

New York dressed fowl is a type of fowl which is not necessarily processed or marketed in the same manner as other

In order for the Legislature to give proper consideration to the special needs and facts relating to the marketing and processing of New York dressed fowl, it is necessary that this act be of immediate effect in order to except New York dressed fowl from the provisions of the Agricultural Code which would otherwise govern such fowl.

CHAPTER 23

An act to amend Sections 51309, 54355 and 54357 of the Government Code, and to add Section 54354.5 thereto, relating to the issuance of revenue bonds by local agencies, declaring the urgency thereof to take effect immediately.

[Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

In effect immediately

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

Section 1. Section 54309 of the Government Code is amended to read:

54309. "Enterprise" means a revenue producing improve- "Enterprise" ment, building, system, plant, works, facilities, or undertaking

used for or useful in:

(a) The obtaining, conserving, treating and supplying of water for domestic use, irrigation, sanitation, industrial use, fire protection, recreation, or any other public or private uses;

(b) The collection, treatment or disposal of garbage or

refuse matter:

(c) The collection, treatment or disposal of sewage, waste or storm water, including drainage;

(d) The providing of public parking lots, garages, or other automotive or vehicular parking facilities, including any and all public off-street vehicular parking facilities:

(e) The providing of public transportation by means of a

ferry or ferry system; or

(f) The providing of public airports and facilities appurtenant thereto.

It includes all parts of the enterprise, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, approaches, dams, reservoirs, garbage trucks equipment, dumps, garbage disposal plants and incinerators or other disposal facilities, sewage treatment plants. sewage disposal plants, intercepting and collecting sewers, outfall sewers, trunk, connecting, and other sewer and water mains, filtration works, pumping stations, water supply, storage and distribution facilities and equipment, the franchises or licenses to operate a ferry or ferry system, all boats and vessels, all land and interest in land, all slips, wharves, piers, landing places, approaches and all facilities and equipment used in the maintenance and operation of a ferry or ferry system, and all buildings, structures, improvements, equipment, ditches, canals, and facilities whatsoever appurtenant or relating to the enterprise.

Sec. 2. Section 54354.5 is added to said code, to read:

Resolutions or ordinances re hen of charges, etc

A resolution or ordinance prescribing or revising charges for the services and facilities furnished by the enterprise and declaring that delinquent charges and penalties when recorded as provided in this chapter shall constitute a lien upon the real property served shall not be adopted until the legislative body has given notice of and held a hearing thereon substantially as provided by this section; provided, however, that nothing herein shall be construed to prevent the local agency from prescribing, revising and collecting charges sufficient in amount to comply with Section 54515 or any other provision of this chapter or any provision or covenant in the proceedings for the issuance of any outstanding revenue bonds of the local agency payable from the revenues of the enterprise.

Notice

(a) The notice of the hearing shall be given by the clerk or secretary of the legislative body and shall contain a copy of the proposed resolution or ordinance Said notice shall state the time and place for a hearing on said proposed resolution or ordinance, and that at said time and place any person interested, including all persons owning property in the local agency, may appear and be heard as to whether the proposed rates and charges are discriminatory or excessive, or will not be sufficient under Section 54515, or will not comply with any other provision of this chapter, or will not be sufficient under the provisions or covenants of any outstanding revenue bonds of the local agency payable from the revenues of the enterprise, or on any other matter relating to said proposed resolution or ordinance or the rates or charges proposed therein.

Publication

(b) Said notice shall be published at least once each week for two weeks prior to the hearing in a newspaper published in the local agency. If there is no newspaper published in the local agency, said notice shall be posted in three public places in the local agency for not less than two weeks prior to the hearing. The first publication or posting of the notice shall be at least 15 days prior to the date of hearing.

(e) At the time and place fixed in said notice for the hear-Hearing ing, the legislative body shall hold said hearing and may adjourn said hearing from time to time and may adjourn said hearing to a different place if deemed necessary. At the hearing any person interested, including all persons owning property in the local agency, may appear and be heard on the matters set forth in the notice. At the hearing the legislative body may change or modify the proposed rates and charges; provided, however, that no rate or charge shall be raised or increased from that set forth in the proposed resolution or ordinance, unless notice of intention to make said increase shall be published once or posted at least 10 days prior to the hearing on the proposed change

(d) At the conclusion of the hearing the legislative body Adoption may determine that the proposed rates and charges, as originally proposed or modified as provided herein, are not discriminatory or excessive, and will be sufficient under Section 54515 and will comply with the provisions of this chapter and will be sufficient under the provisions or covenants of any outstanding revenue bonds of the local agency payable from the revenues of the enterprise and will be in compliance with law, and adopt said proposed resolution or ordinance as proposed

or modified as provided herein.

Sec. 3. Section 54355 of said code is amended to read:

54355. The lien provided by Section 54354 shall attach Men when the treasurer or other officer whose duty it is to collect the charge records a list of delinquent unpaid charges and penalties thereon with the county recorder, stating the amount of each charge and the penalty thereon, a description of the real property upon which the same is a lien and the name of the local agency to which the same is payable. Such lien shall have the same force, effect, priority and duration as to the property described as would the lien of an abstract of a judgment against the owner of the real property at the time such list is recorded and may be enforced in like manner. Property may be discharged from the lien within one year from the date of recording by the payment of all delinquent charges plus penalties. A list of all such delinquent charges shall be recorded at least every six months, but no delay or informality in recording the same shall invalidate the lien or any unpaid charge or any subsequent act or proceeding. If through error or otherwise the amount of any unpaid charge plus penalties thereon as stated in said list shall be incorrect, said error shall be disregarded and shall not affect or invalidate the filing if said error is one dollar (\$1) or less.

SEC. 4. Section 54357 of said code is amended to read:

54357. Remedies for collecting and enforcing rates and Remedies charges set out in this chapter are cumulative and may be pursued alternately, or any thereof may be used consecutively when the legislative body so determines If any one of said remedies is or may be invalid, all valid remedies shall remain effectual until the principal and interest of the bonds are fully paid. Any holder of any bond outstanding at any time may

Costs

Urgency

compel the use of any or all of the remedies herein provided. The costs of collection and enforcement of the remedies for the collection of charges may be paid from the revenues.

SEC 5. This act is an emergency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Facilities required for the peace, health, and safety of citizens of this State cannot be constructed until the effective date of this act. Since any delay will prove costly and jeopardize the welfare and well-being of the people of California, it is imperative and essential that this act take effect immediately.

CHAPTER 24

An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

In effect July 5, 1956 [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956.]

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

Section 1. Section 117 of the Code of Civil Procedure is amended to read:

117. All judges of the justice court, except as otherwise provided in this section, and judges of the municipal court shall exercise the jurisdiction conferred by this chapter, and while sitting in the exercise of said jurisdiction shall be known and referred to as the small claims court; provided, that the jurisdiction of such court, when sitting as a small claims court, shall be confined to cases for the recovery of money only where the amount claimed does not exceed one hundred dollars (\$100), except that a municipal court judge sitting as a small claims court shall also have jurisdiction in proceedings in unlawful detainer after default in rent for residential property where the term of tenancy is not greater than month to month, and where the whole amount claimed is one hundred dollars (\$100) or less.

Actions shall be commenced and maintained in small claims court as follows:

- (1) When a defendant has contracted to perform an obligation in a particular judicial district, an action founded on such obligation may be commenced and maintained either in the judicial district where such obligation is to be performed, or in which the defendant, or any such defendant, resides at the commencement of the action
- (2) When the action be for injury to person or to personal property, either the judicial district where the injury occurs, or where the defendants, or any of them, reside at the commencement of the action, shall be the proper judicial district for the trial of the action.

(3) In all other cases, actions shall be commenced and maintained in the judicial district in which the defendant, or any such defendant, resides at the commencement of the action.

CHAPTER 25

An act making an appropriation for the purposes of Article 1.5 of Chapter 1 of Title 7 of the Government Code, relating to planning.

[Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956.] In effect July 5, 1956

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

SECTION 1. The sum of forty-nine thousand twenty dollars (\$49,020), plus any amounts derived from reimbursements or otherwise pursuant to Article 15 (commencing with Section 65020) of Chapter 1 of Title 7 of the Government Code, is hereby appropriated from the General Fund to the Department of Finance for the purposes of that article.

CHAPTER 26

An act to add Section 51902.5 to the Government Code, relating to the filing of statements and maps or plats for tax purposes on the creation or change in the boundaries of a flood control, levee, or conservation district, declaring the urgency thereof, to take effect immediately

> [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

In effect immediately

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

SECTION 1. Section 54902.5 is added to the Government Code, to read:

54902 5. Notwithstanding any other provision of law, in the case of any flood control, water conservation, levee, or other district or zone thereof for which taxes or assessments are levied for the repair, restoration, improvement, or protection of flood control or conservation works or other property damaged by any flood or storm in December of 1955, the statement and map or plat may be filed with the assessor and with the State Board of Equalization on or before June 30, 1956, with respect to the fiscal year commencing in 1956.

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:

During December, 1955, in many parts of the State the people suffered the ravages of disastrous floods, floods which

not only destroyed their homes and land but also destroyed facilities and works that have, in some measure, protected them from food and storm waters. The law provides for the creation of flood control, water conservation, levee, and other districts and zones thereof which can provide flood control facilities to protect life and property from the seasonal floods. However, in many instances newly created districts and zones cannot levy taxes or assessments unless a statement and map or plat is filed with the assessor or the State Board of Equalization on or before February 1st of the year in which the taxes or assessments are to be levied. In order to do the work necessary to protect life and property from the seasonal and other floods which can be anticipated next winter, districts and zones must be created with the power to levy taxes and assessments this year. It is necessary that this act take effect immediately to extend the time for the filing of the statements and maps or plats

CHAPTER 27

An act making an appropriation for flood control projects and declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956.]

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

The sum of one million dollars (\$1,000,000) is hereby appropriated out of the Flood Control Fund of 1946 to the State Water Resources Board to be expended only for flood control projects. Notwithstanding any other provisions of this act the allocation made by this act shall be available until June 30, 1958. The appropriation made by this act is made pursuant to the State Water Resources Law of 1945 and is to the extent of such appropriation in fulfillment of the policy set forth in that act that the State will pay for such cost of cooperation as provided in that act as necessary for the construction of flood control projects as required by acts of Congress None of the money appropriated by this act may be recommended or approved for expenditure while the Legislature is in session. The intent of the Legislature in making this appropriation is to provide funds for projects authorized for state cooperation pursuant to the State Water Resources Law of 1945 when construction funds are made available by Congress when the Legislature is not in session and is necessary to commence acquisition of lands, easements, and rights of way in order that construction may proceed. Expenditures of funds appropriated by this act shall be made only upon recommendation of the State Water Resources Board and approval by the Department of Finance.

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 recent devastating floods have made construction of flood control projects of utmost importance and in order to finance such projects it is necessary that this act take effect immediately.

CHAPTER 28

An act to add Section 14746.5 to the Education Code, relating to the use and disposition of certain funds in the possession of school districts discontinuing local district retirement plans.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956.] In effect July 5, 1956

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

SECTION 1. Section 14746.5 is added to the Education Code, to read:

14746.5. The balance of the assets delivered to the district or districts pursuant to subdivision (c) of Section 14746, after the transfers, deposits and payments required by such section, or after establishment of reserves from which such deposits and payments shall be made, shall be held intact by the district until the Legislature expressly authorizes the expenditure thereof.

CHAPTER 29

An act relating to the tide and submerged lands conveyed in trust to the City of Long Beach and the revenues derived therefrom and in connection therewith providing for fixing and determining the respective rights and interests of the State of California and the City of Long Beach in and to revenue from hydrocarbon substances extracted or derived from tide and submerged lands conveyed in trust to the City of Long Beach as affected by Chapter 915 of the Statutes of 1951; authorizing the Attorney General and the City of Long Beach to enter into stipulations with respect thereto: clarifying the uses of such tideland hydrocarbon revenues as were unaffected by said act of 1951; providing for State Lands Commission action in connection with said lands; and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 13, 1956. Filed with Secretary of State April 13, 1956] In effect immediately

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

Section 1. As used in this act:

(a) "Long Beach tidelands" means those certain tide and submerged lands heretofore conveyed to the City of Long Beach upon certain trusts and conditions by Chapter 676,

Statutes of 1911, Chapter 102, Statutes of 1925 and Chapter 158, Statutes of 1935.

- (b) "Oil revenue" means the net proceeds received by the City of Long Beach from the sale of oil, gas and other hydrocarbon substances (other than dry gas) derived from the Long Beach tidelands, after deducting moneys expended for the extraction and sale thereof and for the satisfaction of obligations attributable to such extraction or sale; "oil revenue" also includes the net receipts from the sale of property used in such extraction or sale, the cost of which has been or may be defrayed from proceeds from such hydrocarbon substances.
- (c) "Dry gas" means the gas directly produced from wells, which contains one-half (\frac{1}{2}) of a gallon or less of recoverable gasoline per 1,000 cubic feet, or from which gasoline has been removed by processing.
- (d) "Dry gas revenue" means the reasonable wholesale market value of dry gas derived from, or attributable to production from, said Long Beach tidelands and received into the system of the municipal gas department of said City of Long Beach, and the net receipts to the City of Long Beach from the sale of tideland dry gas as such and which is not received into said system.
- (e) "Tideland trust funds" means the Public Improvement Fund, Harbor Revenue Fund, Tideland Oil Fund and Harbor Reserve Fund in the City Treasury of the City of Long Beach, as said funds are presently established by the charter of said city
- (f) "Subsidence costs" means costs expended by the City of Long Beach with the prior approval of the State Lands Commission to remedy and protect against the effects of subsidence of the land surface within the boundaries of the Long Beach Harbor District (as such boundaries are defined on April 1, 1956) and within the boundaries of the Long Beach tidelands situated outside of said harbor district. "Subsidence costs" shall not include moneys expended for the construction or reconstruction of bridges, nor any subsidence expense directly incurred for continued hydrocarbon production and deductible under subdivision (b) of this section.
 - Sec 2 It is hereby found and determined:
- (a) In that certain act entitled "An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundary of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as aniended by an act entitled "An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conformia to the City of Long Beach upon certain trusts and con-

ditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands,' approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts," approved June 6, 1951, the Legislature declared fifty per centum (50%) of all revenue theretofore derived and unexpended, and thereafter to be derived, by the City of Long Beach from oil, gas and other hydrocarbon substances other than dry gas produced from the Long Beach tidelands, and all of the revenue theretofore and thereafter derived from dry gas from said tidelands, to be free from the public trust for navigation, commerce and fisheries and from such uses, trusts, conditions and restrictions as were imposed by said acts of 1911, 1925 and 1935 On April 5, 1955. in the case of Mallon v City of Long Beach, 44 Cal. 2d 199, the Supreme Court of California held that said act of 1951 effected a partial revocation of the trust created by said acts of 1911, 1925 and 1935 and resulted in a reversion to the State of California of the sums thus released from the trust, the City of Long Beach therefore holding said sums upon a resulting trust in favor of the State, Said Mallon case was thereafter remanded to the superior court for further proceedings and is now pending in said court awaiting trial on the merits or other disposition. Following said Mallon decision, the State instituted litigation against said city with the objective of recovering those moneys and assets declared by the Supreme Court to be held in resulting trust, to recover judgment for the amount of such moneys and assets as had been theretofore spent by said city and to enjoin the expenditure of other Long Beach tideland hydrocarbon revenues for purposes not authorized by said acts of 1911, 1925 and 1935 As a result of stipulations between the Attorney General and the City of Long Beach, there have been impounded in the hands of said city securities at par and cash aggregating approximately one hundred eleven million dollars (\$111,000,000), subject to the additional impoundment of certain future income from oil and dry gas, all of said impounded assets to be held intact by said city pending the final determination of said litigation. The City of Long Beach asserts and, in the absence of a compromise settlement and adjustment of the claims of the State against said city, intends to maintain and to litigate various defenses against said claims. In addition, said city claims certain credits or offsets against the claims of the State by reason of the expenditure of tideland hydrocarbon revenues for protective and remedial works occasioned by land subsidence and by reason of general tax revenues expended by said city upon the Long Beach tidelands. Under existing circumstances, dispositon of said impounded funds and determination of the respective rights of the State and the city in the premises cannot be made except by extensive, complicated and time-consuming litigation, possibly including a lengthy court-supervised accounting, while the im-

pounded funds will remain in a condition of enforced idleness. The continuance of the existing controversies between the State and the City of Long Beach, as well as the enforced idleness of the impounded funds, is contrary to the best interests of the people of this State, including the inhabitants of the City of Long Beach. A purpose of state-wide interest and benefit will be served by the determination of the respective rights and interests of the city and the State in and to past and future hydrocarbon revenues derived from the Long Beach tidelands. Such determination will so fix and clarify the respective entitlement of the State and the city as to permit the early termination of the pending litigation by means of stipulations between the State and city and, so far as necessary or appropriate, through the entry of court orders, decrees and judgments. Such a disposition of the litigation will permit early liberation and utilization of the impounded sums for urgently needed public purposes and will avoid the public detriment incident to protracted litigation between the State and one of its major municipalities.

- (b) As a result of said Mallon decision, other questions have arisen as to legally permissible purposes for the expenditure of hydrocarbon revenues from the Long Beach tidelands other than those specified in said act of 1951 as being freed from the tidelands trust. Under existing circumstances such questions must await determination in the litigation now pending between the State and the city. Until that time, the City of Long Beach is prevented from initiating and continuing numerous worth-while projects in and about the Long Beach tidelands which are or may be reasonably related to, and connected with, the purposes of the trusts upon which said lands were conveyed to said city. The trust purposes set forth in said acts of 1911, 1925 and 1935 were prescribed prior to the discovery of hydrocarbon deposits in the granted lands and were therefore conceived primarily as land use purposes. These purposes require restatement in view of the subsequent yield of substantial monetary revenues therefrom. It is to the public interest that the Legislature, to the extent permitted by the State Constitution, set forth the purposes of said trust in greater detail than heretofore, to the end that said purposes may be fulfilled without the delays incident to protracted litigation. To the extent that the Constitution may prevent the expenditure of revenues (other than those payable to the State of California hereunder) for public purposes desired by the City of Long Beach, it is the belief of the Legislature that the Attorney General and said city should seek judicial determinations further defining said city's rights and duties in the premises.
- (c) Some uncertainty exists as to the exact location of the boundaries of the Long Beach tidelands. Some uncertainty also exists as to whether certain wells in the Long Beach Harbor District have been and are producing oil, gas, and other hydrocarbon substances or dry gas from Long Beach

tidelands or have been and are producing such substances from other land owned by the City of Long Beach. To settle these uncertainties will require the collection of a considerable amount of information and data, the conduct of surveys, and possible litigation

(d) It is in the interest of the people of this State, including the inhabitants of the City of Long Beach, to declare by this act the amount of oil and dry gas revenue received or held by said city on and before January 31, 1956, for the use and benefit of the State of California free from the public trust for navigation, commerce and fisheries and from such uses, trusts, conditions and restrictions as were imposed by the acts of 1911, 1925 and 1935 heretofore referred to, irrespective of these uncertainties, but such declaration should not preclude appropriate resolution, by judicial determination or otherwise, of these uncertainties for the purpose of determining revenues to be accounted for by said city after January 31, 1956.

The total amount of oil revenue and dry gas revenue received or held by the City of Long Beach for the use and benefit of the State of California free from the public trust for navigation, commerce and fisheries and from such uses, trusts, conditions and restrictions as were imposed by the acts of 1911, 1925 and 1935 heretofore referred to, to and including January 31, 1956, is hereby found to be and fixed at the sum of one hundred twenty million dollars (\$120,000,000).

The Attorney General and the City of Long Beach are hereby authorized to enter into an appropriate stipulation or stipulations as may be necessary to finally determine any and all claims, demands, or causes of action as between the City of Long Beach and the State of California and arising out of, in connection with, or seeking to enforce any obligation of the City of Long Beach to account for or to pay oil revenue and dry gas revenue to or for the benefit of the State of California under this act or the acts of 1911, 1925 and 1935 as modified by the act of 1951 and by this act and for such other purposes as may be authorized or required by this act. In addition to the provisions required by this act, the stipulation may provide for other matters necessary to determine such claims, demands, or causes of action. The stipulation shall provide that the City of Long Beach shall pay the amount agreed upon in the stipulation, which shall in no case be less than one hundred twenty million dollars (\$120,000,000), to the State Controller, together with interest and other increment from investments and deposits thereof received by said city between February 1, 1956, and the date of payment. Said payment shall be made in the form and manner and at the time hereinafter prescribed. Said payment shall be deposited in the State Treasury.

Sec. 4. (a) The stipulation shall provide that the payment prescribed by Section 3 of this act shall be accomplished by the transfer of United States securities and cash from the tideland trust funds and shall recognize that the major part

of the funds to be paid to the State is presently invested in United States securities. The stipulation shall provide that to the maximum extent possible, said payment shall be accomplished without liquidation of existing securities so that said securities shall become a part of the State's investment portfolio. The stipulation shall provide that the City of Long Beach and the State Controller shall take necessary action to effect the transfer of said securities by such means as endorsement, reregistration or reissue in coupon form.

- (b) The stipulation shall provide that the cash to be transferred shall be not less than two million three hundred fifty thousand dollars (\$2,350,000). The stipulation shall provide that the remainder of said payment shall be accomplished by the transfer of United States securities computed at par value: provided, however, that the stipulation shall also provide that United States Treasury bills and any securities purchased after January 31, 1956, shall be valued at cost. The stipulation shall provide that the selection of United States securities so transferred shall be made jointly by the City of Long Beach and the State Director of Finance. The stipulation shall provide that said securities shall be a representative and fair cross-section of all United States securities held in the tideland trust funds on January 31, 1956 and that any reinvestment of securities held on January 31, 1956, shall be deemed to have been held on said date for the purpose of said transfer. The stipulation shall provide that the ratio of market value of all said securities as of the close of business on January 31, 1956, to the par value thereof shall be determined. The stipulation shall provide that the market value (as of the close of business on January 31, 1956) of the United States securities transferred to the State shall bear the same ratio to the par value thereof as that determined for all the United States securities held in said tideland trust funds on January 31, 1956. "Market value" means the value of such securities in the open market and, in the case of nonmarketable securities, means the market value of securities into which such nonmarketable securities can be converted.
- (c) The stipulation shall provide that said payment shall be completed within sixty (60) days after the entry of a court decree or judgment so ordering, or within such reasonable extension of time thereafter as may be permitted by the court.
- SEC. 5. (a) In addition to the payment prescribed in the stipulation provided for in this act, the City of Long Beach has received and will continue to receive for the use and benefit of the State of California free from the public trust for navigation. commerce and fisheries and from such uses, trusts, conditions and restrictions as were imposed by the acts of 1911, 1925 and 1935, and shall account for and pay over monthly to the State of California the following sums:
- (1) Fifty per centum (50%) of all oil revenue derived from the Long Beach tidelands, received by said city on and after February 1, 1956, less twenty-five per centum (25%) of

all subsidence costs disbursed by said city on and after April 1, 1956, until such time as the sum total of subsidence costs disbursed on and after April 1, 1956, reaches the sum of thirty million dollars (\$30,000,000);

- (2) After the sum total of subsidence costs disbursed on and after April 1, 1956, shall have reached the sum of thirty million dollars (\$30,000,000), fifty percentum (50%) of all oil revenue thereafter derived from the Long Beach tidelands, less fifty per centum (50%) of all subsidence costs thereafter disbursed;
- (3) All dry gas revenue received by said city on and after February 1, 1956.

(b) Upon receipt of said sums, the Controller shall cause the same to be deposited in the State Treasury.

- SEC. 6. The stipulation provided for in this act shall provide that the City of Long Beach shall receive into the system of its municipal gas department all dry gas derived from the Long Beach tidelands which can be economically utilized by said department and which is not required for oil field injection or repressuring operations in said tidelands. The stipulation shall also provide that the reasonable wholesale market value of said dry gas shall be determined from time to time jointly by the City of Long Beach and the State Lands Commission in the light of prices for processed dry gas prevailing from time to time at absorption plants where wet gas produced in the Los Angeles Basin is being processed.
- SEC. 7. The Legislature hereby finds that the oil revenue not required to be paid to the State is needed and can be economically utilized by the City of Long Beach for the fulfillment of those trust uses and purposes described in said acts of 1911, 1925 and 1935 which are matters of state, as distinguished from local, interest and benefit, including, but not limited to, the following:
- (a) The establishment, improvement, and conduct of a harbor, and the construction, reconstruction, repair and maintenance of works and facilities incidental to said harbor, within the boundaries of the harbor district of said city (as said boundaries are defined on April 1, 1956) or within the Long Beach tidelands outside said harbor district;
- (b) The construction, reconstruction, repair and maintenance of streets and roadways within the boundaries of the harbor district (as such boundaries are defined on April 1, 1956) and the construction, reconstruction, repair and maintenance of bridges wholly or partly within said boundaries of the harbor district (as such boundaries are defined on April 1, 1956);
- (c) The construction, reconstruction, repair and maintenance of protective and remedial works situated within the boundaries of the harbor district (as such boundaries are defined on April 1, 1956), or within the Long Beach tidelands outside said harbor district, or which are reasonably necessary for the protection, preservation, or maintenance of said harbor

district or said tidelands, as necessitated by subsidence of the land surface;

- (d) The construction, reconstruction, repair and maintenance of that certain small-boat harbor project known as the Marina located adjacent to Alamitos Bay, together with structures and other facilities incidental thereto;
- (e) The acquisition of property or the rendition of services reasonably necessary to the carrying out of the foregoing uses and purposes.
- SEC. 8. (a) On or before October 1st of each year, the City of Long Beach shall cause to be made and filed with the State Lands Commission a detailed statement of all expenditures of oil revenue other than that required in the stipulation provided for in this act to be paid to the State, including obligations incurred but not yet paid. Said statement shall cover the fiscal year preceding its submission and shall show the project or operation for which each such expenditure or obligation is made or incurred.
- (b) In addition to the other powers and duties specifically delegated to it by this act, the State Lands Commission shall have general responsibility in connection with the interests of the State under this act and the acts cited in subdivision (a) of Section 2 hereof, including authority to examine financial and operating records relating to the production and sale of hydrocarbon products from the Long Beach tidelands and to conduct such other investigations and studies as it may deem necessary in connection therewith.
- Sec. 9. Any decree or judgment entered on the stipulation provided for in this act shall be final as to any and all claims, demands or causes of action as between the City of Long Beach and the State of California and arising out of, in connection with, or seeking to enforce any obligation of the City of Long Beach to account for or to pay oil revenue and dry gas revenue to or for the benefit of the State of California under this act or any of the aforesaid acts, which claims, demands or causes of action accrued on or before January 31. 1956; otherwise the powers of the State of California over the Long Beach tidelands and over the grants evidenced by the acts of 1911, 1925 and 1935, as modified by the act of 1951 and by this act, including oil revenue and dry gas revenue received before or after January 31, 1956, and unexpended for trust purposes, and still subject to the public trust for navigation, commerce and fisheries and to the uses, trusts, conditions and restrictions as were imposed by the acts of 1911, 1925 and 1935, are hereby expressly reserved. Notwithstanding the foregoing provisions of this section, any net proceeds payable to said city prior to February 1, 1956 on account of extraction, production or sale of hydrocarbon substances derived from the Long Beach tidelands, and not received by said city prior to said date. shall, when and if ascertained and received, be accounted for and distributed in accordance with the provisions of Section 5 of this act.

- SEC. 10. (a) Future contracts, royalty arrangements, or other agreements between the City of Long Beach (or any department, board, or agency thereof) and any other person, firm, corporation or association, relating to the drilling for, developing, extracting, processing, taking or removing, or disposition of oil, gas, or other hydrocarbons derived from the Long Beach tidelands (with the exception of dry gas after it has been received into the system of the municipal gas department of said City of Long Beach) shall be made and entered into only with the highest responsible bidder upon competitive bidding and shall be of no effect unless and until approved by the State Lands Commission. All specifications and forms for the purpose of inviting bids in connection therewith shall be approved by the State Lands Commission prior to publication of notice to bidders.
- (b) No present or future contract, royalty arrangement, or other agreement between the City of Long Beach (or any department, board, or agency thereof) and any other person, firm, corporation or association, relating to the drilling for, developing, extracting, processing, taking or removing, or disposition of oil, gas, or other hydrocarbons derived from the Long Beach tidelands (with the exception of dry gas after it has been received into the municipal gas department of said City of Long Beach) shall be modified or amended in any respect without the advance consent of the State Lands Commission to such modification or amendment. The State Lands Commission shall also have power to carry out all functions vested in the State Lands Commission by those terms required to be in the stipulation which may be entered into pursuant to this act.
- (c) Every future contract, future royalty arrangement, or other future agreement, and every modification or amendment of any present or future contract, royalty arrangement, or other agreement, made in violation of this section shall be void.
- SEC. 11. Nothing in this act shall be construed as an express or implied declaration of the exact location of the boundaries of the Long Beach tidelands, or of the tideland or upland character of any well or wells with respect to oil revenue and dry gas revenue derived from said well or wells on and after February 1, 1956.
- SEC. 12. All payments into the State Treasury pursuant to this act, any stipulation provided for in this act, or any judgment entered on such stipulation shall be credited to the Investment Fund, which fund is hereby established in the State Treasury, but no portion of such fund shall be expended unless and until specifically appropriated by the Legislature. The assets of the Investment Fund may be invested and reinvested by the Director of Finance in the manner prescribed by Sections 16430 to 16441, inclusive, of the Government Code. Interest received on such investments shall be credited to the Investment Fund.

SEC 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of Section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The State of California and the City of Long Beach are presently engaged in litigation involving the disposition of past and future oil and dry gas revenues from the Long Beach tidelands. There is great uncertainty not only as to the ultimate determination of the respective claims of the parties in and to these revenues, but also as to the legality of utilizing portions of the oil revenues for certain urgently-required public works within the City of Long Beach. In order to settle speedily the major questions involved in said litigation and to clarify the legal position of the State and the City of Long Beach with respect to said public works, it is necessary that this act take immediate effect.

CHAPTER 30

An act to amend Section 476a of the Penal Code, relating to the making or uttering of checks without sufficient funds.

In effect July 5, 1956 [Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956]

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

Section 1. Section 476a of the Penal Code is amended to read:

- (a) Any person who for himself or as the agent or 476a. representative of another or as an officer of a corporation, wilfully, with intent to defraud, makes or draws or utters or delivers any check, or draft or order upon any bank or depositary, or person, or firm, or corporation, for the payment of money, knowing at the time of such making, drawing, uttering or delivering that the maker or drawer or the corporation has not sufficient funds in, or credit with said bank or depositary, or person, or firm, or corporation, for the payment of such check, draft or order and all other checks, drafts or orders upon such funds then outstanding, in full upon its presentation, although no express representation is made with reference thereto, is punishable by imprisonment in the county jail for not more than one year, or in the state prison for not more than 14 years.
- (b) However, if the total amount of all such checks, drafts, or orders that the defendant is charged with and convicted of making, knowing, or uttering does not exceed fifty dollars (\$50), the offense is punishable only by imprisonment in the county jail for not more than one year, except that this sub-

division shall not be applicable if the defendant has previously been convicted of a violation of Sections 470, 475, or 476 of this code, or of this section of this code, or of the crime of petty theft in a case in which defendant's offense was a violation also of Sections 470, 475, or 476 of this code or of this section.

(c) Where such check, draft, or order is protested, on the ground of insufficiency of funds or credit, the notice of protest thereof shall be admissible as proof of presentation, non-payment and protest and shall be presumptive evidence of knowledge of insufficiency of funds or credit with such bank or depositary, or person, or firm, or corporation.

(d) The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or depositary or person or firm or corporation for the payment

of such check, draft or order.

(e) If any of the preceding paragraphs, or parts thereof, shall be found unconstitutional or invalid, the remainder of this section shall not thereby be invalidated, but shall remain in full force and effect.

CHAPTER 31

An act to amend Sections 6082 and 6106 of the Penal Code, relating to the correctional system.

[Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956.]

In effect July 5, 1956

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

SECTION 1. Section 6082 of the Penal Code is amended to read:

6082. References in this title and in Title 5 of this part to prisons refer to all facilities, camps, hospitals and institutions for the confinement, treatment, employment, training and discipline of persons in the legal custody of the Department of Corrections.

Sec. 2. Section 6106 of said code is amended to read:

6106. The supervision, management, and control of the Medical Facility and the responsibility for the care, custody, treatment, training, discipline and employment of persons confined therein are vested in the Director of Corrections. The provisions of Part 3 of this code apply to the said institution as a prison under the jurisdiction of the Department of Corrections and to the persons confined therein insofar as such provisions may be applicable.

CHAPTER 32

An act to amend Sections 5, 13, 14, and 26 of the Santa Clara County Flood Control and Water Conservation District Act, relating to flood control in Santa Clara County.

In effect July 5, 1956 [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956.]

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

Section 1. Section 5 of the Santa Clara Flood Control and Water Conservation District Act is amended to read:

- Sec. 5. The district is hereby declared to be a body corporate and politic and as such shall have, in addition to the other powers vested in it by this act, the following powers:
 - 1. To have perpetual succession.
- 2. To sue and be sued in the name of said district 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 acquire by grant, purchase, lease, gift, devise, contract, condemnation, construction, or otherwise, and to hold, use, enjoy, sell, let, and dispose of real and personal property of every kind, including lands, structures, buildings, rights of way, easements, and privileges, and to construct, maintain, alter and operate any and all works or improvements, within or without the district, necessary or proper to carry out any of the objects or purposes of this act and convenient to the full exercise of its powers, and to complete, extend, add to, alter, remove, repair or otherwise improve any works, or improvements, or property acquired by it as authorized by this act.
- 5. To store water in surface or underground reservoirs within or outside of the district for the common benefit of the district or of any zone or zones affected; to conserve and reclaim water for present and future use within the district; to appropriate and acquire water and water rights, and import water into the district and to conserve within or outside of the district, water for any purpose useful to the district; and to do any and every lawful act necessary to be done that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the district, including but not limited to, the acquisition, storage and distribution of water for irrigation, domestic, fire protection, municipal, commercial, industrial, and all other beneficial uses; to distribute, sell, or otherwise dispose of, outside the district, any waters not needed for beneficial uses within the district; to commence, maintain, intervene in, defend or compromise, in the name of the district in behalf of the landowners therein, or otherwise, and to assume the costs and expenses of any action or proceeding involving or affecting the ownership or use of waters or water rights within or without the district, used or useful for any purpose of the district or of common benefit to any land situated therein, or involving the wasteful use of

water therein; to commence, maintain, intervene in, defend and compromise and to assume the cost and expenses of any and all actions and proceedings now or hereafter begun; to prevent interference with or diminution of, or to declare rights in the natural flow of any stream or surface or subterranean supply of waters used or useful for any purpose of the district or of common benefit to the lands within the district or to its inhabitants; to prevent unlawful exportation of water from said district; to prevent contamination, pollution or otherwise rendering unfit for beneficial use the surface or subsurface water used or useful in said district, and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger or damage the inhabitants, lands, or use of water in, or flowing into, the district; provided, however, that said district shall not have power to intervene or take part in, or to pay the costs or expenses of, actions or controversies between the owners of lands or water rights which do not affect the interests of the district.

- 6. To control the flood and storm waters of said district and the flood and storm waters of streams that have their sources outside of said district, but which streams and the flood waters thereof, flow into said district, and to conserve such waters for beneficial and useful purposes of said district by spreading, storing, retaining and causing to percolate into the soil within or without said district, or to save or conserve in any manner all or any of such waters and protect from damage from such flood or storm waters the watercourses, watersheds, public highways, life and property in said district, and the watercourses outside of the district of streams flowing into the district.
- 7. To enter upon any land, to make surveys and locate the necessary works of improvement and the lines for channels, conduits, canals, pipelines, roadways and other rights of way; to acquire by purchase, lease, contract, condemnation, gift, devise, or other legal means all lands and water and water rights and other property necessary or convenient for the construction, use, supply, maintenance, repair and improvement of said works, including works constructed and being constructed by private owners, lands for reservoirs for storage of necessary water, and all necessary appurtenances, and also where necessary or convenient to said end, and for said purposes and uses, to acquire and to hold in the name of the State, the capital stock of any mutual water company or corporation, domestic or foreign, owning water or water rights, canals, water works, franchises, concessions, or rights, when the ownership of such stock is necessary to secure a water supply required by the district or any part thereof, upon the condition that when holding such stock, the district shall be entitled to all the rights, powers and privileges, and shall be subject to all the obligations and liabilities conferred or imposed by law upon other holders of such stock in the same

company; to cooperate with, act in conjunction with, enter into and to do any acts necessary for the proper performance of any agreement with the State of California, or any of its engineers, officers, boards, commissions, departments, or agencies, or with the Government of the United States, or any of its engineers, officers, boards, commissions, departments, or agencies, or with any state, city and county, city, county, district of any kind, public or private corporation, association, firm or individual, or any number of them, for the ownership, joint acquisition, leasing, disposition, use, management, construction, installation, extension, maintenance, repair, or operation of any rights, works, or other property of a kind which might lawfully be acquired or owned by the Santa Clara County Flood Control and Water Conservation District or for the lawful performance of any power or purpose of said district provided for in this act including, but not limited to, the granting of the right to the use of any water or the right to store such water in any reservoir of the district or to carrying such water through any tunnel, canal, ditch or conduit of the district or for the delivery, sale, or exchange of any water right, water supply or water pumped, stored, appropriated or otherwise acquired or secured for the use of said district, or for controlling drainage waters, or flood or storm waters of streams in or running into said district, or for the protection of life or property therein, or for the purpose of conserving any waters for the beneficial use within said district, or in any other works, uses, or purposes provided for in this act and to adopt and carry out any definite plan or system for accomplishing, facilitating and/or financing all work which may lawfully be accomplished by the Santa Clara County Flood Control and Water Conservation District and to enforce said plan or system by resolution or ordinance.

8. To carry on technical and other necessary investigations, make measurements, collect data, make analyses, studies, and inspections pertaining to water supply, water rights, control of flood and storm waters, and use of water both within and without said district relating to watercourses or streams flowing in or into said district, and in all cases where land may be required for public use by said district, the district, or its agents in charge of such use, shall have the right of access to all properties within the district and elsewhere relating to watercourses and streams flowing in or into said district and may survey and locate the same; but such must be located in a manner which will be most compatible with the greatest public good and the least private injury. The district, or its agents in charge of such public use may enter upon such lands and make examinations, surveys, and maps thereof, and such entry shall constitute no cause of action in favor of the owners of such land, except for injuries resulting from negligence, wantonness, or malice.

9. To prescribe, revise and collect fees and charges for facilities furnished or to be furnished to any new building, im-

provement or structure by the use of any flood control or storm drainage system constructed or to be constructed in a zone of the district, and whenever a drainage or flood control problem is referred to the district by the County of Santa Clara, or any incorporated city therein, to require the installation of drainage or flood control improvements necessary and/or convenient for needs of the zone, including but not limited to, residential, subdivision, commercial and industrial drainage and flood control needs, said county and cities being hereby authorized to refer all drainage and flood control problems, arising under the Subdivision Map Act or otherwise, to the Santa Clara County Flood Control and Water Conservation District for solution. Revenues derived under this section shall be used for the acquisition, construction, reconstruction, maintenance and operation of the flood control or storm drainage facilities of the said zone, to reduce the principal or interest of any bonded indebtedness thereof, or to replace funds expended on behalf of said zone derived from the fund created under authority of Section 13, subdivision 1.

10. To incur indebtedness, and to issue bonds in the manner herein provided.

11. To cause taxes or assessments to be levied and collected for the purpose of paying any obligation of the district, and to carry out any of the purposes of this act, in the manner hereinafter provided.

12. To make contracts, and to employ labor, and to do all acts necessary for the full exercise of all powers vested in said

district or any of the officers thereof, by this act.

13. To have the power and right to disseminate information concerning the rights, properties, activities, plans and proposals of the district; provided, however, that expenditures during any fiscal year for such purposes shall not exceed one-half cent (\$0.005) for each one hundred dollars (\$100) of assessed valuation of such district.

Sec. 2. Section 13 of said act is amended to read: Sec. 13 The board shall have the power, in any year:

- 1. To levy ad valorem taxes or assessments in the district, to pay the general administrative costs and expenses, including maintenance and operation of established works, of the district, to carry out any of the objects or purposes of this act of common benefit to the district, and to provide a fund which may be used by the district to pay the costs and expenses of constructing or extending any or all works established within or on behalf of a zone or participating zones within said district; provided, that funds so used are replaced from funds derived from either of the following sources:
- (a) Taxes or assessments levied pursuant to subdivisions 2 or 3 of this section within the zone or participating zones benefited by such construction in the year or years immediately following the use of said funds; or
- (b) Fees or charges collected under authority of Section 5, subdivision 9.

Taxes or assessments may be levied for purposes of this subdivision of this section by either of the following methods:

(a) By a levy or assessment upon all property within the district, including land, improvements thereon, and personal property; or

(b) By a levy or assessment upon all real property within the district, including both land and improvements thereon.

- 2. To levy taxes or assessments in each or any of said zones and participating zones, to pay the cost of carrying out any of the objects or purposes of this act performed or to be performed on behalf of said respective zones, including the constructing, maintaining, operating, extending, repairing or otherwise improving any or all works or improvements established or to be established within or on behalf of said respective zones, according to the benefits derived or to be derived by said respective zones, by either of the following methods:
- (a) By a levy or assessment upon all property within a zone or participating zone, including land, improvements thereon, and personal property; or
- (b) By a levy or assessment upon all real property within a zone or participating zones, including both land and improvements thereon.

It is declared that for the purposes of any tax or assessment levied under this subdivision, the property so taxed or assessed within a given zone is equally benefited.

3. To levy assessments upon any property in each or any of said zones, according to the provisions and procedures of the Improvement Act of 1911, the Improvement Bond Act of 1915, the Municipal Improvement Act of 1913, or the Refunding Assessment Bond Act of 1935.

In the event of project cooperation with any of the governmental bodies as authorized in subdivision 7 of Section 5 of this act, and the making of a contract with any such governmental body for the purposes set forth in said subdivision 7, by the terms of which work is agreed to be performed by any such governmental body in any specified zone or participating zones, for the particular benefit thereof, and by said contract it is agreed that the district is to pay to such governmental body, a sum of money in consideration or subvention for the performance of said work by such governmental body, the board may levy and collect a special tax or assessment upon the property in such zone or participating zones, whereby to raise funds to enable the district to make such payment, in addition to other taxes or assessments herein otherwise provided for.

Said taxes or assessments shall be levied and collected together with, and not separately from taxes for county purposes, and the revenues derived from said district taxes or assessments shall be paid into the county treasury to the credit of said district, or the respective zones thereof, and the board shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any of the several zones from

the taxes or assessments levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone, except in the case of joint projects, or for projects authorized or established outside such zone, or zones, but for the benefit thereof. In cases of projects joint to two or more zones, such zones will become, and shall be referred to as, participating zones.

- Sec. 3. Section 14 of said act is amended to read:
- Sec. 14. (1) Whenever the board determines that a bonded indebtedness should be incurred to pay the cost of any work or improvement in any zone or zones, the board may by resolution, determine and declare the respective amounts of bonds in order to raise the amount of money necessary for each work or improvement and the denomination and rate of interest of said bonds. The board shall cause a copy of the resolution, duly certified by the clerk, to be filed for record in the office of the recorder of Santa Clara County within five (5) days after its issuance. From and after said filing of said copy of said resolution the board shall be deemed vested with the authority to proceed with the bond election.
- (2) After the filing for record of the resolution specified in subdivision (1) of this section, the board may call a special bond election in said zone or participating zones at which shall be submitted to the qualified electors of said zone or participating zones the question whether or not bonds shall be issued in the amount or amounts determined in said resolution and for the purpose or purposes therein stated. Said bonds and the interest thereon shall be paid from revenue derived from annual taxes or assessments levied upon the property situated within the zone or participating zones, and all such property shall be and remain liable to be taxed or assessed for such payments as provided in this act.
- (3) Said board shall call such special bond election by ordinance and not otherwise and submit to the qualified electors of said zone or participating zones, the proposition of incurring a bonded debt in said zone or participating zones in the amount and for the purposes stated in said resolution and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred; provided, that it shall be sufficient to give a brief, general description of such objects and purposes, and refer to the recorded copy of such resolution adopted by said board, and on file for particulars; and said ordinances shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and what part or installment of such indebtedness shall be paid each and every year, and which shall not in any one year be less than one-fortieth $(\frac{1}{40})$ of the whole amount of the principal and interest of such indebtedness, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be

held, and the form and contents of the ballot to be used. The rate of interest to be paid on such indebtedness shall not exceed five percent (5%) per annum. For the purposes of said election, said board shall in said ordinance establish special bond election precincts within the boundaries of each zone and participating zone and may form election precincts by consolidating the precincts established for general elections in said district to a number not exceeding six general precincts for each such special bond election precinct, and shall designate a polling place and appoint one inspector, one judge and one clerk for each of such special bond election precincts.

In all particulars not recited in said ordinance, such special bond election shall be held as nearly as practicable in con-

formity with the general election laws of the State.

Said board shall cause a map or maps to be prepared covering a general description of the work to be done, which said map shall show the location of the proposed works and improvements and shall cause the said map to be posted in a prominent place in the county courthouse for public inspection for at least thirty (30) days before the date fixed for such election.

Said ordinance calling for such special bond election shall, prior to the date set for such election, be published in a newspaper of general circulation circulated in each zone and participating zone affected for six consecutive times if published in a daily newspaper of general circulation, or two times if published in a weekly newspaper of general circulation. The last publication of such ordinance must be at least fourteen (14) days before said election, and if there be no such newspaper, then such ordinance shall be posted in five public places designated by the board, in each zone and participating zone for at least thirty (30) days before the date fixed for such election No other notice of such election need be given nor need polling place cards be issued.

Any defect or irregularity in the proceedings prior to the calling of such special bond election shall not affect the validity of the bonds authorized by said election. If at such election two-thirds $\binom{2}{3}$ of the votes cast are in favor of incurring such bonded indebtedness, then bonds for such zone or participating zones for the amount stated in such proceedings shall be issued and sold as in this act provided.

Sec. 4. Section 26 of said act is amended to read:

Sec 26. Should a proposition for issuing bonds for any zone or participating zones submitted at any election under this act fail to receive the requisite number of votes of the qualified electors voting at such election to incur the indebtedness for the purpose specified, the board shall not for six months after such election hold another election in such zone or participating zone for incurring indebtedness and issuing bonds under the terms of this act for the same objects and purposes.

CHAPTER 33

An act to amend the heading of Title 7 of, to amend the heading of Chapter 1 of Title 7 of, to amend Sections 65000, 65001, 65004 and 65006 of, to add Section 65007 to, to repeal the article heading of Article 1 of Chapter 1 of Title 7, of, to repeal Sections 15507, 15508, 15509, and 65070 of, and to add Article 1.5 to Chapter 1 of Title 7 of, the Government Code, relating to state and local planning, creating a policy-making committee, and assigning powers and duties to the Department of Finance.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956] In effect July 5, 1956

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

SECTION 1. The heading of Title 7 of the Government Code is amended to read:

TITLE 7. PLANNING

SEC. 2. The heading of Chapter 1 of Title 7 is amended to read:

CHAPTER 1. GENERAL PROVISIONS

SEC. 3. The article heading of Article 1 of Chapter 1 of Repeal Title 7 of said code is repealed

SEC. 4. Section 65000 of said code is amended to read:

65000. This title may be cited as the Planning Law.

Short title

Sec. 5. Section 65001 of said code is amended to read:

65001. The definitions and general provisions contained in Construction this article govern the construction of this title unless the context otherwise requires.

Sec. 6. Section 65004 of said code is amended to read:

65004. "Committee" means the Local Planning Advisory "Committee" Committee.

SEC. 7. Section 65006 of said code is amended to read:

65006. Chapters 1, 2, and 3 of this title are a continuation Stats 1947, of the Conservation and Planning Act and any acts lawfully performed pursuant to such act or its predecessors, including but not limited to the adoption of master and official or precise plans and the creation of planning commissions, are continued in effect and deemed to fulfill the requirements of Chapters 1, 2, and 3 of this title.

Sec. 8. Section 65007 is added to Chapter 1 of Title 7 of said code, to read:

65007. For the purposes of carrying out the powers granted planning to it by this title, any planning commission organized pursuant commissions to this title may do the following:

(a) Contract for, receive and utilize any grants or other financial assistance made available by the Federal Government.

(b) Contract with the Federal Government and any of its agencies, the State and any of its agencies, or the legislative body of any city or county.

Sec. 9. Article 1.5 is added to Chapter 1 of Title 7 of said

code, to read:

Article 1.5. Local Planning Advisory Committee

Local Planning Advisory Committee

Selection of members 65020. In order to provide assistance to local agencies in preparing reports, obtaining information, and making recommendations relating to local planning, the Local Planning Advisory Committee is hereby created. The committee shall consist of seven members appointed by the Governor and serving at his pleasure, selected as follows:

- (a) Three representing the counties, one of whom shall be a county supervisor, one a member of a county planning commission, and one a county planning director. The persons so appointed shall first be recommended for appointment by the President of the County Supervisors' Association of California.
- (b) Three representing the cities, one of whom shall be a city councilman, one a city planning commission member, and one a city planning director. The persons so appointed shall first be recommended for appointment by the President of the League of California Cities.
- (c) One a member representing the schools. He shall be a county superintendent of schools, and shall first be recommended for appointment by the President of the California School Trustees Association.

Functions

Duties of Department of Finance The committee is the policy making body to provide guidance to the Department of Finance in the planning function. The department shall employ the necessary technically competent personnel; shall provide space; and shall make its facilities generally available to perform the functions related to local, regional, or state planning in accordance with the policies and advice of the committee. The department shall provide as complete local service as the committee specifies through its policies. No regulatory powers concerning planning are vested by this article in the department, the Director of Finance, or the committee.

Compensation of committee members

Meetings

The members of the committee shall receive no compensation for their services, but shall be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending the meetings of the committee. The committee shall meet at the call of the chairman of the committee.

Department 650 of Finance Duties the D

65021. In accordance with the policies of the committee, the Department of Finance shall:

(a) Provide planning assistance (including planning surveys, land use studies, urban renewal plans, technical services, and other planning work, but excluding plans for specific public works), in and for any county or city or in and for any region or area for which planning assistance or plan-

ning work is requested by the governing body or bodies of the counties or cities included in such region or area.

(b) Contract for, receive, and utilize any grants or other financial assistance made available by the Federal Government or from any other source, public or private, for the purposes of this article.

(c) Constitute the official state planning agency for such

(d) Contract with public agencies or private persons or organizations for any of the purposes of this article.

(e) Delegate any of its functions to any other state agency authorized to perform such functions, except that responsibility for such functions shall remain solely with the de-

partment.

(f) Require or receive reimbursement from any political subdivision or subdivisions receiving assistance under this article for the actual costs of the planning assistance or planning work, except that no reimbursement shall be required or received for such costs to the extent that such costs are covered by federal grants.

(g) Make an annual report on planning to be printed by the State Printer as a public document, and transmit copies of

the report to every planning commission in this State.

65022. In accordance with the policies of the committee, Same the Department of Finance may:

(a) Make reports to the Legislature, the Governor, and the committee.

(b) Accept grants from Federal or State Governments or their agencies for local, regional, and state planning agencies for the purpose of state, regional, and local planning, and may accept gifts for such purposes. Under the conditions of such grants or gifts, it may allocate funds so provided for state, regional, or local planning, requiring necessary progress and final reports relating to expenditures made therefrom.

(c) Request information, reports, and references to records from state, county, regional, city and planning officers which

will assist in the administration of this program.

65023. Every local and regional planning commission shall, Reports on or before October 1st of each year, file with the Department of Finance a report of its transactions and recommendations, with recommendations for needed legislation to carry on properly the development of planning work. In lieu of the report required by this section, a planning commission may file with the department the annual or official report which it files with the legislative body or bodies of the city, county, or region in which it is located.

The Department of Finance shall ascertain and Proposed obtain available information concerning proposed public improvements or projects from each state agency, and where possible from federal agencies.

The Department of Finance shall, when requested, Master make available to each state agency master plans adopted pur-plans

Discretionary

suant to this title or its predecessors, and information concerning state projects, which are filed with the office and which are pertinent to the work of the state agency.

Conflicts between agencies

65026. Whenever it is brought to the attention of the Department of Finance that there is an obvious conflict in planned public works projects between state agencies, between state and federal agencies, or between state and county, regional, or city agencies, it shall notify in writing the agencies concerned of such conflict.

Repeals

Sec. 10. Sections 15507, 15508, 15509, and 65070 of said code are repealed.

Duration

SEC. 11. This act shall remain in effect and be operative only until the ninety-first day after the final adjournment of the 1959 Regular Session of the Legislature.

Limitation

This section shall be ineffective and inoperative in the event that its inclusion in this act will deprive the State of California of grants or other financial assistance that might otherwise be made available by the Federal Government for local planning assistance.

CHAPTER 34

An act to amend Sections 1112 and 1116 of the Agricultural Code, relating to poultry.

In effect July 5, 1956 [Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956]

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

Section 1. Section 1112 of the Agricultural Code is amended to read:

Classes

1112. As used in this article the classes of the kinds of poultry meat shall be:

Chicken

- (a) Chicken. The classes of chicken meat as determined by inspection of appearance and other physical characteristics are:
- (1) Chicken Fryer. Young chicken (usually under 16 weeks of age) of either sex that is tender meated, with soft, pliable, smooth-textured skin, and flexible breastbone cartilage, and which may be properly cooked by broiling or frying, and which weighs usually not over four and one-half pounds dressed weight or not over four pounds ready-to-cook weight.
- (2) Chicken Fryer Caponette. Fryers which have been treated with hormone stilbesterol or its equivalent, and which weigh usually not over four and one-half pounds dressed weight or not over four pounds ready-to-cook weight.
- (3) Chicken Roaster. Young chicken (usually under eight months of age) of either sex that is tender meated, with soft pliable smooth-textured skin, and breastbone cartilage slightly less flexible than fryers and which may be properly cooked by roasting, and which weighs usually over three and one-half pounds dressed weight or over three pounds ready-to-cook weight.

(4) Chicken Roaster Caponette. Roasters which have been treated with the hormone stilbesterol or its equivalent.

(5) Chicken Capon. An unsexed male chicken (usually under 10 months of age) and that is tender meated with soft pliable smooth-textured skin and which may be properly

cooked by roasting and of any weight.

(6L) Light Chicken Hen (or Stewing Chicken). A mature female chicken (usually more than 10 months of age) with meat less tender than that of a roaster and with nonflexible breastbone cartilage, which may be properly cooked by stewing, and which weighs usually not over four pounds dressed weight or not over three and one-half pounds ready-to-cook.

(6H) Heavy Chicken Hen (or Stewing Chicken). A mature female chicken (usually more than 10 months of age) with meat less tender than that of a roaster and with non-flexible breastbone cartilage, which may be properly cooked by stewing, and which weighs usually over four pounds dressed weight or over three and one-half pounds ready-to-cook.

(7) Rooster. A mature male chicken with coarse skin, toughened and darkened meat, and hardened breastbone and which may be properly cooked by stewing and of any weight.

(b) Turkey. The classes of turkey meat as determined by Turkey

appearance are:

- (1) Turkey Fryer (or Roaster). Young, immature turkey (usually under 16 weeks of age) of either sex, that is tender meated with soft, pliable, smooth-textured skin, with flexible breastbone cartilage and which may be properly cooked by broiling or frying.
- (2) Young Turkey Hen. A young female turkey (usually under eight months of age) that is tender meated with soft, pliable, smooth-textured skin and breastbone cartilage somewhat flexible.
- (3) Young Tom Turkey. A young male turkey (usually under eight months of age) that is tender meated with soft, pliable, smooth-textured skin and breastbone cartilage somewhat flexible.
- (4) Hen Turkey. A fully matured female turkey (usually over 10 months of age) less tender meated, with hardened breastbone, with coarser textured skin and patchy areas of surface fat.
- (5) Tom Turkey. A mature male turkey (usually over 10 months of age) with more toughened flesh, coarse skin and hardened breastbone.

(c) Rabbits. The classes of rabbit meat as determined by Rabbits

appearance and weight are:

(1) Rabbit Fryer. Young, domestic rabbit (usually under 12 weeks of age) with tender, fine-grained, and bright pearly white color which may be properly cooked by broiling or frying and which weighs not less than one and one-half pounds or over four pounds ready-to-cook weight.

(2) Rabbit Roaster. Domestic rabbit (usually over 12) weeks of age) which may be properly cooked by roasting, and which weighs not less than four pounds ready-to-cook weight.

(3) Stewing Rabbit. Mature lean domestic rabbit of either sex (over 12 weeks of age) which may be properly cooked by stewing and weighs over four pounds ready-to-cook weight.

(d) The director shall establish the definitions of classes for Ducks and ducks and geese by regulations.

Section 1116 of said code is amended to read:

This article does not apply to:

Exemptions

reese

- (a) Poultry meat or the container thereof which is marked with the official class as prescribed by the Poultry Division of the Agricultural Marketing Service of the United States Department of Agriculture; provided, that such official class marking meets the requirements of this article.
- (b) Poultry meat marked as to class officially approved by an inspection service which has requirements equal to those hereof, when approved by the director.
- (c) Poultry meat which is slaughtered on the premises where produced and which poultry meat (1) is sold by the producer at retail on such premises, or (2) is sold by the producer off of such premises to retailers or public eating houses or to retail purchasers for consumption in the homes of such purchasers; provided, however, that this exemption shall not apply to poultry produced by any producer engaged in the commercial production of poultry to the extent that such production involves the principal portion of the duties of any employee of the producer, other than a member of his immediate family.

CHAPTER 35

An act to amend Section 7723.1 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 12, 1956 Filed with Secretary of State April 13, 1956]

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

Section 1. Section 7723.1 of the Education Code is amended to read:

Apportionments may be made irrespective of 7723.1.whether there is on deposit at the time thereof a sufficient amount in the State School Building Aid Fund to permit the payment of such apportionments. Disbursements may be made under any apportionment which heretofore or hereafter becomes final from any funds in the State School Building Aid Fund, irrespective of whether there exists at the time of such disbursement a sufficient amount in such fund to permit the payment in full of all apportionments previously made; provided, that no disbursements shall be made from any funds in the State School Building Aid Fund required by law to be

transferred to the General Fund, or from any moneys therein which the Controller deems necessary to satisfy appropriations from such fund for purposes other than apportionments.

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 neces-

sity are:

Under existing law apportionments cannot become final until there has been deposited a sufficient amount in the State School Building Aid Fund to permit the payment of such apportionments. Moreover, under existing law the amounts of final apportionments encumber like amounts in the State School Building Aid Fund. These funds so encumbered might not be released for a year or two, or even longer, and necessarily are invested at short-term interest rates so that they may be available when needed. However, the state bonds the proceeds of which are deposited in such fund earn a higher rate of interest, causing a loss to the State of the difference between the interest paid on such bonds and the interest obtained by short-term investment of the proceeds. This act permits apportionments to be made irrespective of the balance in the State School Building Aid Fund. It also permits disbursements of moneys from the fund for any apportionments as such disbursements may be needed, without the necessity of encumbering large amounts of capital in such fund not needed within a reasonably short time. This will reduce the balance needed in the fund at any particular time and will effect substantial savings of interest to the State. In order that these savings may go into effect at the earliest possible moment, it is necessary that this act take effect immediately.

CHAPTER 36

An act making an appropriation for support, legislative office at San Diego.

[Approved by Governor April 12, 1956. Filed with Secretary of State April 13, 1956.]

In effect July 5, 1956

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

SECTION 1. The sum of six thousand dollars (\$6,000) is hereby appropriated from the General Fund in the State Treasury for support of legislative office at San Diego, to be expended during the 1956-57 Fiscal Year.

CHAPTER 37

An act to amend Section 7 of, to repeal Sections 10 to 16, inclusive, of, and to add Sections 5.5 and 10 to 16, inclusive, to, the San Bernardino County Flood Control Act (Chapter 73 of the Statutes of 1939), relating to the powers of the San Bernardino County Flood Control District, declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

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

Section 1. Section 5.5 is added to the San Bernardino County Flood Control Act, to read:

Sec. 5.5. After the report of the engineer or engineers, provided for in Section 5, has been filed with the board of supervisors, said board shall consider the same and may be resolution either adopt the same as filed or may refer such report to such engineer or engineers or to any other engineer or engineers to be modified or changed. When a modified or changed report satisfactory to said board of supervisors has been filed with said board, the board may by resolution adopt said report as modified or changed.

SEC. 2. Section 7 of said act is amended to read:

Sec. 7. The board of supervisors of said district shall have power, in any year:

1. To levy and collect a tax upon all taxable property in the district to pay the costs and expenses of said San Bernardino County Flood Control District and to carry out any of the objects or purposes of this act of common benefit to the district as a whole, and

2. To levy and collect a tax upon all taxable property in each or any of said zones, according to the benefits derived or to be derived by said respective zones, to pay the costs and expenses of carrying out any of the objects or purposes of this act of special benefit to said respective zones, including the constructing, maintaining, operating, extending, repairing or otherwise improving any or all works or improvements within said respective zones.

Said taxes shall be levied and collected together with, and not separately from taxes for county purposes, and the revenues derived from said taxes shall be paid into the county treasury to the credit of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any of the several zones from the taxes levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements not of special benefit to said respective zones; and provided further, however, that the aggregate taxes levied under this act for any one fiscal year

shall not exceed thirty cents (\$0.30) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in said zones exclusive of any tax levied to meet the bonded indebtedness of said zones and the interest thereon.

Sec. 3. Sections 10, 11, 12, 13, 14, 15, and 16 of said act

are repealed.

SEC. 4. Section 10 is added to said act, to read:

Sec. 10. The district may incur bonded indebtedness for any zone for the purpose of providing funds for:

- 1. The acquisition and construction of any work or improvement authorized by this act which is for the benefit of said zone, whether said work or improvement be located in whole or in part within or without said zone, including the acquisition of land, rights of way, easements, privileges and property of every kind necessary therefor;
- 2. The making of any payments or contributions to the United States, the State of California, or any county, district of any kind, public or private corporation, association, firm or individual required by reason of agreements for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any rights, works or other property of any kind which might be lawfully acquired or owned by said district for the benefit of said zone or by reason of cooperation in the construction of any work for the controlling of flood or storm waters of said district for the benefit of said zone or for the purpose of conserving said waters for beneficial use within said district for the benefit of said zone or in any other works, acts or purposes provided for in this act and for the benefit of said zone;
- 3 Bond interest estimated to accrue during the construction period and for not to exceed twelve (12) months after completion of construction of said work or improvement; and
- 4 Any and all expenses incidental to any of the foregoing or connected therewith, including the cost and expenses of engineering, inspection, legal counsel, financial consultants and fiscal agents, and the issuance and sale of said bonds.

SEC. 5. Section 11 is added to said act, to read:

Sec 11. After the adoption of the report as provided in Section 55, said board of supervisors may by resolution call an election in any zone to submit the proposition of incurring bonded indebtedness to the qualified voters of said zone Said resolution shall set forth the purpose of incurring said proposed bonded indebtedness, the principal amount of said indebtedness, the maximum rate of interest to be paid on such indebtedness (which shall not exceed five percent (5%) per annum), the date on which said election shall be held and the manner of holding such election and of voting for or against the incurring of such indebtedness. Any such election may be held separately or may be consolidated or held concurrently with any other election authorized by law at which the qualified voters of said zone are entitled to vote. Except as other-

wise provided herein or in said resolution, the election shall be held as near as practicable in conformity with the general election laws of the State.

The resolution calling the election shall be published twice in some newspaper of general circulation published in said zone, the first publication to be not less than ten (10) days before the election; if there be no such newspaper, publication shall be made in a newspaper of general circulation published in the county. No other notice of said election need be given.

Sec. 6. Section 12 is added to said act, to read:

Sec. 12. In the event that at least two-thirds of the voters voting on the proposition submitted at said election vote in favor of such proposition, the issuance and sale of bonds by the district shall be authorized in an amount not exceeding that set forth in said proposition; provided, however, that if the board of supervisors, not later than ninety-one (91) calendar days after the final adjournment of the 1956 First Extraordinary Session, shall have adopted its resolution calling and providing for an election to issue bonds, a vote in favor of such proposition by a majority of the voters voting on the proposition submitted at said election shall be sufficient to authorize the issuance and sale of said bonds.

SEC. 7. Section 13 is added to said act, to read:

Sec. 13. The board of supervisors shall prescribe the form of the bonds to be issued by the district and of the interest coupons to be attached thereto. The board shall fix the date of the bonds and may, in its discretion, divide the aggregate principal amount of any authorized issue into two or more series and fix different dates for each separate series. In the event any authorized issue is divided into two or more series, the bonds of each series may be made payable at such time or times as may be fixed by the board, separate and distinct from the time or times of payment of bonds of any other series of the same issue; provided, that all such bonds shall be retired serially in equal amounts annually over a period of not to exceed forty (40) years.

The bonds shall be issued in denominations of one thousand dollars (\$1,000), or multiples of one thousand dollars (\$1,000), as the board of supervisors may determine, and shall be payable on the date and at the place or places stated in such bonds and with interest at the rate specified in such bonds, payable semiannually except that interest for the first year may be made payable at the end of said year. Said bonds shall be signed by the chairman of the board of supervisors (or such other member of the board of supervisors as the board of supervisors shall by resolution designate) and countersigned by the auditor of the county, and the seal of said district shall be affixed thereto. The coupons of said bonds shall be numbered consecutively and signed by the auditor of said county. The signature on all coupons and one signature on the bonds may be by printed, lithographed, or engraved facsimile

signature. In case any of such officers whose signatures appear

on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature shall nevertheless be valid for all purposes the same as if such person had remained in office until delivery of the bonds

The board of supervisors may provide that all or any part of the bonds issued may be called and redeemed prior to maturity, at the option of the board, upon payment of such premiums, if any, as said board in the resolution providing for the issuance thereof may determine. In the event any bond is redeemable prior to its maturity, a statement substantially to that effect shall be contained in the bond.

SEC. 8. Section 14 is added to said act, to read:

Sec. 14. The bonds may be issued and sold as the board of supervisors determines, but for not less than par and accrued interest. Before selling the bonds, or any part thereof, the board shall give notice inviting sealed bids in such manner as the board may prescribe. If satisfactory bids are received, the bonds shall be sold to the highest responsible bidder. If no bids are received, or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received and either readvertise or sell the bonds at private sale. The proceeds of the sale shall be placed in the treasury of the County of San Bernardino to the credit of said district. All premiums and accrued interest received shall be placed in the fund to be used for the payment of principal of and interest on the bonds and the remainder of the proceeds of the bonds shall be placed to the credit of the construction fund of the district and, except as otherwise provided in Section 20.5 hereof, shall be applied exclusively to the purposes recited in the resolution calling the election; provided, however, that when said purposes have been accomplished, any moneys remaining in such construction fund shall be transferred to the fund to be used for the payment of principal of and interest on said bonds. When such purposes have been accomplished and all principal of and interest on the bonds have been paid, any balance of money then remaining shall be transferred to that fund of the district established for the purpose of containing taxes collected for the special benefit of said zone pursuant to Section 7 hereof.

Sec. 9. Section 15 is added to said act, to read:

Sec. 15. The board of supervisors shall, at the time of fixing the general tax levy and in the manner for such tax levy provided, levy and collect annually each year until said bonds are paid or until there shall be a sum in the treasury of the county to the credit of said district and set apart for that purpose sufficient to meet all sums coming due for principal and interest on said bonds, a tax upon all taxable property in the zone for which said bonds were issued sufficient to pay the interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before

the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal. The taxes required to be levied and collected by this Section 15 shall be in addition to all other taxes levied pursuant to other provisions of this act and shall be levied and collected at the time and in the same manner as other taxes are levied and collected and be used for no other purpose than the payment of said bonds and the interest accruing thereon.

SEC. 10. Section 16 is added to said act, to read:

Sec. 16. All bonds issued under this act shall by their issuance be conclusive evidence of the regularity, validity and legal sufficiency of all proceedings, acts and determinations that are made under this act. No error, defect, irregularity, informality and no neglect or omission of any officer of the district in any procedure taken hereunder which does not affect the constitutional rights of the qualified voters of the zone in which a bond election is held, shall avoid or invalidate such proceedings or any bonds issued hereunder.

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

necessity are:

Extensive areas of vegetation have been destroyed by recent forest fires in several mountainous watersheds of San Bernardino County. This loss of vegetation has seriously impaired the soil's ability to absorb and retain rainfall. Threat of increased runoff combined with fast water velocities characteristic of steep mountains has created a dangerous hazard of flood to certain populated territory in the county. Construction of flood control facilities and provision for adequate methods of financing the same by the issuance of bonds are urgently and immediately needed for the protection of life and property.

CHAPTER 38

An act to add Article 5f to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans' Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and dutics of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as

such principal matures; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1956.

[Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956]

In effect July 5, 1956

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

Section 1. Article 5f is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5f. Veterans Bond Act of 1956

996.45. This article may be cited as the Veterans Bond Act Short title of 1956.

996.46. For the purpose of creating a fund to provide farm Creation and home aid for veterans in accordance with the provisions of fund of the Veterans' Farm and Home Purchase Act of 1943 and of all acts amendatory thereof and supplemental thereto, the Veterans' Finance Committee of 1943, created by Section 991, shall be and it hereby is authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the manner and to the extent hereinafter provided, but not otherwise, nor in excess thereof.

996.47. After adoption of any resolution by the Veterans' Bonds Preparation Finance Committee of 1943, provided for in Section 996.54 the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds in accordance with the specifications contained in such resolution. The aggregate par value of all bonds issued under this article shall not exceed the sum of five hundred million dollars (\$500,000,000) and shall bear interest at a rate not exceeding 5 percent per annum payable as provided in such resolution. Both principal and interest shall be payable in lawful money of the United States, at the Office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer.

All bonds issued under this article shall bear the facsimile Signatures signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the bonds shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of adoption of the resolution of the Veterans' Finance Committee of 1943, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer who shall be in office on the date of adoption of the resolution of the Veterans' Finance Committee of 1943. The Veterans' Finance Committee of 1943 may require that said bonds be authenticated by the State Controller or by any Deputy State Controller, and in such event no bond authorized hereunder shall be valid unless so authenticated in the manner so required. The bonds or coupons so signed, countersigned, endorsed, and sealed, when sold, shall be and constitute a valid and binding general obligation upon the State of California, although the sale or delivery thereof be made at a date or dates upon which the officers having signed, countersigned, and endorsed said bonds or coupons, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the date of adoption of the resolution of the Veterans' Finance Committee of 1943. Each bond issue under this article shall contain a clause or clauses referring to this article and to the resolution of the Veterans' Finance Committee of 1943 hereunder by virtue of which said bond is issued, and if subject to call or redemption prior to maturity, shall contain a recital to that effect.

Contents

Payment and cancellation

The State Treasurer shall, on the respective dates 996.48.of maturity or prior redemption of said bonds, or as soon thereafter as said bonds are surrendered to him, pay the same out of the proceeds of the Controller's warrants drawn in his favor as provided in Section 996.49 and perforate the bonds so paid with a suitable device in a manner to indicate such payment and the date thereof. The State Treasurer, or his duly authorized agent, shall also, on the respective dates of maturity, cancel all bonds and appurtenant coupons bearing said dates of maturity and remaining unsold, by perforation with a suitable device in a manner to indicate such cancellation and the date thereof; provided, however, new bonds may be prepared and executed in lieu of bonds canceled solely by reason of the fact that such bonds have not been sold prior to their fixed maturity dates, whenever the Veterans' Finance Committee of 1943 shall determine such new bonds shall be prepared and executed, subject to the condition the total indebtedness created hereunder shall not exceed the maximum limit herein specified Not less than four years after the final maturity date of a particular issue of bonds, the State Treasurer, or his duly authorized agent, may destroy or cremate any bonds of such issue which have been previously paid or canceled as hereinbefore provided.

Obligation of State

996 49. All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereof There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this article, as said principal and interest become due and payable.

Appropriation

Collection of revenues

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collections of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

On the several dates of maturity of said principal and in- Return to terest in each fiscal year, there shall be returned into the General Fund in the State Treasury, all of the money in the Veterans' Farm and Home Building Fund of 1943, not in excess of the principal of and interest on the said bonds then due and payable, except as hereinafter provided for the prior redemption of said bonds, and, in the event such money so returned on said dates of maturity being less than the said principal and interest then due and payable, then the balance remaining unpaid shall be returned into the General Fund in the State Treasury out of said Veterans' Farm and Home Building Fund of 1943 as soon thereafter as it shall become available, together with interest thereon from such dates of maturity until so returned at the same rate as borne by said bonds, compounded semiannually.

Both principal and interest of said bonds shall be paid when wattants due upon warrants duly drawn against said appropriation from the General Fund by the Controller of the State in favor of the State Treasurer, or his duly authorized agent, and the money to be returned into the General Fund in the State Treasury pursuant to the provisions of this section shall likewise be paid as herein provided upon warrants duly drawn by the Controller. The Department of Veterans Affairs, by reso- call and lution approved by the Veterans' Finance Committee of 1943, redemption shall direct the State Treasurer to call bonds (which are then subject to redemption) if such call is desirable and whenever funds are available to effect such redemption, the part of each issue so called to be not less than all of the bonds maturing in any one year. Notice of such redemption shall be given by the State Treasurer in the manner provided in the resolution authorizing the issuance of said bonds.

996 50. The bonds authorized to be issued under this arti-Sale cle shall be sold by the State Treasurer to the highest bidder for cash, either at public auction or upon sealed bids as the Veterans' Finance Committee of 1943 may by resolution determine. The Treasurer must reject any and all bids for said bonds, or for any of them, which shall be below the par value of said bonds so offered plus the interest which shall have accrued thereon between the date of purchaser's payment for said bonds and the last preceding interest maturity date; and the Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as to the whole of the bonds offered, or any part thereof offered, at such time and place as he may select. If said bonds are offered for sale upon sealed bids, then each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for five thousand dollars (\$5,000), drawn on a bank or trust company authorized to transact and transacting business

in the State of California, payable to the Treasurer of the State of California, such deposit not to bear interest. The deposit of each unsuccessful bidder shall be returned to him immediately upon the nonacceptance of his bid, and the deposit of the successful bidder shall immediately upon the acceptance of his bid become and be the property of the State of California and be placed in the State Treasury to the credit of the Veterans' Farm and Home Building Fund of 1943, and shall be credited to the successful purchaser upon the puchase price of the bonds kid for in ease such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the Treasurer. If the purchase price is not so paid. the successful bidder shall have no right in and to said bonds or by reason of said bid, or to the recovery of said deposit accompanying said bid, or to any allowance or credit by reason of such deposit unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer upon notice as provided in case of original sale.

Temporary or interim bonds, etc.

Temporary or interim bonds, certificates, or receipts of any denomination whatever and with or without coupons attached thereto, to be signed by the State Treasurer, may be issued and delivered until the definitive bonds are executed and available for delivery. Signature of the State Treasurer may be by signature stamp.

Notice of sale

996.51.Due notice of the time and place of sale of all bonds shall be given by said Treasurer by publication in one newspaper published in the City and County of San Francisco and also by publication in one newspaper published in the City of Sacramento and by publication in one newspaper published in the City of Los Angeles once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars (\$500) for each sale so advertised. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forthwith paid over by said Treasurer into the Veterans' Farm and Home Building Fund of 1943 and must be used exclusively in aiding veterans in the acquisition of, or payments for, farms and homes, in accordance with the provisions of this chapter; provided, that the proceeds from the sale of said bonds may be used to pay the debt created by the issuance and sale thereof.

Investment of surplus 996.52. The Department of Veterans Affairs is authorized, with approval of the Department of Finance, to invest any surplus money in the Veterans' Farm and Home Building Fund of 1943 in bonds or obligations of the United States, or of the State of California, or of the several counties or municipalities or other political subdivisions of the State of California, and to sell such bonds, or obligations, or any of them, at the govern-

ing market rates, upon approval of the Department of Finance; or the Department of Veterans Affairs may, with the approval of the Director of Finance, invest money in such fund, in interest-bearing certificates of deposit of state banks having a paid-up capital of five hundred thousand dollars (\$500,000) or more; provided, the total amount of money so deposited with any one bank shall not exceed a sum equal to 50 percent of the paid-up capital of such bank; provided, however, nothing herein contained shall inhibit the depositing in banks in accordance with Chapter 4, Part 2, Division 4, Title 2 of the Government Code, of money of any of the funds subject to the control of the Department of Veterans Affairs or appropriated for its use.

Interest accruing upon the deposit of money of the Vet-Interest erans' Farm and Home Building Fund of 1943 shall be paid

into and credited to said fund.

996 53. Upon request of the Department of Veterans Af- Determinafairs, supported by a statement of the plans and projects of said department with respect thereto, and approved by the Governor, the Veterans' Finance Committee of 1943 shall determine whether or not it is necessary or desirable to issue any bonds authorized under this article in order to carry such plans and projects into execution, and, if so, the amount of bonds then to be issued and sold. Successive issues of bonds may be authorized and sold to carry out said plans and projects progressively, and it shall not be necessary that all the bonds herein authorized to be issued shall be sold at any one time.

996.54. Whenever the Veterans' Finance Committee of Resolution 1943 shall have determined that the sale of all or any part of the bonds authorized to be issued under this article is necessary or desirable to carry such plans into execution, in whole or in part, it shall adopt a resolution to this effect. The said resolution shall authorize and direct the State Treasurer to provide for the preparation of the requisite number of suitable bonds then authorized to be sold and shall specify as to such bonds then to be sold:

 The maximum number of each denomination or denomi- contents nations, aggregate par value, and the date of the bonds to be then sold. The date appearing on said bonds shall be deemed to be the date of issuance for all purposes of this article, irrespective of the actual date of delivery of such bonds and the payment of the purchase price thereof. Successive issues of bonds herein authorized shall be identified by the number of the issue, or the entire authorized issue may be divided into series or divisions appropriately identified by letter or number.

2. The date or dates of maturity, and the number and numerical sequence of the bonds maturing at each date of maturity, to be at annual intervals.

3. The provisions, if any, for the retirement of said bonds at any time or times prior to their maturity, the manner

thereof, and the price or prices at which said bonds shall be redeemed.

4. The annual rate of interest which the bonds to be issued shall bear, to be in multiples of one-fourth of 1 percent, which rate, at the discretion of said committee, may be determined by the bidder at the time of sale of said bonds, not to exceed 5 percent payable as herein provided.

5. The provisions, if any, for the interexchange of bonds of different denominations, the issuance of new bonds of different denominations in lieu of, or in exchange for, bonds of a like aggregate principal amount but of different denominations, and the authentication of any bonds by the State Controller or by any deputy state controller

6. The technical form and language of said bonds and of the

interest coupons to be attached thereto.

Maturity

In determining the date or dates of maturity of the said bonds and the amount of bonds maturing at each date of maturity, the Veterans' Finance Committee of 1943 shall be guided by the amounts and dates of maturity of the revenues estimated to accrue to the Veterans' Farm and Home Building Fund of 1943 from the transactions to be financed by each issue, and shall fix and determine said dates and amounts in such manner that, together with the dates and amounts of interest payments on the said bond issue, they shall coincide, as nearly as practicable, with the dates and amounts of such estimated revenues; provided, the bonds first to mature in each issue shall mature not later than five years and the bonds last to mature in each issue shall mature not later than 45 years from the date of issuance thereof.

The rate of interest to be borne by the bonds need not be uniform for all bonds of the same issue or series or division, and may be determined and fixed by the Veterans' Finance Committee of 1943 by resolution adopted at or after the sale of said bonds, but not exceeding in any case 5 percent per annum payable semiannually. The highest bid received on the sale of the bonds shall be determined by deducting the total amount of the premium bid (if any) from the total amount of interest which the State would be required to pay from the date of the bonds or the last preceding interest payment date, whichever is latest, to the respective maturity dates of the bonds then offered for sale at the coupon rate or rates specified in the bid, and the award shall be made on the basis of the lowest net interest cost to the State. The lowest net interest cost to the State shall be computed on a 360-day year basis. The interest coupon first payable may, if the Veterans' Finance Committee of 1943 shall so determine and specify, be payable at any time within one year after the date of issuance of said bonds.

Expenses

996.55. All actual and necessary expenses of the Veterans' Finance Committee of 1943 and of the members thereof incurred in the performance of their duties arising out of the provisions of this article and expenses incurred by the State Treasurer in having said bonds prepared and in advertising their sale or their prior redemption shall be paid out of the Veterans' Farm and Home Building Fund of 1943, on Controller's warrant duly drawn for that purpose, and shall constitute expenses of the Department of Veterans Affairs.

Whenever the Veterans' Finance Committee of 1943 deems Legal it advisable to obtain a legal opinion as to the validity of the opinions bonds, prior to or after sale, from attorneys other than the Attorney General, the committee may authorize the State Treasurer or the Department of Veterans Affairs or both to obtain such a legal opinion. Payment for such legal services shall be made from the Veterans' Farm and Home Building Fund of 1943, on Controller's warrant duly drawn for that purpose, and shall constitute expenses of the Department of Veterans Affairs.

The Controller, the Treasurer and the Veterans' Records: 996.56. Finance Committee of 1943 shall keep full and particular account and record of all their proceedings under this article, and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be by the Governor laid before the Legislature biennially; and all books and papers pertaining to the matter provided for in this article shall at all times be open to the inspection of any party inter- inspection ested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State.

996.57. So long as any bonds authorized under this article surey of may be outstanding, the Director of the Department of Vet-financial condition erans Affairs shall cause to be made at the close of each fiscal year, a survey of the financial condition of the Division of Farm and Home Purchases, together with a projection of the division's operations, such survey to be made by an independent public accountant of recognized standing. The results of such surveys and projections shall be set forth in written reports and said independent public accountant shall forward copies of said reports to the Director of the Department of Veterans Affairs, the members of the California Veterans Board, and to the members of the Veterans' Finance Committee of 1943. The Division of Farm and Home Purchases shall reimburse said independent public accountant for his services out of any funds which said division may have available on deposit with the Treasurer of the State of California.

SEC. 2. This act shall take effect upon its adoption by the Effective people as to all its provisions except those relating to and necessary for its submission to the people, and for returning, canvassing, and proclaiming the votes, and as to said excepted provisions this act shall take effect immediately.

SEC. 3. This act shall be submitted to the people of the submission State of California for their ratification at the next general to voters election, to be held in the month of November, 1956, and all

ballots at said election shall have printed thereon and in a square thereof, the words: "For the Veterans Bond Act of 1956,' and the same square under said words the following in eight-point type: "This act provides for a bond issue of five hundred million dollars (\$500,000,000) to be used by the Department of Veterans Affairs in assisting California war veterans to acquire farms and homes." In the square immediately below the square containing such words, there shall be printed on said ballot the words, "Against the Veterans Bond Act of 1956," and in the same square immediately below said words, in eight-point type shall be printed "This act provides for a bond issue of five hundred million dollars (\$500,000,000) to be used by the Department of Veterans Affairs in assisting California war veterans to acquire farms and homes." Opposite the words "For the Veterans Bond Act of 1956," and "Against the Veterans Bond Act of 1956," there shall be left spaces in which the voters may place a cross in the manner required by law to indicate whether they vote for or against said act, and those voting for said act shall do so by placing a cross opposite the words, "For the Veterans Bond Act of 1956," and those voting against the said act shall do so by placing a cross opposite the words "Against the Veterans Bond Act of 1956." Provided, that where the voting of said general election is done by means of voting machines used pursuant to law in such manner as to carry out the intent of this section, such use of such voting machines and the expression of the voters' choice by means thereof, shall be deemed to comply with the provisions of this section. The Governor of this State shall include the submission of this act to the people, as aforesaid, in his proclamation calling for said general election.

Election procedure SEC. 4. The votes cast for or against this act shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for state officers; and if it appear that said act shall have received a majority of all the votes cast for and against it at said election as aforesaid, then the same shall have effect as hereinbefore provided, and shall be irrepealable until the principal and interest of the liabilities herein created shall be paid and discharged, and the Governor shall make proclamation thereof; but if a majority of the votes cast as aforesaid are against this act then the same shall be and become void.

Dissemination of information SEC. 5. It shall be the duty of the Secretary of State to disseminate information relative to this act in accordance with Section 1, Article XVI of the Constitution. The costs of publication shall be paid out of the Veterans' Farm and Home Building Fund of 1943.

CHAPTER 39

An act to amend Sections 14559.1 and 14559.2 of, to repeal Section 14560.1 of, and to add Section 14560.1 to, the Education Code, relating to the State Teachers' Retirement System, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 13, 1956. Filed with Secretary of State April 16, 1956.]

In effect immediately

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

Section 14559.1 of the Education Code is Section 1. amended to read:

14559.1. Each school district or other employing agency Contribushall contribute to the Retirement Annuity Fund, an amount Retirement equal to three (3) percent of the compensation paid by said Annuity Fund district or agency, to its employees who are members of the retirement system, except that (a) no elementary school district, high school district not maintaining a junior college, or junior college district shall be required to contribute to the fund during the 1956-57 Fiscal Year an amount in excess of the amount that would be produced by a tax of six cents (\$0.06) on each one hundred dollars (\$100) of the taxable property of the district, excluding the unsecured property, as shown by the equalized assessment roll for that year of the county or counties in which the district is located, nor shall such districts be required to contribute to the fund during the 1957-58 Fiscal Year, or any fiscal year thereafter, an amount in excess of the amount that would be produced by a tax of five cents (\$0.05) on each one hundred dollars (\$100) of the taxable property of the district as shown by the equalized assessment roll for the current fiscal year of the county or counties in which the district is located, and that (b) no high school district maintaining a junior college, or unified school district not maintaining a junior college, shall be required to contribute to the fund during the 1956-57 Fiscal Year an amount in excess of the amount that would be produced by a tax of twelve cents (\$0.12) on each one hundred dollars (\$100) of the taxable property of the district, excluding the unsecured property, as shown by the equalized assessment roll for that year of the county or counties in which the district is located, nor shall such districts be required to contribute to the fund during the 1957-58 Fiscal Year, or any fiscal year thereafter, an amount in excess of the amount that would be produced by a tax of ten cents (\$0.10) on each one hundred dollars (\$100) of the taxable property of the district as shown by the equalized assessment roll for the current fiscal year of the county or counties in which the district is located, and that (c) no unified school district maintaining a junior college shall be required to contribute to the fund during the 1956-57 Fiscal Year an amount in excess of the amount that would be

produced by a tax of eighteen cents (\$0.18) on each one hundred dollars (\$100) of the taxable property of the district, excluding the unsecured property, as shown by the equalized assessment roll for that year of the county or counties in which the district is located, nor shall such districts be required to contribute to the fund during the 1957-58 Fiscal Year, or any fiscal year thereafter, an amount in excess of the amount that would be produced by a tax of fifteen cents (\$0.15) on each one hundred dollars (\$100) of the taxable property of the district as shown by the equalized assessment roll for the current fiscal year of the county or counties in which the district is located.

Remittance

Sec. 2. Section 14559.2 of said code is amended to read: 14559.2. Within 30 days after the close of each calendar contributions month, each school district or other agency which employs members of the retirement system, shall remit to the said system, the contributions to the Retirement Annuity Fund, required of it by Section 14559.1, on the basis of compensation paid by it for said month if the amount thereof does not exceed one-twelfth of the total amount which a school district is required to contribute to the fund when computed on the basis of the assessed valuation of the district. If the amount of such contribution for any calendar month computed on the basis of compensation paid employees of the district exceeds one-twelfth of the total amount which the district is required to contribute to the fund when computed on the basis of the assessed valuation of the district, then the district shall remit for such month an amount equal to one-twelfth of the total amount which the district is required to contribute when computed on the basis of the assessed valuation of the district, except that the remittance for the twelfth month of each fiscal year shall be in such amount as may be necessary to pay in full the total amount of contribution required of the district by Section 14559.1 for the fiscal year. Each remittance shall be in a form acceptable to the retirement board, and shall be accompanied by a statement verified by a duly authorized official, and containing such information as the board may prescribe. The amounts received shall be deposited forthwith in the State Treasury to the credit of the Retirement Annuity Fund.

Repeal

Sec. 3. Section 14560.1 of said code is repealed

Section 14560.1 is added to said code, to read.

Tay levy

For the purpose of providing funds not to exceed the amount which may be necessary to make the contributions to the Retirement Annuity Fund required by any school district under this article, district taxes may be levied and collected annually by the respective districts at the same time and in the same manner as other district taxes are levied and collected. The tax shall be in addition to any other district tax now or hereafter authorized by law, and shall not be considered in fixing maximum rates of tax for school district purposes.

Sec. 5. This act shall become operative on July 1, 1956.

Sec. 6. This act is an urgency measure necessary for the trace of the trace o

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 provisions of the State Teachers' Retirement Law as amended by Chapter 1395 of the Statutes of 1955, to become operative on July 1, 1956, school districts will be required to contribute to the Retirement Annuity Fund of the State Teachers' Retirement System an amount equal to 3 percent of the compensation paid to employees of the district who are members of the system Such a required contribution does not take into account the assessed valuation of school districts nor the ability of districts of low assessed valuation to bear the burden of a tax levy sufficient in amount to raise such required contribution. In order to alleviate the hardship which will be caused by the application of such a required contribution, it is necessary that this act take effect immediately.

CHAPTER 40

An act to add Section 30354.5 to the Streets and Highways Code, relating to toll bridges across San Francisco Bay acquired or constructed pursuant to the California Toll Bridge Authority Act, declaring the urgency thereof, to take effect immediately.

> [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

In effect immediately

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

SECTION 1. Section 30354.5 is added to the Streets and Highways Code, to read:

30354.5. Neither the limitations nor the provisions of Section 30350, nor similar limitations of any other section of the California Toll Bridge Authority Act, shall apply to the acquisition, erection, construction, maintenance or operation of any rapid transit crossing exclusively for trains and not for passenger automobiles, trucks or busses, at any location within the San Francisco Bay between San Francisco and Alameda Counties.

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:

Progress on the engineering studies of the rapid transit crossing have progressed to the point that unless authorization is given immediately to complete traffic, financial, insurance and other studies preliminary to financing and constructing the rapid transit crossing, and the provisions of law relating to said crossing are clarified, the project will be delayed. Traffic congestion in the Bay area is continuing to grow and public safety and welfare demand the completion of the rapid transit crossing at the earliest possible moment. It is therefore imperative that this act take immediate effect.

CHAPTER 41

An act to add Section 14772.2 to the Education Code, relating to the discontinuance of local school district retirement systems.

In effect July 5, 1956 [Approved by Governor April 13, 1956. Filed with Secretary of State April 16, 1956.]

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

Section 1. Section 14772.2 is added to the Education Code, to read:

14772 2. (a) A plan established under this article which is intended to provide supplemental benefits only on account of service rendered before July 1, 1944, may be discontinued by the governing board of the district, subject to the following conditions:

1 Notwithstanding any other provisions of this division, any teacher who is not retired on July 1, 1956, shall be entitled to the contributions made by him to the discontinued plan with credited interest. Likewise, a teacher who retired prior to July 1, 1956, shall be entitled to a refund equal to the actuarial equivalent, at his attained age, of the annuity which would have been provided by the total contributions required of the member under the system, based on interest and mortality tables currently in use, less the amount of any contributions remaining unpaid on the date of discontinuance. The amount to which any teacher is entitled under this section shall be paid to him within 90 days of his request in writing on a form provided by and filed with the local retirement system. All such requests shall be filed prior to July 1, 1959.

2. The district in which the plan is discontinued shall pay monthly to teachers, who were retired prior to the date of such discontinuance, an amount equal to the amount by which the retirement allowance to which any said retired teacher was entitled under said plan exceeds the increase in said teacher's retirement allowance under the State Teachers' Retirement System after said discontinuance. In lieu of such monthly payment, the district may elect to pay in a single sum the amount which shall be the actuarial equivalent to such monthly amount thereafter payable, according to the interest rate and mortality table currently in use under said plan. Payment of such amount shall discharge fully the district's liability to such teacher under this subdivision. The arrangement under which such amounts are paid by said district shall not be considered to be a local retirement system

for the purposes of Chapter 14 of Division 7 of the Education Code, nor shall said amount be taken into account in the calculation of the retirement allowances under the State Teachers' Retirement System.

(b) Any person who was retired prior to July 1, 1956, from a position requisite for membership in the State Teachers' Retirement System, under a district supplemental retirement salary plan which has been discontinued pursuant to this section, and elected either under said plan or under said system, but not under both, to have a portion of his retirement allowance modified according to an option under which he would receive a smaller allowance and provide for a benefit for his beneficiary, said person shall have the right, to be exercised not later than 60 days after the effective date of his section, to change his election under the State Teachers' Retirement System with respect to said options. Any computations of actuarial equivalents under a changed election shall be made as of the said effective date, and no adjustment shall be included in the computation on account of retirement allowance payments made prior to that date.

CHAPTER 42

An act to add Section 123 to the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), relating to municipal water districts, to provide a procedure to determine validity of certain contracts.

[Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

In effect July 5, 1956

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

SECTION 1. Section 123 is added to the Municipal Water District Act of 1911 to read:

Sec. 12.3. A district may at any time after execution of any contract authorized by paragraph 14 of Section 12 bring an action in the superior court in the county where the greater part of the land of the district is situated to determine the validity of the contract. The action is in rem. Jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in a newspaper of general circulation published in the county where the action is pending and designated by the court in which the action is pending. Jurisdiction is complete 10 days after the completion of the publication of summons. Before the expiration of the 30 days after jurisdiction is acquired any person interested may appear and contest the validity of the contract. If no action has been brought by the district pursuant to this section any district taxpayer may at any time within 30 days after the execution of such contract, or within 30 days after the effective date of this act, whichever is later, bring an action in such superior court to determine the validity of the contract. The

district shall be the defendant. If more than one action is pending at the same time concerning similar contests provided for by this section, they shall be consolidated and tried together. The rules of pleading and practice not inconsistent with the provisions of this section are applicable to all actions provided for by this section. In an action provided for by this section, the court shall disregard any irregularity or omission which does not affect the substantial rights of the parties. The action shall be speedily tried. The judgment shall declare the contract either valid or invalid. The motion for a new trial of any action provided by this section shall be heard and determined within 10 days from the filing of the notice of intention. The costs of any hearing or contest may be allowed and apportioned between the parties or taxed to the losing party. Any party may appeal at any time within 30 days after the entry of the judgment. The appeal shall be heard and determined within three months from the taking of the appeal. No contest of any thing or matter herein provided shall be made other than in the time and manner herein specified.

CHAPTER 43

An act to amend Section 12 of, and to add Section 12.1 to, the Sonoma County Flood Control and Water Conservation District Act, relating to taxes in the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

In effect inimediately [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

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

Section 12 of the Sonoma County Flood Con-Section 1. trol and Water Conservation District Act is amended to read: The board in any year shall have the power to levy a tax, which shall be in addition to taxes for the payment of and interest on any bonded indebtedness, upon the taxable property in said district. Said tax shall be levied and collected at the same time and in the same manner, together with and not separately from taxes for county purposes, and not to exceed, however, the sum of four cents (\$0.04) on each one hundred dollars (\$100) of the assessed valuation of all property within the district, measured by the county assessment roll last equalized prior to the levying of said tax, to pay for the construction, maintenance, or repair of any projects in the district or to pay the costs and expenses of surveys, compensation for clerical, engineering, legal, printing and advertising of all resolutions, notices, and other matter required to be printed, posted or published, all costs and expenses of legal actions or proceedings, and also the rental or purchase of real or personal property used in connection with such work and surveys, or any other of its purposes and to repay the county

any and all moneys loaned to the district for the purposes herein stated and prior to the receipt of taxes.

SEC 2. Section 12.1 is added to the Sonoma County Flood Control and Water Conservation District Act. to read:

Sec. 12.1. The board in any year shall have the power to levy a tax, which shall be in addition to other taxes of the district, upon the taxable property in the district. The tax shall be levied and collected at the same time and in the same manner, together with and not separately from taxes for county purposes, and not to exceed, however, the sum of six cents (\$0.06) on each one hundred dollars (\$100) of the assessed valuation of all property within the district, measured by the county assessment roll last equalized prior to the levying of said tax, to pay for the construction, maintenance or repair of any flood control and drainage project in the district; provided, however, that the project, upon which funds derived from the tax authorized by this section are to be expended, shall be approved by the chief engineer of the district and by the board; and provided further, that the funds authorized to be expended by this section shall not be used to pay in excess of 25 percent of the cost of any such project, and the balance of the cost of any such project shall be paid by matching funds from private sources, the State or Federal Government or agencies thereof, public agencies or subdivisions, or funds derived from taxes levied within individual zones within the district.

SEC. 3. The provisions of Section 2 of this bill, adding Section 12.1 to the Sonoma County Flood Control and Water Conservation District Act, shall remain effective until June 30, 1959, and thereafter shall be of no force or effect.

SEC. 4. 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 recent disastrous floods have made appropriate flood control facilities of utmost importance and in order to finance such urgently needed flood control facilities it is necessary that this act go into immediate effect.

CHAPTER 44

An act to amend Section 12657 of the Water Code, relating to flood control, declaring the urgency thereof, to take effect immediately.

> [Approved by Governor April 13, 1956, Filed with Secretary of State April 16, 1956]

In effect immediately

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

Section 1 Section 12657 of the Water Code is amended to read:

12657. Except as otherwise provided in Chapters 1 and 2 of this part, the Reclamation Board shall give assurances

satisfactory to the Secretary of War that the local cooperation, required by Section 3 of the act of Congress approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress, Second Session), and Section 2 of the act of Congress approved August 18, 1941 (Public, Numbered 228, Seventy-eighth Congress, First Session), will be furnished by the State in connection with the flood control projects authorized and adopted in Sections 12648, 12648.1, 12650, 12651, 12652, 12654, and 12656.5 and on any flood control projects on any stream flowing into or in the Sacramento Valley or the San Joaquin Valley heretofore or hereafter approved and authorized by Congress.

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 project authorized pursuant to this act is essential to protect 3,300 acres of land adjacent to the City of Sacramento from recurrent flooding. In 1950-1951 flood damage in this area was estimated by the Corps of Engineers, United States Army, to be three million four hundred thousand dollars (\$3,400,000) and necessitated the evacuation of 4,500 residents from this suburban area of the City of Sacramento. Even greater damage would result if a similar flood should now occur even though a lesser area would be affected Anticipated federal appropriations for construction of this project in the 1956-57 Fiscal Year render it essential that the State immediately commence acquisition of the necessary right of way to provide flood control measures to protect the people of the State from threatened disaster, and it is, therefore, necessary that this act go into immediate effect.

CHAPTER 45

An act to add Article 3.7 to Chapter 6, Division 4 of the Military and Veterans Code, relating to disaster losses to property being purchased under the veterans farm and home purchase program, and making an appropriation therefor.

In effect July 5, 1956 [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956.]

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

SECTION 1. Article 3.7 is added to Chapter 6, Division 4 of the Military and Veterans Code, to read:

Article 3.7. Disaster Indemnity

989. Out of moneys appropriated for the purpose of carrying out the provisions of this article, the department may indemnify any purchaser, upon his application and under

such policies as the department may, from time to time, prescribe, for the costs of repairing damage to buildings, fences, or other permanent improvements on the property being purchased from the department, caused by storm or flood, which damage was caused by storms or floods occurring in December of 1955 and January and February of 1956.

The department shall be the sole judge of the need and de-

sirability of making such repairs.

989.1. There is hereby appropriated, from any surplus money in the Farm and Home Building Fund of 1943, not required to meet any immediate demand which has accrued against the fund, without regard to fiscal years, the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary to carry out the provisions of this article.

CHAPTER 46

An act to create a flood control district to be called San Joaquin County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers.

> [Approved by Governor April 13, 1956 Filed with Secretary of State April 16, 1956]

In effect July 5, 1956

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

Section 1. This act shall be known and may be cited as the San Joaquin County Flood Control and Water Conservation District Act.

SEC. 2. A flood control district is hereby created to be called the San Joaquin County Flood Control and Water Conservation District. Said district shall consist of all the territory of the County of San Joaquin lying within the exterior boundaries of said county. As used in this act. "district" means the San Joaquin County Flood Control and Water Conservation District.

SEC. 3. The board of supervisors of the district created by this act, by resolutions thereof adopted from time to time, may

establish zones within said district without reference to the boundaries of other zones, setting forth in such resolutions descriptions thereof by metes and bounds and entitling each of such zones by a zone number, and institute zone projects for the specific benefit of such zones. The board may, by resolution, amend the boundaries by annexing property to or by withdrawing property from said zones or may divide existing zones into two or more zones or may superimpose a new or amended zone on zones already in existence, setting forth in such resolutions descriptions of the amended, divided or superimposed zones by metes and bounds and entitling each of such zones by a zone number.

Proceedings for the establishment of such zones may be conducted concurrently with and as a part of proceedings for the instituting of projects relating to such zones, which proceedings shall be instituted in the manner prescribed in Section 12 of this act.

SEC. 4. The objects and purposes of this act are to provide for the control of the flood and storm waters of said district and the flood and storm waters of streams that have their source outside of said district, but which streams and the floodwaters thereof flow into said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining and causing to percolate into the soil within said district, or without such district, such waters, or to save or conserve in any manner all or any of such waters and protect from such flood or storm waters the watercourses, watersheds, harbors, public highways, life and property in said district, and to prevent waste of water or diminution of the water supply in, or exportation of water from said district and to obtain, retain and reclaim drainage, storm, flood and other waters for beneficial use in said district.

SEC. 5. The district is hereby declared to be a body corporate and politic and as such shall have, in addition to the other powers vested in it by this act, the following powers:

- 1. To have perpetual succession.
- 2. To sue and be sued in the name of said district.
- 3. To adopt a seal.
- 4. To acquire by grant, purchase, lease, gift, devise, contract, condemnation, construction, or otherwise, and to hold, use, enjoy, sell, let, and dispose of real and personal property of every kind, including lands, structures, buildings, rights of way, easements, and privileges, and to construct, maintain, alter and operate any and all works or improvements, within or without the district, necessary or proper to carry out any of the objects or purposes of this act and convenient to the full exercise of its powers, and to complete, extend, add to, alter, remove, repair or otherwise improve any works, or improvements, or property acquired by it as authorized by this act.
- 5. To store water in surface or underground reservoirs within or outside of the district for the common benefit of

the district or of any zone or zones affected; to conserve and reclaim water for present and future use within the district; to appropriate and acquire water and water rights, and import water into the district and to conserve within or outside of the district, water for present and future use within the district; to commence, maintain, intervene in, defend or compromise, in the name of the district, or otherwise, and to assume the costs and expenses of, any action or proceeding involving or affecting the ownership or use of waters or water rights within or without the district, used or useful for any purpose of the district or of common benefit to any land situated therein, or involving the wasteful use of water therein; to commence, maintain, intervene in, defend and compromise and to assume the cost and expenses of any and all actions and proceedings now or hereafter begun; to prevent interference with or diminution of, or to declare rights in the natural flow of any stream or surface or subterranean supply of waters used or useful for any purpose of the district or of common benefit to the lands within the district or to its inhabitants; to prevent unlawful exportation of water from said district; to prevent contamination, pollution or otherwise rendering unfit for beneficial use the surface or subsurface water used or useful in said district, and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger or damage the inhabitants, lands, or use of water in, or flowing into, the district; provided, however, that said district shall not have power to intervene or take part in, or to pay the costs or expenses of, actions or controversies between the owners of lands or water rights which do not affect the interest of the district.

6. To control the flood and storm waters of said district and the flood and storm waters of streams that have their sources outside of said district, but which streams and the floodwaters thereof, flow into said district, and to conserve such waters for beneficial and useful purposes of said district by spreading, storing, retaining and causing to percolate into the soil within or without said district, or to save or conserve in any manner all or any of such waters and protect from damage from such flood or storm waters the watercourses, watersheds, harbors, public highways, life and property in said district, and the watercourses outside of the district of streams flowing into the district, and to prevent waste of water or diminution of the water supply in, or exportation of water from said district, and to obtain, retain and reclaim drainage, storm, flood and other waters for beneficial use in said district; provided, that nothing in this act contained shall authorize the carrying out of any plan of improvement, the purpose of which is, or the effect of which will be, to take water which flows in any watershed in said district and transport or sell same for use anywhere outside of the district when the water level of any gravel beds within the district is below the normal level and

such water could reasonably be used to replenish the water level of said gravel beds; provided further, that none of the provisions of this act shall preclude the exercise by any other political subdivision that may now or hereafter exist, wholly or in part, within the district from exercising its powers, although such powers may be of the same nature as the powers of said district. Any such other political subdivision which owns property or facilities of a type that may be owned by the district may, by written agreement with the district, provide for the use, or joint use, of such property or facilities, or for the use or joint use, of property or facilities in which said district has an interest.

7. To cooperate and to act in conjunction with the State of California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the Government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, or with any public district, or with any public or private corporation, or with any city, city and county, or county, in the construction of any works for the controlling of flood or storm waters of or flowing into said district or for the protection of life or property therein, or for the purpose of conserving any waters whatsoever for beneficial use within said district, or in any other works, acts, or purposes provided for herein, and to adopt and carry out any definite plan or system of work for any such purpose.

8. To carry on technical and other investigations of all kinds, make measurements, collect data and make analyses, studies, and inspections pertaining to water supply, water rights, control of floods and use of water, both within and withont said district, and for such purposes said district shall have the right of access through its authorized representatives to all properties within said district. The district, through its authorized representatives, may enter upon such lands and make examinations, surveys, and maps thereof and such entry shall constitute no cause of action in favor of the owners of such land, except for injuries resulting from negligence, wantonness, or malice.

9 To enter upon any land, to make surveys and locate the necessary works of improvement and the lines for channels, conduits, canals, pipelmes, roadways and other rights of way; to acquire by purchase, lease, contract, condemnation, gift, devise, or other legal means all lands and water and water rights and other property necessary or convenient for the construction, use, supply, maintenance, repair and improvement of said works, including works constructed and being constructed by private owners, lands for reservoirs for storage of necessary water, and all necessary appurtenances, and also where necessary or convenient to said end, and for said purposes and uses, to acquire and to hold, the capital stock of any mutual water company or corporation, domestic or foreign, owning water or water rights, canals, water works, franchises, concessions, or rights, when the ownership of such stock is

necessary to secure a water supply required by the district or any part thereof, upon the condition that when holding such stock, the district shall be entitled to all the rights, powers and privileges, and shall be subject to all the obligations and liabilities conferred or imposed by law upon other holders of such stock in the same company; to enter into and do any acts necessary or proper for the performance of any agreement with the United States, or any state, county, district of any kind, public or private corporation, association, firm or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any rights, works or other property of a kind which might be lawfully acquired or owned by the district; to acquire the right to store water in any reservoirs, or to carry water through any canal, ditch or conduit not owned or controlled by the district; to grant to any owner or lessee the right to the use of any water or right to store such water in any reservoir of the district, or to carry such water through any tunnels, canal, ditch, or conduit of the district; to enter into and do any acts necessary or proper for the performance of any agreement with any district of any kind, public or private corporation, association, firm or individual, or any number of them for the transfer or delivery to any such district, corporation, association, firm or individual of any water right or water pumped, stored, appropriated or otherwise acquired or secured, for the use of the district, or for the purpose of exchanging the same for other water, water right or water supply in exchange for water, water right or water supply to be delivered to said district by the other party to said agreement.

10. To incur indebtedness and to issue bonds in the manner herein provided.

11. To cause taxes or assessments to be levied and collected for the purpose of paying any obligation of the district, and to carry out any of the purposes of this act, in the manner hereinafter provided.

12. To make contracts, and to employ labor, and to do all acts necessary for the full exercise of all powers vested in said

district or any of the officers thereof by this act.

13. To exercise the right of eminent domain within said district, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, whether such property be already devoted to any public use by any district or other public corporation, or agency, or otherwise; provided, however, that the district in exercising such power shall in addition to the damage for the taking, injury, or destruction of property, also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cable, poles, of any public utility which is required to be moved to a new location; and provided further, that, notwithstanding any other provision of

this act or any other law, no property shall be taken unless it is taken upon a finding by a court of competent jurisdiction that the taking is for a more necessary public use than that to which it has already been appropriated; and provided further, that no right shall exist in said district to take by proceedings in eminent domain any property, including water rights, appropriated to public use by any existing city and county or municipal utility district. The district shall also have and may exercise the right to condemn any existing works or improvements in said district or along streams flowing into said district now or hereafter used to control flood or storm waters, or to conserve such flood or storm waters or to protect any property in said district or along streams flowing into said district from damage from such flood or storm waters, and it is hereby declared that the use of the property, lands, rights of way, easements, or materials which may be condemned, taken or appropriated under the provision of this act is a public use subject to the regulation and control of the State in the manner prescribed by law; provided, however, that nothing in this act contained shall be deemed to authorize said district, or any person or persons to divert the waters of any river, creek, stream, irrigation system, canal or ditch, or the waters thereof or therein unless compensation therefor be first provided in the manner prescribed by law.

The power of eminent domain vested in the district shall include the power to condemn in the name of the district either the fee simple or any lesser estate, easement, or interest in any real property which the board of supervisors of the district by resolution shall determine is necessary for carrying out the purposes of this act. Such resolution shall be prima facie evidence that the taking of such fee simple or any lesser estate or easement or interest, as the case may be, is necessary.

Whenever real property which is devoted to or held for some other public or quasi-public use is required by the district for any purpose authorized by this act, the district may condemn real property adjacent thereto or in the immediate vicinity thereof to be exchanged for the real property so required by the district

Nothing in this act contained shall be construed as in any way affecting the plenary power of any existing city and county or municipal utility district to provide for a water supply for such city and county or municipal utility district, or as affecting the absolute control of any properties of such city and county or municipal utility district necessary for such water supply and nothing herein contained shall be construed as vesting any power of control over such properties in such San Joaquin County Flood Control and Water Conservation District or in any officer thereof, or in any person referred to in this act.

14. To make contracts with the County of San Joaquin, and to employ labor for the purpose of doing flood control work and for inspecting and passing upon the adequacy of drainage

plans provided for each proposed new subdivision in the County of San Joaquin.

Sec. 6. The Board of Supervisors of San Joaquin County shall be and is hereby designated as, and empowered to act as, ex officio the Board of Supervisors of the San Joaquin County Flood Control and Water Conservation District. As used elsewhere in this act the terms "board" and "board of supervisors" mean the Board of Supervisors of the San Joaquin County Flood Control and Water Conservation District.

Each member of the board of supervisors of the district shall receive as compensation for his services twenty-four dollars (\$24) per month and his actual and necessary expenses in the performance of official duties under this act, payable from the funds of said district in addition to his salary as county supervisor.

All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of San Joaquin.

Sec. 7. The board shall appoint a commission consisting of seven (7) members, four (4) of whom shall be freeholders of the unincorporated territory of the County of San Joaquin. The board may delegate any or all of its powers to the commission. The board may by resolution provide for compensation for services and payment of the actual necessary expenses incurred by said members in the performance of official duties under this act payable from the funds of the district Members of the commission shall serve at the pleasure of the board.

When the board of supervisors has delegated any or all of its powers to the commission, the terms "board" and "board of supervisors" mean the commission. The commission may, by resolution, certified to by the chairman of the commission, take action with reference to any and all matters which have been delegated to it by the Board of Supervisors of the County of San Joaquin.

SEC. 8. The District Attorney, County Surveyor, County Assessor, County Tax Collector, County Clerk, County Auditor, Purchasing Agent and County Treasurer of the County of San Joaquin, and their successors in office, and all their assistants, deputies, clerks and employees, and all other officers of said San Joaquin County, their assistants, deputies, clerks and employees, shall be ex officio officers, assistants, deputies, clerks and employees, respectively, of the district, and shall respectively perform, unless otherwise provided by the board, the same various duties for the district as for said San Joaquin County, in order to carry out the provisions of this act

All such officers, deputies, clerks and employees shall receive their actual necessary expenses in the performance of official duties under this act payable from the funds of the district. SEC. 9. The board shall have power to make and enforce all needful rules and regulations for the administration and government of the district, and in addition to the officers and employees herein otherwise prescribed, the board may in its discretion appoint a chairman, a secretary and such other officers, agents and employees for the board or district as in its judgment may be deemed necessary, prescribe their duties and fix their compensation. Such officers, agents and employees shall be appointed under and pursuant to the civil service rules and regulations of the County of San Joaquin; provided, however, that the chairman and secretary of the board, and experts, consultants or technical or other advisers for particular purposes and laborers, employed for a temporary period, may be appointed by the board without reference to any classified civil service list.

The Civil Service Commission of the County of San Joaquin and the civil service department of said county shall be ex officio the civil service commission and ex officio the civil service department of the district and said commission and the members of said department shall perform all of the duties herein prescribed without additional compensation except that the district shall pay for any necessary additional expenses incurred by reason of the performance of said additional duties for the district.

- Sec. 10. The board shall have jurisdiction and power by resolution to employ competent registered civil engineers to investigate and carefully devise a plan or plans to control the flood and storm waters of the district, and the zones thereof, and the flood and storm waters of streams that have their sources outside of said district but which streams and the floodwaters thereof flow into said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within or without the district, or to save or conserve in any manner, any or all of such waters, and to protect the public highways, life and property within the district, and the watercourses, harbors, and watersheds of streams flowing into the district, from damage relating to such waters; and to obtain such other information in regard thereto as may be deemed necessary or useful for carrying out the purposes of this act; and such resolution may direct such engineer or engineers to make and file reports from time to time with the board, which shall show:
- 1. A general description of the work proposed to be done, together with general plans, profiles, cross-sections, and general specifications relating thereto, on each project or work of improvement.
- 2. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work.
- 3. A map or maps which shall show the location and zones, as may be required, of each of said projects or improvements, and lands, rights of way, easements and property to be taken,

acquired or injured in carrying out said work, and any other information in regard to the same that may be deemed necessary or useful.

4. An estimate of the cost of each project or work of improvement, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said project or work of improvement, and also of all incidental expenses incurred or likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and stating the total amount of bonds, if any, necessary to be issued to pay for the same.

Such engineer or engineers shall from time to time and as directed by the board file with the board supplementary, amendatory and additional reports and recommendations, as necessity and convenience may require.

SEC. 11. The board shall determine which projects or works of improvement shall be carried out and shall determine, as to each project or work of improvement, that it is either:

1. For the common benefit of the district as a whole; or

2. For the benefit of two or more zones hereinafter referred to as participating zones; or

3. For the benefit of a single zone.

Sec. 12. The board may institute projects for single zones and joint projects for two or more zones, for the financing, constructing, maintaining, operating, extending, repairing or otherwise improving any work or improvement of common benefit to such zone or participating zones. For the purpose of acquiring authority to proceed with any such project, the board shall adopt a resolution specifying its intention to undertake such project, together with the engineering estimates of the cost of same to be borne by the particular zone and in the case of participating zones the proportionate cost to be borne by each of the participating zones and fixing a time and place for public hearing of said resolution and which shall refer to a map or maps showing the general location and general construction of said project. Notice of such hearing shall be given for a period of not less than twenty (20) days. If there is a newspaper of general circulation published in the territory proposed to be formed into a zone, notice shall be given by publication once a week for two (2) consecutive weeks prior to the hearing, the last publication of which must be at least seven (7) days before said hearing. If there is no such newspaper, notice shall be given by posting notice of the hearing for a period of fourteen (14) days prior to said hearing in five (5) public places as their said territory designated by the board. Said notice shall designate a public place in any such zone where a copy of the map of the project may be seen by any interested person.

At the time and place fixed for the hearing, or at any time to which said hearing may be continued, the board shall consider all written and oral objections to the proposed project

and to the inclusion or exclusion of property within the proposed zone or participating zone. Upon the conclusion of the hearing the board may abandon the proposed project or proceed with the same, unless prior to the conclusion of said hearing a written protest against the proposed project signed by a majority in number of the holders of title to real property, or assessable rights therein, or evidence of title thereto, representing one-half or more of the assessed valuation of the real property within such zone or within any of the participating zones for which said project was initiated, be filed with the board, in which event further proceedings relating to such project must be suspended for not less than six months following the date of the conclusion of said hearing, or said proceeding may be abandoned in the discretion of the board, and if the board proceeds with a proposed project it shall exclude from the zone or participating zones all property which will not be benefited by the proposed project.

In all matters in this section referred to, the last equalized assessment roll of the County of San Joaquin next preceding the filing of the protest shall be prima facie evidence as to the ownership of real property, the names and number of the persons who are the holders of title or evidence of title, or assessable rights therein, and as to the assessed valuation of real property within the zone or within any of the participating zones for which the project was initiated.

Executors, administrators, special administrators, and guardians may sign the protest provided for in this act on behalf of the estate represented by them. If the property is assessed in the name of such representatives, that fact shall establish the right of such representatives to sign the protest; if assessed in the name of the decedent, minor or incompetent person, certified copies of the letters or such other evidence as may be satisfactory to the board must be produced.

Where real property appears to be owned in common or jointly or by a partnership, or where letters of representatives of decedents, minors or guardians are joint, only one of the owners or representatives or partners may sign the protest for all joint owners or representatives or partners; provided, the party claiming the right to protest for all produces the written consent of his co-owners or representatives or partners so to do, duly acknowledged by the consenting co-owners or representatives or partners in the manner that deeds of real property are required to be acknowledged to entitle such deeds to be recorded in the recorder's office of the county.

Where real property is assessed in the name of a trustee or trustees, such trustee or trustees shall be deemed to be the person entitled to sign the protest, and if assessed in the name of more than one trustee the right to sign the protest shall be determined in like manner as above provided with respect to co-owners.

The protest of any public or quasi-public corporation, private corporation or unincorporated association, may be signed

by any person authorized by the board of directors or trustees or other managing body thereof, which authorization shall be in writing; and a proxy executed by an officer or officers thereof, attested by its seal and duly acknowledged, shall constitute sufficient evidence of such authority, and shall be filed with the board.

The owner of any real property or interest therein, appearing upon the assessment roll, which has been assessed in the wrong name or to unknown owners, or which has passed from the owner appearing as such on the last equalized assessment roll, since the same was made, shall be entitled to sign the protest represented thereby, either by the production of a proxy from such former owner, or by furnishing evidence of his ownership by a conveyance duly acknowledged showing the title to be vested in the person claiming the right to sign the protest, accompanied by a certificate of a competent searcher of titles, certifying that a search of the official records of the county, since the date of the conveyance, discloses no conveyance or transfer out from the grantee or transferee named in the conveyance

Where the real property has been contracted to be sold, the vendee shall be entitled to sign the protest, unless such real property is assessed in the name of the vendor, in which event the vendor shall be entitled to so do

The board shall likewise be entitled to inquire and take evidence for the purpose of identifying any person claiming the right to sign the protest as being the person shown on the assessment roll or otherwise as entitled thereto And, unless satisfactory evidence is furnished, the right to sign said protest may be denied.

SEC 13 The board shall have power, in any year:

- 1 To levy ad valorem taxes or assessments upon all property in the district to pay the general administrative costs and expenses of the district, and to carry out any of the objects or purposes of this act of common benefit to the district; provided, however, that said ad valorem tax or assessment shall not exceed two cents (\$0.02) on each one hundred dollars (\$100) of assessed valuation, and
- 2 To levy taxes or assessments in each or any of said zones and participating zones to pay the cost and expenses of carrying out, constructing, maintaining, operating, extending, repairing or otherwise improving any or all works or improvements established or to be established within or on behalf of said respective zones, according to the benefits derived or to be derived by said respective zones, by either of the following methods:
- (a) By a levy or assessment upon all property within a zone or participating zone, including land, improvements thereon, and personal property;
- (b) By a levy or assessment upon all real property within a zone or participating zones, including both land and improvements thereon. It is declared that for the purposes of any tax

or assessment levied under this subdivision, the property so taxed or assessed within a given zone is equally benefited.

3. To levy taxes or assessments by either method authorized by subdivision 2 of this section in each or any of said zones, according to the special benefits derived or to be derived by the specific properties therein, to pay the cost and expenses of carrying out any of the objects or purposes of this act of special benefit to such zone or zones, including the constructing, maintaining, operating, extending, repairing, or otherwise improving any or all works of improvement established or to be established within or on behalf of said respective zone or zones.

In the event of project cooperation with any of the governmental bodies as authorized in subdivision 7 of Section 5 of this act, and requiring the making of a contract with any such governmental body for the purposes set forth in said subdivision 7, by the terms of which work is to be performed by any such governmental body in any specified zone or participating zones, for the particular benefit thereof, and by said proposed contract the district is to pay to such governmental body, a sum of money in consideration or subvention for the performance of said work by such governmental body, the board may, after proceedings in the manner prescribed in Section 11 of this act, levy and collect a special tax or assessment upon the property in such zone or participating zones, whereby to raise funds to enable the district to make such payment, in addition to other taxes or assessments herein otherwise provided for.

Said taxes or assessments shall be levied and collected together with, and not separately from taxes for county purposes, and the revenues derived from said district taxes or assessments shall be paid into the county treasury to the credit of said district, or the respective zones thereof, and the board shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any zone from the taxes or assessments levied under the provisions of subdivision 2 or 3 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone, except in the case of joint projects, or for projects authorized or established outside such zone, or zones, but for the benefit thereof. In cases of projects joint to two or more zones, such zones will become, and shall be referred to as, participating zones.

Sec. 14. (1) Whenever the board determines that a bonded indebtedness should be incurred to pay the cost of any work or improvement in any zone or zones, the board may, by resolution, determine and declare the respective amounts of bonds necessary to be issued in each zone in order to raise the amount of money necessary for each work or improvement and the denomination and the maximum rate of interest of said bonds. The board shall cause a copy of the resolution, duly certified by the clerk, to be filed for record in the Office of the Recorder of San Joaquin County within five days after its issuance.

From and after said filing of said copy of said resolution the board shall be deemed vested with the authority to proceed with the bond election.

- (2) After the filing for record of the resolution specified in subdivision (1) of this section, the board may call a special bond election in said zone or participating zones at which shall be submitted to the qualified electors of said zone or participating zones the question whether or not bonds shall be issued in the amount or amounts determined in said resolution and for the purpose or purposes therein stated. Said bonds and the interest thereon shall be paid from revenue derived from annual taxes or assessments levied as provided in this act.
- (3) Said board shall call such special bond election by ordinance and not otherwise and submit to the qualified electors of said zone or participating zones, the proposition of incurring a bonded debt in said zone or participating zones in the amount and for the purposes stated in said resolution and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred; provided, that it shall be sufficient to give a brief, general description of such objects and purposes, and refer to the recorded copy of such resolution adopted by said board, and on file for particulars; and said ordinance shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and the maximum rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, and the form and contents of the ballot to be used. The rate of interest to be paid on such indebtedness shall not exceed five percent (5%) per annum. For the purposes of said election, said board shall in said ordinance establish special bond election precincts within the boundaries of each zone and participating zone and may form election precincts by consolidating the precincts established for general elections in said district to a number not exceeding six general precincts for each such special bond election precinct, and shall designate a polling place and appoint one inspector, one judge and one clerk for each of such special bond election precincts.

In all particulars not recited in said ordinance, such special bond election shall be held as nearly as practicable in conformity with the general election laws of the State.

Said board shall cause a map or maps to be prepared covering a general description of the work to be done, which said map shall show the location of the proposed works and improvements and shall cause the said map to be posted in a prominent place in the county courthouse for public inspection for at least thirty (30) days before the date fixed for such election.

Said ordinance calling for such special bond election shall, prior to the date set for such election, be published in a newspaper of general circulation circulated in each zone and participating zone affected for six consecutive times if published

in a daily newspaper of general circulation, or two times if published in a weekly newspaper of general circulation. The last publication of such ordinance must be at least fourteen (14) days before said election, and if there be no such newspaper, then such ordinance shall be posted in five public places designated by the board, in each zone and participating zone for at least thirty (30) days before the date fixed for such election No other notice of such election need be given nor need polling place cards be issued.

Any defect or irregularity in the proceedings prior to the calling of such special bond election shall not affect the validity of the bonds authorized by said election. Where a project affects a single zone only, if at such election two-thirds $(\frac{2}{3})$ of the votes cast in said zone on the proposition of incurring a bonded indebtedness are in favor thereof, then bonds for such zone for the amount stated in such proceedings shall be issued and sold as in this act provided. Where the incurring of bonded indebtedness by participating zones is to be determined at such election, no bonds for any of such participating zones shall be issued or sold unless two-thirds $(\frac{2}{3})$ of the votes cast on the proposition in each such participating zone are in favor of incurring the bonded indebtedness to be undertaken by such zone.

SEC. 15. The board shall, subject to the provisions of this act, prescribe by resolution the form of said bonds, which must include a designation of the zone or participating zone affected, and of the interest coupons attached thereto. Said bonds shall be payable annually or semiannually at the discretion of the board each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The board may divide the principal amount of any issue into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of any other series. The maturity of each series shall comply with this section. The board may fix a date, not more than two years from the date of issuance, for the earliest maturity of each issue or series of bonds. Beginning with the date of the earliest maturity of each issue or series, not less than one-fortieth of the indebtedness of such issue or series shall be paid every year. The final maturity date shall not exceed 40 years from the time of incurring the indebtedness evidenced by each issue or series.

The bonds shall be issued in such denomination as the board may determine, except that no bonds shall be of a less denomination than one hundred dollars (\$100), nor of a greater denomination than one thousand dollars (\$1,000), and shall be payable on the days and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of five per centum (5%) per annum, and shall be made payable annually or semiannually, and said

bonds shall be numbered consecutively and shall be signed by the chairman of the board, and countersigned by the auditor of said district, and the seal of said district shall be affixed thereto by the clerk of the board. Either or both such signatures may be printed, engraved or lithographed. The interest coupons of said bonds shall be numbered consecutively and signed by the said auditor by his printed, engraved or lithographed signature In case any such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such bonds and coupons, and signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

Sec. 16. The board may issue and sell the bonds of any such zones authorized at not less than par value. Before selling the bonds, or any part thereof, the board shall give notice not less than 10 days prior to the date of sale by publication in a newspaper of general circulation circulating in the district inviting scaled bids in such manner as the board shall prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale. The proceeds of the sale of such bonds shall be placed in the Treasury of the County of San Joaquin to the credit of said district and the respective participating zones thereof, for the uses and purposes of the zone or zones voting said bonds; and the proper record of such transactions shall be placed upon the books of said county treasurer, and said respective zone funds shall be applied exclusively to the purposes and objects mentioned in the ordinance calling for such special bond election as aforesaid, subject to the provisions in this act contained. Payments from said zone funds shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the County of San Joaquin

SEC. 17. Any bonds issued under the provisions of this act, and the interest thereon, shall be paid by revenue derived from an annual tax or assessment levied as provided in clause (a) or (b) of subdivision 2 of Section 13 of this act. No zone nor the property therein shall be liable for the bonded indebtedness of any other zone, nor shall any moneys derived from taxation or assessments in any of the several zones be used in payment of principal or interest or otherwise of the bonded indebtedness chargeable to any other zone.

SEC. 18. The board shall levy a tax or assessment each year sufficient to pay the interest and such portion of the principal of said bonds as is due or to become due before the time for making the next general tax levy. Such taxes or assessments shall be levied and collected in the respective zones of issuance

together with and not separately from taxes for county purposes, and when collected shall be paid into the County Treasury of said San Joaquin County to the credit of the zone of issuance, and be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the County Treasurer of said San Joaquin County in the manner provided by law for the payment of principal and interest on bonds of said county.

Sec. 19. The provisions of law of this State, prescribing the time and manner of levying, assessing, equalizing and collecting county property taxes, including the sale of property for delinquency, and the redemption from such sale, and the duties of the several county officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act. All property exempt from taxation for county purposes under the provisions of the Revenue and Taxation Code of the State of California is exempt from taxation for the purposes of this act. Property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to this State, or to any county, city and county, or municipal corporation within this State shall be exempt from assessment, except such lands and the improvements thereon located outside of the county, city and county or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said county, city and county, or municipal corporation; provided, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to assessment.

Sec. 20. The total amount of taxes and assessments levied on property within any zone shall not exceed twenty cents (\$0 20) on each one hundred dollars (\$100) of assessed valuation, exclusive of the amounts necessary for interest and redemption of any bonds voted within such zone.

SEC. 21 Notwithstanding Title 5, Division 2, Part 1, Chapter 8, of the Government Code, the San Joaquin County Flood Control and Water Conservation District is validly created for the purposes of assessment and taxation. The creation of any zone in the district shall not be effective for purposes of assessment or taxation for the Fiscal Year 1956-57 and shall not be effective for such purposes for any fiscal year thereafter unless the statement and map or plat required by Title 5, Division 2, Part 1, Chapter 8, of the Government Code are filed with the county assessor and the State Board of Equalization on or before the first of February of the year in which the assessments or taxes are to be levied. Until such time as the creation of any zone shall be effective for purposes of assessment or taxation, any tax or assessment levied by the

board shall be levied at a uniform rate on all property in the district.

For the Fiscal Year 1956-57, but for no other fiscal year, notwithstanding Section 19 of this act, the assessment and equalization of property for the purpose of district taxation shall be effected as provided in this section.

Assessments of this district for the Fiscal Year 1956-57 are liens on the property the same as if they were county taxes, except that the district assessment liens attach as of noon on the day after this act becomes effective.

It is presumed that the assessments of property made by the county assessor and by the State Board of Equalization for county taxation purposes for the Fiscal Year 1956-57 are the correct assessments for purposes of assessment by the district and the rolls prepared by the county assessor and the State Board of Equalization shall be used for purposes of levying and collecting the assessments for the district. If the ownership or taxable situs or value of any property changes between noon on the first Monday in March, 1956, and the date on which attaches the lien for assessments of the district for the Fiscal Year 1956-57, then, on petition of the taxpayer affected to the assessing authority, suitable entry shall be made on the assessment roll, in the manner prescribed by the State Board of Equalization, to indicate such change in the ownership or taxability or value of the property for purposes of assessment by the district.

In equalizing the assessments made by the county assessor, the Board of Supervisors of San Joaquin County, sitting as the county board of equalization, in addition to its regular equalization duties shall also, in the same manner and under the same rules, equalize the valuation of property for purposes of assessment by the district in accordance with the requirements of this section and any such changes made by the county board of equalization in the assessment roll shall be entered in the manner prescribed by the State Board of Equalization.

If, for purposes of assessments by the district, a change in the assessment for county taxation purposes is not sought under this section before the end of the period during which such assessment may be equalized, or corrected on a petition for reassessment, such assessment, if valid for county taxation purposes, is conclusively presumed to be the correct assessment for assessment purposes of the district.

The board may prescribe by ordinance any necessary procedure, in accordance with the policy of this act, for the purpose of assessing, equalizing, levying, and collecting taxes or assessments for the district for the Fiscal Year 1956-57. Except as provided in this section. Section 19 of this act is applicable to the assessment and equalization of property for the purpose of district assessments for the Fiscal Year 1956-57.

Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5 of the Government Code does not apply to the San Joaquin County Flood Control and Water Conservation District with respect to any tax or assessment levied by the district for the Fiscal Year 1956-57.

SEC. 22. A zone formed or proposed to be formed under this act, or the acquisition of any property or the construction of any improvement thereby, shall not be subject to any of the provisions of the District Investigation Law of 1933.

SEC 23. The bonds of the district issued for any zone thereof pursuant to this act shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever any money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or municipalities in the State of California, such money or funds may be invested in the said bonds of said district issued in accordance with the provisions of this act, and whenever bonds of cities, cities and counties, school districts or municipalities, may by any law now or hereafter enacted be used as security for the performance of any act, such bonds of said district may be so used

This section of this act is intended to be and shall be considered the latest enactment with respect to the matters berein contained and any and all acts or parts of acts in conflict with the provisions hereof are hereby repealed.

SEC. 24. All bonds issued by said district under the provisions of this act shall be free and exempt from all taxation within the State of California. It is hereby declared that the district organized by this act is a reclamation district and an irrigation district within the meaning of Section 13 of Article XIII and Section 13 of Article XI of the Constitution of this State.

Sec. 25. All contracts for any improvement or unit of work when the cost thereof according to the estimate of the engineer will exceed two thousand dollars (\$2,000), shall be let to the lowest responsible bidder or bidders in the manner hereinafter provided. The board shall first determine whether such contract shall be let as a single unit for the whole of the work, or shall be divided into severable convenient parts, or both, according to the best interests of the district. The board shall make call for bids and advertise such call by three (3) insertions in a daily newspaper of general circulation or by two (2) insertions in a weekly newspaper of general circulation printed and published in said district inviting sealed proposals for the construction or performance of the improvement or work before any contract is made therefor. Such call for bids shall state whether such work is to be performed as a unit for the whole thereof or shall be divided into severable convenient specific parts, or both, as stated in the call. The board may let such work by single contract for the whole thereof as a unit or it may divide such work into severable convenient parts by separate contracts, as stated in such call, according to the best interests of the district. The board shall require the successful bidder or bidders to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Title 1, Division 5, Chapter 3 of the Government Code and to be subject to the provisions of that chapter. The board shall also have the right to reject any and all bids. In the event no proposals are received pursuant to advertisement therefor, or the estimated cost of such work does not exceed the sum of two thousand dollars (\$2,000), or the work consists of channel protection, or maintenance work, or emergency work when necessary in order to protect life and property from impending flood damage, the board of supervisors may, without advertising for bids therefor, have said work done by day labor, under the direction of the board, by contract, or by a combination of the two. The district shall have the power to acquire in the open market without advertising for bids therefor, materials, equipment and supplies for use in any work or for any other purpose; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars (\$2,500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

Sec. 26. Any improvement for which bonds are voted under the provisions of this act, shall be made in conformity with the report, plans, specifications and map theretofore adopted, as above specified, unless the doing of any of such work described in said report, shall be prohibited by law, or be rendered contrary to the best interests of the district by some change of conditions in relation thereto, subsequent to the date of filing the report, plans, specifications and map theretofore adopted, in which event the board of supervisors may order necessary changes made in such proposed work or improvements and may cause any plans and specifications to be made and adopted therefor.

Sec. 27. Whenever bonds have been authorized by any zone or participating zone of said district and said bonds have been issued as in this act authorized, and the board shall by resolution determine that additional bonds should be issued for carrying out the work of flood control, or for any of the purposes of this act, the board may again proceed as in this act provided, and submit to the qualified voters of said zone or participating zone, the question of issuing additional bonds in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this act for the issuing and sale of such bonds, and for the expenditure of the proceeds thereof, shall be deemed to apply to such issue of additional bonds.

SEC. 28. Should a proposition for issuing bonds for any zone or participating zones submitted at any election under this act fail to receive the requisite number of votes of the qualified electors voting at such election to incur the indebtedness for the purpose specified, the board shall not for six months after such election call or order another election in such zone or participating zone for incurring indebtedness and issuing bonds under the terms of this act for the same objects and purposes.

SEC. 29. The board may, with the consent of any holder or holders of outstanding bonds of the district, exchange refunding bonds bearing a lower rate of interest for such outstanding bonds.

Whenever any holder of outstanding bond or bonds shall have consented to such exchange, the board may, by resolution entered in its minutes, order the refunding of such bonds. The resolution shall designate the numbers, denominations, dates of maturity and aggregate principal amounts of the bonds so to be refunded and shall provide for the issuance of refunding bonds in exchange therefor, the form, numbers, denominations, dates of maturity and aggregate principal amounts of which shall be the same as the bonds so to be refunded. The resolution shall also fix the rate of interest said refunding bonds shall bear, which rate shall be less than the rate provided in the bonds to be refunded. The resolution shall also fix the form of the interest coupons attached to said refunding bonds, which shall be the same as the bonds so to be refunded, excepting that the rate and amounts of interest shall be less as hereinabove provided.

The refunding bonds shall be signed by the chairman of the board or such other member of the board as said board may by resolution designate, and shall be countersigned by the treasurer of the district, and the seal of said district shall be affixed thereto. The interest coupons shall be numbered consecutively and signed by the treasurer of said district by his engraved or lithographed signature. In case any officer whose signature or countersignature appears on said bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

Each refunding bond may be exchanged for its corresponding outstanding bond as the board by agreement with the holder of such outstanding bond may determine, except that in effecting such exchange, any and all matured coupons on said refunding bonds shall be detached and canceled and the principal and accrued interest of both issues shall be accepted at par value and the district shall pay said holder in cash out of moneys in the bond interest fund of the district an amount

equal to the difference between the interest on the outstanding bond and on the refunding bond accrued to the date of such exchange.

When any refunding bonds shall have been exchanged, taxes shall be levied and collected to pay the principal and interest thereof as provided by Section 18, all the provisions of which section shall apply to said refunding bonds to the same extent as to original issues.

The refunding bonds shall also be legal investments for fiduciaries and others as provided in Section 23.

Sec. 30. The repeal or amendment of this act shall not in any way affect or release any of the property in said district or any zone thereof from the obligations of any outstanding bonds or indebtedness until all such bonds and outstanding indebtedness have been fully paid and discharged.

Sec. 31. Notwithstanding any provisions of this act to the contrary, the withdrawal of all the area lying within the exterior boundaries of any chartered or incorporated city from the district may be effected by the vote of a majority of the qualified electors of said city voting at any regular or special election on the proposition to withdraw the area lying within such city from the district. Said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge. The city council shall cause the results of the election to be certified to the board of supervisors of the district and if a majority of the votes east on the proposition to withdraw such area from the district are in favor thereof, thereupon the area lying within the exterior boundaries of such city shall no longer be a part of the district; provided, however, that the withdrawal of the area lying within the exterior boundaries of such city from the district shall not release the area so withdrawn from debts and obligations for or upon which it was liable or chargeable at the time such withdrawal was made.

There is hereby granted to the district the right of way for the location, construction and maintenance of flood control channels, ditches, waterways, conduits, canals, storm dikes, embankments, and protective works in, over and across public lands of the State of California, not otherwise disposed of or in use, not in any case exceeding in length or width that which is necessary for the construction of such works and adjuncts or for the protection thereof. Whenever any selection of a right of way for such works or adjuncts thereto is made by the district the board thereof must transmit to the State Lands Commission, the Controller of the State and the recorder of the county in which the selected lands are situated, a plat of the lands so selected, giving the extent thereof and the uses for which the same is claimed or desired, duly verified to be correct. If the State Lands Commission shall approve the selections so made it shall endorse its approval upon the plat and issue to the district a permit to use such right of way and lands

SEC. 33. (a) If by any judgment in condemnation or agreement the district shall be required to relocate any street, road, highway, railroad, canal or other property subject or devoted to public use, the board shall have power to acquire in the name of the district, by agreement or condemnation, all rights of way and other property necessary or proper for compliance with said agreement or said judgment of condemnation and thereafter to make such conveyance of such relocated street, road, highway, railroad, canal, or other property as may be proper to comply with said agreement or judgment.

(b) In the event the district and any common carrier railroad or other public utility fail to agree as to the character or location of new improvements or works sought to be performed by the district, the character and location of such new improvements or works and any other controversy relating thereto shall be submitted to and determined by the Public Utilities Commission; and jurisdiction of such controversies is hereby

vested in said commission.

(c) Proceedings under this section relating to the jurisdiction of said commission may be instituted, maintained, and determined in the mode prescribed in paragraphs 1, 2, 3, 4, 5, 6, and 7 of subsection (c) of Section 43 of the Public Utilities Act as amended by Chapter 855 of the Statutes of 1933.

SEC. 34. Claims against the district whether arising out of contract, tort, or the taking or damaging of property without compensation must be made in writing and filed with the board within six months after the cause of action arises. Claims shall be presented in the general form and manner prescribed by general law relating to the making and filing of claims against counties. Such claims may be amended within said six months to correct defects in form or statement of facts. No action against the district shall be commenced or maintained unless such claim relating thereto has been filed as hereinabove prescribed and action thereon commenced within one year after the cause of action arose.

SEC. 35. The legal title to all property acquired under the provisions of this act shall immediately and by operation of law vest in said district, and shall be held by said district, in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth in this act. The board is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property, as herein provided; and said board may determine, by resolution duly entered in their minutes that any property, real or personal, held by said district is no longer necessary to be retained for the uses and purposes thereof, and may thereafter sell, lease or otherwise dispose of said property in the manner prescribed by law for such action by counties.

The district formed under this act in order to determine the legality of its existence, may institute a proceeding therefor in the Superior Court of this State, in and for the County of San Joaquin, by filing with the clerk of said county a complaint setting forth the name of the district, its exterior boundaries, the date of its organization and a prayer that it be adjudged a legal flood control district formed under the provisions of this act. The summons in such proceeding shall be served by publishing a copy thereof once a week for four weeks in a newspaper of general circulation published in said county. Within thirty (30) days after proof of publication of said summons shall have been filed in said proceeding, the State, any property owner or resident in said district, or any person interested may appear as a defendant in said action by serving and filing an answer to said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of the district and shall be served upon the district attorney before being filed in such proceeding. Such proceeding is hereby declared to be a proceeding in rem and the final judgment rendered therein shall be conclusive against all persons whomsoever, including the district and the State of California.

SEC. 37. The board may require any officer or employee to give bond for the faithful performance of the duties of his office, in such penal sum as may be fixed by the board. When deemed expedient by the board, a master bond may be used which shall provide coverage on more than one officer, employee or agent of the district who is required by the district to give bond. Such bond shall be in the form and for the term which is approved by the board. The premium for such bond shall be paid by the district.

SEC. 38. Notwithstanding any provisions of this act to the contrary, in the event the proceeds from the sale of bonds of any zone are invested temporarily in United States bonds, notes, or certificates of indebtedness, or in other legal investments, pending the expenditure of said funds for the purpose or purposes for which said indebtedness was incurred, any revenue or interest received or accruing therefrom may be used to pay the annual or semiannual installments of principal and/or interest on said bonds as same become due.

SEC 39 This act, and every part thereof, shall be liberally construed to promote the object thereof, and to carry out its intents and purposes

SEC 40. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby

CHAPTER 47

An act making an appropriation to the Division of Beaches and Parks to be used for the repair, restoration, and reconstruction of state park facilities damaged by storm or flood, declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 13, 1956. Filed with Secretary of State April 16, 1956]

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

Section 1. There is hereby appropriated to the Division of Beaches and Parks in the Department of Natural Resources the sum of six hundred sixty-five thousand two hundred dollars (\$665,200) of which six hundred thirty-five thousand two hundred dollars (\$635,200) shall be payable from the State Park Fund and thirty thousand dollars (\$30,000) shall be payable from the State Beach Fund, such amounts to be used by the division with the approval of the State Public Works Board for the repair, restoration, and reconstruction of state park facilities damaged or destroyed by flood or storm after October 1, 1955.

Sec. 2. The money appropriated by this act shall remain available for expenditure until and including June 30, 1959

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:

Recent storms and floods in the State have damaged or destroyed many of the existing facilities in state parks located in the stricken areas. As a result thereof, dangerous and defective conditions exist that must be remedied promptly to protect lives and prevent injuries. It is essential that these facilities be repaired or restored immediately in order that they may be safe for use during the approaching tourist and vacation season. It is therefore essential that this act go into immediate effect in order that funds may be provided to permit the work of repair and reconstruction to be commenced at the earliest possible time.

CHAPTER 48

An act to add Section 8622 to the Water Code, relating to the construction and reconstruction of flood control projects at state expense, making an appropriation, declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 17, 1956 Filed with Secretary of State April 18, 1956]

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

SECTION 1. Section 8622 is added to the Water Code, to read:

Notwithstanding any of the provisions of Chapters 1 and 3 (commencing with Sections 12570 and 12800 respectively) of Part 6 of Division 6, the board may undertake immediate construction or reconstruction of a portion of a project at state expense, if the board determines that it is urgent to immediately construct or reconstruct a portion of an authorized flood control project because of damages resulting from the 1955-56 floods. Any funds heretofore or hereafter appropriated or allocated to the board for the acquisition of lands, easements, and rights of way may be used for the purposes specified in this section.

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

During the 1955-56 floods many bridges, including the Fifth Street Bridge in Marysville, were partially or completely destroyed, which interrupted a most vital transportation service to an already stricken area. The authorized projects of flood control contemplate certain alterations in these bridges and the approaches thereto in order to provide maximum flood protection for the inhabitants and property in the areas adjacent thereto, and it is essential that authority for state construction of these necessary works go into effect as soon as possible in order to guarantee immediate construction.

CHAPTER 49

An act to amend Section 14746 of the Education Code, relating to school district retirement systems, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 20, 1956. Filed with Secretary of State April 24, 1956.]

In effect immediately

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

SECTION 1. Section 14746 of the Education Code is amended to read:

(a) A district retirement salary plan established District under this article in any school district or districts, in which salary plan the average daily attendance of all districts combined is in tinuance excess of 200,000, governed by the same governing board may be discontinued by the governing board of the district or districts, with the consent of the majority of the active members of the system expressing their desires with respect to the discontinuance of the plan evidenced in such manner as the governing board may prescribe; but no discontinuance of any such retirement plan shall be effective for any purpose unless provision is made for retirement allowances for active and retired employees of the district as provided in subdivisions (b), (c), (d), and (e) of this section.

Transfer to State Employees' Retirement System (b) (1) Active and retired employees of the district or districts who otherwise would be members of such plan, other than teachers and persons employed in a status requisite for membership in the State Teachers' Retirement System or who were so employed prior to retirement, shall be made members and beneficiaries, respectively, of the State Employees' Retirement System according to the provisions of Part 3, of Division 5, of Title 2 of the Government Code, including transfer to said system of the accumulated contributions of said employees, together with such other assets of said plan as may be determined

Contribution rates

(2) With respect to persons who are members of such plan at its discontinuance, it shall be provided in the contract making such employees members of the State Employees' Returement System, that their respective rates of contribution thereunder shall be based on the age at the nearest birthday at July 1, 1944, or at the respective later effective dates of their membership in such plan, all instead of the age at the nearest birthday at the effective date of membership in such employees' system

Election re

(3) Each employee of the district or districts who is included in such contract, but who during all or part of his employment in a status requisite for membership in such plan was not a member thereof, because of his election under an available option, or who failed to redeposit upon re-entry into membership contributions previously withdrawn, shall have the right to elect by written document filed with the Board of Administration, State Employees' Retirement System, at any time within 90 days after the date upon which the notice of the right to make such election is mailed by such system to the member's latest address on file in the office of such system, and prior to the date of retirement, to contribute to such system, subject to minimum payments fixed by the board of administration, and in one or more sums, or in not to exceed 60 monthly payments, an amount which, when added to his accumulated contributions, including interest, transferred as required in paragraph (1) of this subdivision (b), will make a total amount equal to the accumulated contributions, including interest, which would have been credited to him in such plan, if he had never elected not to be a member thereof, or if he had redeposited such withdrawn contributions upon such re-entry, as the case may be. Such employee shall pay to the State Employees' Retirement System interest on the unpaid balance of the amount payable to such system, beginning with the date of discontinuance of such plan at the rate of interest currently used from time to time under the system. If such employee elects to make, and makes such contributions, and pays such interest, but not otherwise, he shall receive credit under such employees' system, as state service, for all the service rendered while he was not a member of such plan, because of his optional exclusion, or for all service upon which the withdrawn contributions were based, and for the purpose

of paragraph (2) shall be considered as a member of such plan at its discontinuance and from November 1, 1937, or later beginning date of such service. Regardless of whether such contributions are made, such employee shall receive credit for service with which he was credited or would have been credited if he had been a member, as prior service under such plan The contributions under this paragraph (3) shall be added to and administered in the same manner as the contributions transferred under paragraph (1), of this subdivision (b).

(4) Service rendered by active employees, who are made creat for members of the State Employees' Retirement System, prior to the assumption by the district or districts of the function under which the service was rendered, such as but not limited to cafeterias and student body activities, shall be credited under such employees' system; provided, such service qualified for credit under the discontinued plan

(5) The contract making such active employees members same of the State Employees' Retirement System, shall include such employees with respect to service rendered in a status in which they are not eligible for membership in the State Teachers' Retirement System, as provided in Section 20491 of the Government Code, and also with respect to service rendered in a status in which they are eligible for such membership, but which is no longer credited under such retirement system, and such service shall be credited in the manner applicable to service otherwise qualifying for credit.

(6) Retirement allowances being paid under the discon- retirement tinued plan to retired employees of the district or districts, allowances who are made beneficiaries of the State Employees' Retirement System, shall be changed by action of the governing board of such districts, effective at the discontinuance of such plan, to retirement allowances calculated on the basis of service used in the calculation of the respective allowances under such plan, and average annual salary earnable during the highest three consecutive years of creditable service, calculated according to the methods used at the date of discontinuance, under such plan in determining salary earnable, but excluding any salary based on overtime as provided in Section 20025 2 of the Government Code, but otherwise according to the formulae under such employees' system which apply to active employees who are made members thereof. Such changed allowances shall be paid to such beneficiaries for time commencing on the date they are made beneficiaries of such employees' system. No allowance shall be reduced by such change

(7) If two or more districts under the control and manage- Two or more ment of a single governing board are participants in such plan, distincts one contract between the board of administration and such governing board may include all such districts. The governing board may apportion the total contributions required under the contract, among the districts on the basis of total salaries upon which the contributions are computed, and on the basis of other pertinent information.

Eligibility

(8) Paragraph (1) of this subdivision notwithstanding, the contract making such active employees members of the State Employees' Retirement System, shall include teachers and persons employed in a status requisite for membership in the State Teachers' Retirement System, with respect to service rendered in a status in which they would have been eligible for membership in the State Employees' Retirement System, if such district or districts by which they were employed had been participating in that system under Part 3 of the Government Code of the State of California. Contributions deducted from salary earned by such employees in such service, together with credited interest, and standing to the credit of such employees at the effective date of discontinuance of such plan, shall be subject to the provisions of paragraph (1), in the same manner as they would have been so subject if said employees had been employed at the date of such discontinuance, in a status which was not requisite for such membership in the State Teachers' Retirement System. Such employees shall be members of the State Employees' Retirement System with the same effect, but only with respect to such service, as if they had been employed in a status which would have qualified them for such membership under other paragraphs of this Section 14746. Such employees shall continue in such membership and shall be entitled to benefits in the same manner as if they individually were credited with at least five hundred dollars (\$500) in accumulated contributions. In the computation of such members' benefits under the State Employees' Retirement System, their compensation earnable while they are members of the State Teachers' Retirement System shall be taken into consideration.

Transfer of contributions

(e) Notwithstanding any other provisions of this division, contributions to the discontinued district retirement plan made by teachers and other persons employed by the district or districts in a status requisite for membership in the State Teachers' Retirement System standing to their individual credit at the date of discontinuance of the district retirement plan shall be deposited forthwith in the Retirement Annuity Fund with credited interest, to be applied on the amount due from said teachers and other persons under Section 14680 of this code, but not to exceed the amount so due. Likewise an amount equal to the actuarial equivalent of the annuity portion of the retirement allowance to which the respective retired teachers and other persons employed by the district or districts, prior to retirement, in a status requisite for membership in the State Teachers' Retirement System were entitled under said plan, based on the interest rate and mortality tables used in its determination, shall be deposited in the Retirement Annuity Fund, to be applied on the amount due from said respective retired teachers and other persons under Section 14683 of this code, but not to exceed the amount so due. Any excess of the contributions with credited interest or the actuarial equivalents, as the case may be, over the respective amounts due under said sections, shall be paid forthwith to the respec-

tive active and retired teachers and other persons. Further amounts, if any, due under said sections after said deposits, shall be paid to the Retirement Annuity Fund by the respective active and retired teachers and other persons. If any of Exception such teachers or other persons who is not retired, is not en titled to credit under the State Teachers' Retirement System for all or part of his service credited under such plan, or if any of such retired teachers or other persons is not entitled to a retirement allowance from such system, either before or after such discontinuance, the provisions of this subdivision (c) about contributions and credited interest or about the actuarial equivalent of annuity portions of retirement allowances, as the case may be, shall not apply to him with respect to service which is not credited under such state system, until and unless he becomes entitled to credit for such service or to an allowance from such state system, based on service which was credited to him under the discontinued plan. The balance of the assets held in the various funds of the discontinued district retirement plan after the transfers, deposits and payments required by this section, or after establishment of reserves from which such transfers, deposits and payments shall be made, shall be delivered to the district or districts in which the plan is discontinued.

(d) The district or districts in which the district retirement Payments plan is discontinued shall pay monthly to teachers and other employees persons employed by the district or districts, prior to retirement, in a status requisite for membership in the State Teachers' Retirement System who were retired prior to the date of such discontinuance an amount equal to the amount by which the retirement allowance to which any of said retired teachers or other persons was entitled under said plan exceeds the increase in said teacher's or other person's retirement allowance under the State Teachers' Retirement System resulting from said discontinuance. If the amount payable to any such teacher or other person, under the sentence next preceding, is less than two dollars (\$2), the district or districts may pay, in lieu of such amount, one amount which shall be actuarially equivalent to such monthly amount thereafter payable, according to the interest rate and mortality table used in the determination of the teacher's or other person's retirement allowance under the said district retirement plan. The payment of such actuarially equivalent amount shall discharge fully the district's liability to such teacher or other person under this subdivision (d). The arrangement under which said amounts are paid by said district shall not be considered to be a local retirement system for the purposes of Chapter 14, of Division 7, of the Education Code, nor shall said amount be taken into account in the calculation of retirement allowances under the State Teachers' Retirement System. If any of such teachers or other persons is not entitled to a retirement allowance from the State Teachers' Retirement System, either before or after such discontinuance, such district or districts

shall pay monthly to him, an amount equal to his retirement allowance under said plan prior to such discontinuance. If any teacher or other person has left the service of the district or districts, and is in a status under such plan, which if continued would qualify him for a retirement allowance without his return to such service, but is in a status otherwise which would not qualify him for retirement under such state system, such district or districts shall pay monthly to such teacher or other person, beginning at the date upon which he would have qualified for service retirement under such plan, an amount equal to the retirement allowance for which he would have qualified if such plan had not been discontinued. If any teacher or other person has credit under such plan for service which does not qualify for credit under either the State Teachers' Retirement System or State Employees' Retirement System, such district or districts shall pay monthly to such teacher or other person, beginning on the date upon which he would have qualified for service retirement under such plan, an amount equal to the retirement allowance for which he would have qualified on the basis of such service if such plan had not been discontinued. If such individual at a later date becomes entitled to a retirement allowance from such state system, based on such service which was credited to him under the discontinued plan, such monthly payments shall cease, and he shall become subject forthwith to the provisions of subdivision (c) of this section, and the provisions of the first four sentences of this subdivision (d), in the same manner as he would have been subject, if he had been entitled to such a retirement allowance at the date of discontinuance, but calculation of actuarial equivalents and amounts payable shall be made as of the later date.

Change of option election

(e) If any person who was retired prior to such discontinuance from a position requisite for membership in the State Teachers' Retirement System, under a district retirement salary plan which is discontinued pursuant to this section, elected either under such plan or under such system, but not under both, to have his retirement allowance modified according to an option under which he would receive a smaller allowance and provide a benefit for his beneficiary, such person shall have the right, to be exercised not later than sixty (60) days after the discontinuance of such plan to change his election under the State Teachers' Retirement System with respect to said options. Any computations of actuarial equivalent under a changed election shall be made as of the date of discontinuance of the plan, and no adjustment shall be included in the computation on account of retirement allowance payments made prior to that date.

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:

Application of the state law providing for school district retirement plans or systems, as amended by Chapter 1628 of the Statutes of 1955, with respect to possible discontinuance of such plans or systems, has raised a number of questions involving the retirement rights of members of such a plan or system under consideration for discontinuance as of July 1, 1956. In order to protect the rights of such members prior to such discontinuance, it is necessary that this act take effect immediately.

CHAPTER 50

An act to add Sections 7771.1 and 7771.2 of the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 20, 1956 Filed with Secretary of State April 24, 1956]

In effect. immediately

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

Section 1. Section 7771.1 is hereby added to the Education Code, to read:

7771.1. Where the incorporation of a joint union school dis- Incorporation trict into a unified school district is effective for the purposes of joint union unified of Section 4932 of the Education Code between Christmas, district 1955, and New Year's Day, 1956, the effective date of such inclusion for all purposes of this article shall be July 1, 1956. This section shall be applied retroactively to reinstate and validate as of the date it was made, any apportionment to such district so incorporated into such unified district which apportionment hitherto became void because the effective date of the aforesaid inclusion into such unified district was deemed for the purposes of this article, to have been prior to January 9, 1956.

Sec. 2. Section 7771.2 is hereby added to the Education Code, to read:

Notwithstanding any law to the contrary, a school Incorporation district whose territory previously contained a union high into unaffed school district not having hitherto received an apportionment, distinct which for the purposes of Section 4932 became a unified district during December, 1955, upon the request of the present or last existing board of the union high school district, shall not be deemed, for the purpose of this chapter only, to have been so unified until December 1, 1956; provided, that in such event such union high school district shall be deemed to have met the bonding requirements of Sections 7719 and 7722 with respect to any apportionment made to it prior to December 1, 1956, if the bonding qualifications set forth in said sections had been reached or complied with by the district at any time between December 1, 1955, and the time of such apportionment. In the event that under other sections of this code property of the union high school district, including funds from

the sale of bonds or otherwise, is transferred to the aforesaid unified district prior to the date an apportionment is made to such district, the unified district shall, notwithstanding any provision of this code to the contrary, contribute toward the cost of any project approved by the board for such union district any portion of such property or funds as the board may require.

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:

In the first instance, a joint union school district to which an approval and initial apportionment were made under Chapter 19, Division 3 of the Education Code, became incorporated into a unified school district for the purposes of Sections 4932 and 1593 of the Education Code on December 27, 1955. Under Section 7773 (1) of the Education Code the initial apportionment so made thereupon became void. As the governing board of the new unified district will not be elected until May 1, 1956, no further construction aid can be given the territory comprising the joint union school district until the governing board of the new unified district becomes qualified and makes a new application for such aid. Such delay may prevent needed construction within such territory to be completed in time for the fall session of school.

In the second instance, a union high school district which has never received an apportionment under Chapter 19, Division 3 of the Education Code, became incorporated in December, 1955 for the purposes of Sections 4932 and 1593 of the Education Code into a unified district having coterminous boundaries. Pursuant to Section 7772 of the Education Code. no apportionment under Chapter 19 could thereupon be made to such union high school district; however, the electors of the union high school district have previously authorized the sale of bonds and agreed to accept a loan under Chapter 19 by a narrow margin of six votes. Failure to postpone the effective date of inclusion of such union high school district into the unified district would require another election for the acceptance of an apportionment to be held within the unified district, which because of the expense and serious delay involved, the union high school district is anxious to avoid.

In order that children within the territories of the joint union and union high school district above may have new classroom construction available at the earliest possible moment, it is necessary that this act go into effect immediately.

CHAPTER 51

An act to amend Sections 986.3, 986.5 and 987 of, and to add Section 987.13 to the Military and Veterans Code, relating to farm and home purchases.

> [Approved by Governor April 25, 1956 Filed with Secretary of State April 25, 1956]

In effect July 5 1056

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

Section 1. Section 986.3 of the Military and Veterans Code is amended to read:

986.3. The department may acquire such farm or home acquisition from the owner thereof or may contract with a veteran for by department the construction of a dwelling house and other improvements for a farm or home, upon the terms agreed if:

(a) The department is satisfied of the desirability of the

property submitted.

- (b) The veteran has agreed with the department actually to reside on the property within 60 days from the date of purchase by the department, or if the residence on the property is not complete on the date of purchase, within 60 days after the residence is completed.
- (c) The sum to be expended by the department pursuant to a contract for the construction of a dwelling house and other improvements, does not exceed the sum of thirteen thousand five hundred dollars (\$13,500)
- (d) Where the department is to contract with a veteran for the construction of a dwelling house and other buildings:
- (1) The veteran is the owner in fee of the real property on which the dwelling house and other buildings are to be constructed and agrees to convey that property to the department without cost.

(2) The veteran has paid a reasonable fee set by the department to cover the cost of such preliminary service of the department as may be necessary to process the application.

- (3) The veteran has filed with the department adequate plans and specifications for the improvements to be constructed upon said real property, together with a contract, executed by a contractor licensed by the State of California for the construction of said improvements in accordance with said plans and specifications within eight months after the acquisition of said real property by the department, and a bond executed by the contractor providing for compliance with the terms of said contract and for the payment of materialmen and labor furnishing material or labor on the job, executed by a surety company, authorized to do business in the State of California.
- (4) The plans, specifications, contract and bond are approved by the department.
- (5) The veteran has placed in escrow, all sums of money to be advanced by him where the cost is in excess of the maximum that may be expended by the department.

Maximum cost.

veteran.

Sec. 2. Section 986.5 of said code is amended to read:

986.5. The purchase price of a home to the department, shall not exceed the sum of fifteen thousand dollars (\$15,000), and a veteran purchasing the home may advance the difference between the total price or cost of the home and the sum of the purchase price of the home to the department and any amount the department is required under Section 986.9 of this code to add to the purchase price of the home in fixing the selling price thereof to the veteran. The purchase price of a farm to the department shall not exceed forty thousand dollars (\$40,000), and a veteran purchasing the farm may advance the difference between the total price of the farm or cost of the dwelling and improvements to be constructed on a farm under a contract and the sum of such purchase price to the department or contract price to the department and any amount which the department is required under Section 986.9 of this code to add to such purchase or contract price to the

Section 987 of said code is amended to read: Sec. 3.

department in fixing the selling price of the farm to the

987. The purchaser shall make an initial payment of at

Initial payment

Waiter

Interest

least 10 percent of the selling price of the property, in case of a farm, and 5 percent in the case of a home. The department may waive the initial payment in any case where the value of the property as determined by the department appraisal shall equal the amount to be paid by the department plus at least Amoutization 10 percent. The balance of the selling price may be amortized over a period fixed by the department, not exceeding 40 years, together with interest thereon at the rate as determined by the department for such amortization purposes. The department shall establish the actual interest rate to be paid from year to year. To this end the department, by a twothirds vote of California Veterans Board members and with the approval of the Veterans' Finance Committee of 1943, is empowered to establish a uniform rate of interest payable upon the amount remaining unpaid under any veteran's purchase contract. The California Veterans Board and the Veterans' Finance Committee shall annually in the month of September make a finding as to the rate of interest to be charged for the ensuing year, taking into consideration the current value of money and the solvency of the Veterans' Farm and Home Building Fund of 1943. The rate established shall be applicable alike to all contract holders, and shall not exceed 4 percent per annum, nor be less than 2½ percent per annum. The California Veterans Board may raise or lower the rate of interest payable under such contracts for any given period as many times and as frequently as it deems to be for the best interests of the department, as well as the contract holders, if in so doing its action is made applicable alike to any and all contract holders and 90 days' advance notice be given of the time when the new rate of interest is to become effective. Any change in the interest rate shall not affect the total amount of

any installment payment, but the difference shall be credited to interest or principal and accelerate or prolong the period of payment. In the event that the California Veterans Board and the Veterans' Finance Committee fail to establish the rate of interest for any year, the rate of interest established for the preceding year or years shall be continued until changed as provided in this section. The purchaser on any installment Acceleration date may pay any or all installments still remaining unpaid. In any individual case the department may for good cause payments postpone from time to time, upon terms as the department deems proper, the payment of the whole or any part of any installment of the selling price or interest thereon.

Section 987 13 is added to said code, to read:

The board shall prescribe by regulation a priority resorts 987.13.system in the consideration of applications for aid under this system article, which system shall provide for prior consideration to applications for lesser amounts.

CHAPTER 52

An act to amend Section 22 and the title to Article 1 of Chapter 2 of Division 1 of, to repeal Sections 23, 200, 201, 202, 203, 1009, 1050 5, 1050.6, and 1060 of, and to add Sections 23, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 1009, 1256, and 13003 to, and Article 2 to Chapter 2 of Division 1, the title to Chapter 2.5 of Division 1, and the title to Article 1 of Chapter 2.5 of Division 1 of, the Water Code, relating to the water resources of the State, creating the Department of Water Resources and the State Water Rights Board, and providing for their powers and duties.

[Approved by Governor April 25, 1956 Filed with Secretary of State April 25, 1956]

In effect July 5, 1956

Repeal

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

Section 1. The Legislature hereby declares that the pur-legislature pose of this act is to provide for the reorganization of the intent Executive Branch of the State Government with respect to the administration of statutory and constitutional provisions relating to water or dams by the creation of a Department of Water Resources and a State Water Rights Board. It is the intent of the Legislature in providing for such reorganization to provide for the continuance of the existing laws, rights, powers, and duties pertaining to water and dams

Scc. 2. Section 22 of the Water Code is amended to read.

22. "Department," unless otherwise specified, means the "Depart-Department of Water Resources.

Section 23 of said code is repealed.

Sec. 4. Section 23 is added to said code, to read:

23. "Director," unless otherwise specified, means the Di- "Director" rector of Water Resources.

SEC. 5. The title to Article 1 of Chapter 2 of Division 1 of said code is amended to read:

Article 1. Department of Water Resources

Sec. 6. Sections 150 to 159, inclusive, are added to said code, immediately following the title to Article 1, Chapter 2, Division 1, to read:

Department of Water Resources Director 150. There is in the State Government the Department of Water Resources, which is under the control of an executive officer known as the Director of Water Resources. The director is appointed by the Governor and holds office at the pleasure of the Governor. The appointment of the director is subject to confirmation by the Senate at the next regular or special session of the Legislature, and the refusal or failure of the Senate to confirm the appointment shall create a vacancy in the office. The annual salary of the director is eighteen thousand dollars (\$18,000), and he is a member of the Governor's Council.

Salary Rond

151. Before entering upon the duties of his office, the director shall execute an official bond to the State in the penal sum of twenty-five thousand dollars (\$25,000) conditioned upon the faithful performance of his duties.

Removal

152. The director, in addition to being subject to removal from office by the Governor, may be removed from office by the Legislature, by concurrent resolution adopted by a majority vote of all members elected to each house, for dereliction of duty or corruption or incompetency.

Powers and duties

153. Except as provided in Section 189, the department succeeds to and is vested with all of the powers, duties, purposes, responsibilities, and jurisdiction in matters pertaining to water or dams vested in the Department and Director of Public Works, the Division of Water Resources of the Department of Public Works, the State Engineer, the Water Project Authority of the State of California, or any officer or employee thereof. The department also succeeds to and is vested with all of the powers, duties, purposes, responsibilities, and jurisdiction of the Department of Finance under Part 2 (commencing at Section 10500) of Division 6. The department succeeds to and is vested with all of the powers, duties, purposes, responsibilities, and jurisdiction vested in the State Water Resources Board, except as provided in Section 154.

Commission compacts

Any commission or other body heretofore or hereafter created by the Legislature to formulate a compact with a similar commission or body from another state relative to the distribution and use of the waters of any interstate streams or bodies of water, including but not limited to the California Klamath River Commission and the California-Nevada Interstate Compact Commission, shall, in formulating a provision in any such compact for the administration of the terms of the compact, provide that the Department of Water Resources shall be the representative of the State of California for the purpose of such administration.

The Division of Water Resources of the Department Abolishment 154.of Public Works, the Water Project Authority of the State of of agencies California, the Office of State Engineer, and the offices of the executive directors created by Section 39105 of the Water Code are each abolished.

The State Water Resources Board, hereafter to be known as State Water the State Water Board, is continued in existence within the Board department, but the board shall hereafter have only the powers Powers and and duties provided in this section. The board shall confer duties with, advise, and make recommendations to the director with respect to any matters and subjects under his jurisdiction. The rule-making power of the department shall be exercised in the following manner. All rules and regulations of the department, Rules and other than those relating exclusively to the internal adminis- regulations tration and management of the department, shall be first presented by the director to the board and shall become effective

only upon approval thereof by the board.

It is the intention of the Legislature that in the making Agreement of all major departmental determinations, policies and pro-between cedures, such as departmental recommendations to the Legis- and board lature, the director and the board shall be in agreement whenever possible; but for the purpose of fixing responsibility to the Governor and to the Legislature, in the event of disagreement between the director and the board upon such matters, the views of the director shall prevail. In such situations a Report of written report upon such disagreement shall be made immediately to the Governor and to the President pro Tempore of the Senate and the Speaker of the Assembly by the board and by the director.

The provisions of existing law relating to the appointment, Members qualifications, and tenure of the members of the board are continued in effect except that board members may be removed from office by the Legislature, by concurrent resolution adopted by a majority vote of all members elected to each house, for dereliction of duty or corruption or incompetency.

The Reclamation Board is continued in existence within the Reclamation department and the provisions of law relating to the appointment, qualifications, and tenure of its members are continued in effect, but said board shall continue to exercise and have all of its powers, duties, purposes, responsibilities, and jurisdiction. It is the intent of the Legislature that the Reclamation Board shall cooperate with the department in all matters of mutual concern to the fullest extent practicable.

All meetings and hearings held by any board continued in Board existence within the department shall be open and public.

For the purpose of administration, the director shall Organization organize the department with the approval of the Governor in ment the manner he deems necessary to segregate and conduct the work of the department properly. With the approval of the Governor, the director may create such divisions and subdivisions as may be necessary and change or abolish them from time to time.

Branch offices

The director with the approval of the Governor may establish branch offices in hydrographic or other regions of the State in order to assure the expeditious conduct of the work of the department in such region, and to assure free and rapid communication of local problems and recommendations to the department and may change or abolish any such branch offices from time to time. Any branch office so established shall be under the control of a branch office manager who, subject to the direction and control of the director, shall represent the department in all matters under the department's jurisdiction in the region.

Deputy director 156. There shall be one Deputy Director of Water Resources who shall be a civil executive officer and shall be appointed by the Governor and serve at the pleasure of the Governor. The compensation of the deputy director shall be fixed by the director pursuant to law. The deputy director shall have such duties as shall be assigned, from time to time, by the director, and he shall be responsible to the director for the performance thereof.

Legal counsel 157. The department is authorized to employ legal counsel who shall advise the director, represent the department in connection with legal matters before other boards and agencies of the State, and may, when authorized by the Attorney General, represent the department and the State in litigation concerning affairs of the department. In any event, the legal counsel of the department may, with the approval of the director and with the consent of the court before which the action is pending, present to the court the views of the department with respect to the action. Section 11416 of this code and Sections 11041, 11042, 11043, and subdivision (b) of Section 16048 of the Government Code are not applicable to the Department of Water Resources.

Emergencies Declaration

- 158. In times of extraordinary stress and of disaster, resulting from storms and floods, the director may declare the existence of an emergency and designate the location, nature, cause, area, and extent of the emergency if in his opinion:
- (a) The emergency is a matter affecting the waters or dams of the State and is of general public and state concern; and
- (b) Work and remedial measures are required to immediately avert, alleviate, repair, or restore damage or destruction to property having a general public and state interest and to protect the health, safety, convenience, and welfare of the general public of the State.

Performance of work The department may perform any work required or take any remedial measures necessary to avert, alleviate, repair, or restore damage or destruction to property as provided in this section. In carrying out such work the department may perform the work itself or through or in cooperation with any other state department or agency, the Federal Government, or any political subdivision, city, or district.

Transmittal of declaration, etc. The director shall transmit any declaration made under this section to the Governor with a recommendation and request

that money be allocated from any available money appropriated for that purpose or to meet state emergencies within the meaning of that term as employed in this section, in order to carry out the work and remedial measures required to meet the emergency.

The Governor shall forthwith determine if a state emer-Determinagency exists, and if money is available in any appropriation Governor or emergency fund for the work and remedial measures. Upon an affirmative finding upon these matters he shall direct the Department of Finance to allocate to the department such amount as in his opinion will be required to meet the emergency.

With respect to any project the planning, con-References struction, operation, or maintenance of which is specifically under the jurisdiction of the Department of Water Resources, as used in the State Contract Act or any other law relating to work by the State, references to the Department of Public Works mean the Department of Water Resources and references to the Director of Public Works or the State Engineer mean the Director of Water Resources

Sec. 7. Article 2 is added to Chapter 2 of Division 1 of said code, to read:

Article 2. State Water Rights Board

There is in the State Government the State Water Members Rights Board consisting of three members appointed by the Appointment Governor. One of the members appointed shall be an attorney admitted to practice law in this State and one shall be a registered civil engineer under the laws of this State. Each member shall represent the State at large and not any particular portion thereof. The appointments so made by the Governor shall be subject to confirmation by the Senate at the next regular or special session of the Legislature, and the refusal or failure of the Senate to confirm an appointment shall create a vacancy in the office to which the appointment was made.

186. Each member of the board shall receive an annual Salaries, etc salary of fifteen thousand dollars (\$15,000) and shall receive the necessary traveling and other expenses incurred by him in the performance of his official duties out of appropriations made for the support of the board. When necessary the mem- Travel bers of the board may travel within or without the State.

187. The terms of the members first appointed shall expire Terms as follows, one member on January 15, 1957, one member on January 15, 1958, and one member on January 15, 1959 Thereafter all members of the board shall be appointed for terms of four years. Vacancies shall be immediately filled by Vacancies the Governor for the unexpired portion of the terms in which they occur.

The members of the board may be removed from office Removal 188. by the Legislature, by concurrent resolution adopted by a

majority vote of all members elected to each house, for dereliction of duty or corruption or incompetency.

Powers and duties

189. The board succeeds to and is vested with all of the powers, duties, purposes, responsibilities, and jurisdiction vested in the Department and Director of Public Works, the Division of Water Resources of the Department of Public Works, and the State Engineer, or any officer or employee thereof, under Parts 1 (commencing at Section 1000), 2 (commencing at Section 1200), 3 (commencing at Section 2000), and 5 (commencing at Section 4999) of Division 2 of this code, or any other law under which permits or licenses to appropriate water are issued, denied, or revoked.

Bonds

Before entering upon the duties of his office, each member of the board shall execute an official bond to the State in the penal sum of twenty-five thousand dollars (\$25,000) conditioned upon the faithful performance of his duties.

Meetings

The board shall maintain its headquarters at Sacramento and shall hold meetings at such times and at such places as shall be determined by it. The Governor shall designate the time and place for the first meeting of the board. All meetings of the board shall be open and public.

Chairman

The Governor shall designate the chairman of the board from the membership of the board. The person so designated shall hold the office of chairman at the pleasure of the Governor.

Hearings and

The board may hold any hearings and conduct any Investigations investigations in any part of the State necessary to carry out the powers vested in it, and for such purposes has the powers conferred upon heads of departments of the State by Article 2 (commencing at Section 11180), Chapter 2, Part 1, Division 3, Title 2 of the Government Code.

Any hearing or investigation by the board may be conducted by any member upon authorization of the board, and he shall have the powers granted to the board by this section, but any final action of the board shall be taken by the board as a whole.

All hearings held by the board or by any member thereof shall be open and public.

Interest of department in actions

The Department of Water Resources shall have an interest and may appear as a party in any hearing held by the board and may commence or appear in any judicial proceeding brought to inquire into the validity of any action, order, or decision of the board.

Rules

The board shall adopt rules for the conduct of its affairs in conformity, as nearly as practicable, with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code.

Legal counsel and other personnel

The board shall have such powers, and may employ such legal counsel and other personnel and assistance, as may be necessary or convenient for the exercise of its duties under Division 2 (commencing at Section 1000). The Attorney General shall represent the board and the State in litigation con-

Representation in hitigation

cerning affairs of the board unless the Department of Water Resources is a party to the action. In such case the legal counsel of the board shall represent the board. Sections 11041, 11042, and 11043 of the Government Code are not applicable to the State Water Rights Board.

197. The board and the Department of Water Resources Cooperation shall, to the fullest extent possible, exchange records, reports, material, and any other information relating to water or water rights, to the end that unnecessary duplication of effort may be avoided; however, no such exchange shall be made when, in the opinion of the agency possessing the records, reports, material, or other information, such exchange would be detrimental to the public interest.

Sec. 8. Sections 200, 201, 202, and 203 of said code are Repeats

repealed.

Sec. 9. The title to Chapter 2.5 of Division 1 is added to said code, immediately following Section 197, to read:

Chapter 2.5 MISCELLANEOUS POWERS OF DEPARTMENT

Sec. 10. The title to Article 1 of Chapter 2.5 of Division 1 is added to said code, immediately preceding Section 205, to read:

Article 1. Participation in Associations

Sec. 11. Section 1009 of said code is repealed.

Repeal

Sec. 12. Section 1009 is added to said code, to read:

1009. As used in Parts 1 (commencing at Section 1000), "Depart-2 (commencing at Section 1200), 3 (commencing at Section 2000), and 5 (commencing at Section 4999) of this division, "department" means the State Water Rights Board.

Sections 1050.5, 1050.6, and 1060 of said code are Repeals Sec. 13. repealed.

Sec. 14. Section 1256 is added to said code, to read:

1256 In determining public interest under Sections 1253 Appropriaand 1255, the State Water Rights Board shall give considera- cations tion to any general or coordinated plan prepared and published by the Department of Water Resources or any predecessor thereof, looking toward the development, utilization, or conservation of the water resources of the State.

Sec. 15. Section 13003 is added to said code, to read:

13003. It is the intent of the Legislature that the State Water Water Pollution Control Board and each regional water pollution control board shall cooperate with the department in boards all matters of mutual concern to the fullest extent practicable.

SEC. 16. All persons, other than temporary employees, serv- Transfer of ing in the state civil service and engaged in the performance employees of a function transferred to the Department of Water Resources or the State Water Rights Board or engaged in the administration of a law, the administration of which is transferred to the department or board, shall remain in the state civil service and are hereby transferred to the Department of Water Resources or the State Water Rights Board, as the

case may be, on the effective date of this act. The status, positions, and rights of such persons shall not be affected by their transfer and shall continue to be retained by them pursuant to the State Civil Service Act, except as to positions the duties of which are vested in a position that is exempt from civil service.

Transfer of property

All public property, real or personal, of any state agency or officer used principally or primarily in carrying out of any function, or acquired in connection with the exercise of any function, which function is transferred to the Department of Water Resources or the State Water Rights Board, is transferred to the department or the board, as the case may be.

Determination by Governor The Governor shall make the final determination as to the proper division of personnel and property between the Department of Water Resources and the State Water Rights Board.

CHAPTER 53

An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund

In effect July 5, 1956 [Approved by Governor April 25, 1956 Filed with Secretary of State April 25, 1956.]

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

Section 1 Section 6816 of the Public Resources Code is amended to read:

6816 All moneys and remittances received by the State pursuant to this chapter, except rents, bonuses, royalties and profits accruing from the use of state school land, shall, with the exception of the amount which is appropriated by Section 898 of the Military and Veterans Code to the Veterans' Dependents' Education Fund, be deposited in the State Treasury to the credit of the State Lands Act Fund, which fund is continued in existence. In addition thereto, such other moneys shall be deposited in such fund as may be provided by law. The moneys in the fund are hereby appropriated as follows:

(a) For the payment of refunds, as authorized by the commission and approved by the State Board of Control.

(b) The remainder of the moneys shall be used by the commission, with the approval of the Director of Finance and the consent of the Governor, to carry out the provisions of this chapter, including the acquisition of real property or interests therein, the purchase of materials and supplies, and the conducting of operations by the State as provided herein, the payment by the State of such sums as may be provided pursuant to agreements or contracts authorized herein, and the payments of the necessary expenses of the commission.

(c) Upon order of the Controller, the remaining balance shall be transferred as follows:

1. Twenty-three and one-third percent to the State Beach Fund and forty-six and two-thirds percent to the State Park

Fund; provided, that the total aggregate amount transferred to both of said funds in any one fiscal year beginning after June 30, 1956, shall not exceed seven million dollars (\$7,-

000,000).

2. The remainder to the General Fund; provided, that any amounts transferred to the General Fund in excess of three million dollars (\$3,000,000) during any fiscal year beginning after June 30, 1956, shall be set aside and transferred to the Investment Fund, and shall be available for expenditure only when appropriated by the Legislature.

CHAPTER 54

An act to amend Section 11260 of the Water Code, relating to the Feather River Project.

[Approved by Governor April 25, 1956, Filed with Secretary of State April 26, 1956]

In effect July 5, 1956

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

Section 1. Section 11260 of the Water Code is amended to read:

11260. The units set forth in publication of the State Water Resources Board entitled "Report on Feasibility of Feather River Project and Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan," dated May. 1951, as modified in the publication of the Division of Water Resources entitled "Program for Financing and Constructing the Feather River Project as the Initial Unit of the California Water Plan," dated February, 1955, subject to such further modifications thereof as the authority may adopt, and such units or portions thereof may be constructed by the authority and maintained and operated by it to such extent and for such period as the authority may determine, as units of the Central Valley Project separate and apart from any or all other units thereof.

CHAPTER 55

An act to amend Sections 14258. 14276.6, 14276.7, 14310, 14402, 14441, 14443, 14448, 14483, 14484, 14485, 14485, 14490, 14575.2, 11631, 14633, 11639, 14641, and 14683 of, to add Section. 14441.1 to, and to repeal Sections 14636 and 14639.6 of, the Education Code, relating to the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 25, 1956, Filed with Secretary of State April 26, 1956]

In effect immediately

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

SECTION 1. Section 14258 of the Education Code is amended to read:

"Service"

14258. "Service" means service rendered for compensation, except as provided in Article 7, in a status requisite for membership in the retirement system. "Employment" means employment in a status requisite for membership in the retirement system.

"Final compensation"

SEC. 2. Section 14276.6 of said code is amended to read: "Final compensation" means the highest average annual compensation earnable by a member during any period of three consecutive years during his membership in the system. For the purposes of this section, periods of service separated by breaks in service may be aggregated to constitute a period of three consecutive years, if the periods of service are consecutive except for such breaks. If a break in service did not exceed six months in duration, time included in the break and compensation earnable during such time shall be included in computation of final compensation. If a break in service exceeded six months in duration, the first six months thereof and the compensation earnable during those six months shall be included in computation of final compensation, but time included in the break which is in excess of six months and the compensation earnable during such excess time shall be excluded in computation of final compensation. With respect to members whose retirements are effective after June 30, 1956, two or more breaks in service which are separated by periods of service each of which does not exceed one-half year of credited service, shall be added together, and for the purpose of this section, the total shall be considered as one break Time during which a member is in state service and is also a member of another retirement system to which the State or the university contributes shall not be considered to be an absence for the purposes of this section, and the determination of the final compensation of such a member shall take into consideration his compensation earnable while he was a member of such other system.

Compensation Exclusion of overtime Sec. 3. Section 14276.7 of said code is amended to read: 14276.7. When the compensation of a member is a factor in any computation to be made under this chapter, including but not limited to computation of members' and school districts' or other employing agencies' contributions to the Retirement Annuity Fund and excluding computation of compensation earnable during time prior to July 1, 1956, there shall be excluded from such computations any compensation based on overtime put in by a member. For the purposes of this chapter, overtime is the aggregate service performed by an employee as a member for all employers and in all categories of employment in excess of the hours of work considered normal for employees on a full-time basis.

Sec. 4. Section 14310 of said code is amended to read:

14310. Service rendered prior to July 1, 1956, shall be credited according to the provisions of this chapter which were applicable prior to such date. With respect to time served after June 30, 1956, by persons included in classifications of

Service credits employees whose normal tours of duty extend throughout the school year as contrasted with the school term, the board shall credit one year of service for 10 months or more of service rendered by persons employed on a monthly basis, and for 215 days or more of service rendered by persons employed on a per diem basis. With respect to time served after June 30, 1956, by persons included in classifications of employees whose normal tours of duty extend throughout the school term as contrasted to the school year, and do not exceed 180 days of service, the board shall credit one year of service for 145 days or more of service rendered by persons employed on a per diem basis, which shall include persons whose compensation is normally paid in monthly installments and fixed by annual contract. With respect to time served after June 30, 1956, by persons included in classifications of employees whose normal tours of duty extend during any year throughout other periods, the lengths of which fall between those of the school year and school term of 180 days of service, the board may fix the minimum numbers of months and days, as the case may be, upon the basis of which a year of service shall be credited, but the relationship of such minima to the normal time worked by persons who are not absent from duty, in such periods shall agree generally with the relationship between the normal time worked by persons who are not absent from duty, in the respective periods and minima in the two preceding sentences; provided, that no minimum shall be less than 145 days of service.

Sec. 5. Section 14402 of said code is amended to read:

Nothing in this article shall be construed or applied Members of to exclude from membership in this system any member who enters a status requisite for membership in this system in which status he has the right to elect membership in this or another retirement system and who elects membership in the other retirement system, or who enters a status which is not requisite for membership in this system, but time served in which is included in this chapter. Time served after becoming a member of the other system shall not be credited to the member under this system, nor shall contributions or benefits under this system be based upon such time or the salary received by the member during such time, except as provided in Section

The member shall not be required to render two years of service in a status requisite for membership in this Retirement System before making application for retirement.

This section shall be retroactively applied to continue the membership in this system of any such member whose contributions have not been refunded to him.

Section 14441 of said code is amended to read: Sec. 6. Service shall be computed by school years and not Service by calendar years, portions of years served being accumulated computation and counted as service. All of the service rendered during any one school year in employment requisite for membership in this system, shall not count for more than one year, and

the service credited under this system to any member as rendered during any school year, shall not exceed the fraction of a year which makes one year of service, when added to the service credited to such member under the State Employees' Retirement System or the Retiring Annuities System of the University of California, as rendered during such year. No time shall be included for which, or on the basis of which a member is entitled to receive a pension in a lump sum or installment payments, for other than naval or military service from any source other than this system or a local retirement system. If a retired member becomes entitled to such a pension, his retirement allowance shall be reduced thereafter to exclude the time upon which the pension is based, without other change in his retirement status. No time shall be included during which a member is on retirement under this system.

Sec. 7. Section 14441.1 is added to said code, to read

14441.1. Saturdays and Sundays shall not be included in determining days of service unless the member is required to perform duties for compensation on such days instead and in lieu of all or part of some other day or days of the week, and in that event such all or part, as the case may be, of such other day or days shall not be included as days of service.

Sec 8. Section 14443 of said code is amended to read:

Night school and adult (ducation service

Same

14443. The member shall receive credit for time served in a night school or in the adult education program, in the proportion that such time bears to the minimum full-time service required for credit for one year of service, according to Section 14310.

Sec. 9. Section 14448 of said code is amended to read:

Compensated leaves, etc 14448. Except as provided in Sections 14447 and 14449, time during which a member is excused from performance of his duties, such as but not limited to, sick leave, holidays other than Saturdays and Sundays, vacation or sabbatical leave, whether or not he is required to perform any portion of such duties during such time, and for which he receives compensation, including disability from any insurance carrier of his employer, under the Labor Code on account of industrial injury or disease, in an amount less than the full compensation earnable by him while performing his duties when not so excused, shall be credited as service in the proportion that the compensation paid to the member bears to the full compensation which would be earnable by him while performing his duties on a full-time basis.

Requisitions against dis-

SEC. 10. Section 14483 of said code is amended to read 14483. The county superintendent of schools at the close of each month shall draw requisitions against the funds of the respective school districts and in favor of the county teachers' permanent fund and county teachers' annuity deposit fund, which are continued in existence in each county treasury, for amounts equal to the total of contributions deducted during the month for the State Permanent Fund and State Retirement Annuity Fund, respectively. The amounts shall be de-

posited in the county treasury to the credit of the respective funds. At the option of the Retirement Board and with respect only to contributions based on compensation earned after June 30, 1956, such requisitions shall be drawn in favor of one of such funds in the county treasury, for the total contributions, regardless of the fund for which they were deducted, and deposited to that fund.

Sec. 11. Section 14484 of said code is amended to read:

The county superintendent of schools shall deduct Salary from salary payments due, from time to time, to the respective members employed by him, the contributions required and at the close of each month shall draw requisitions against the requisitions funds from which the salaries were paid and in favor of the county permanent and annuity funds, respectively, for amounts equal to the total of the contributions deducted during the month for the State Permanent Fund and State Retirement Annuity Fund, respectively. The amounts shall be deposited in the county treasury to the credit of the respective funds At the option of the Retirement Board and with respect only to contributions based on compensation earned after June 30, 1956, such requisitions shall be drawn in favor of one of such funds in the county treasury, for the total contributions, regardless of the fund for which they were deducted and deposited to that fund

Sec. 12. Section 14485 of said code is amended to read:

14485. The county auditor shall deduct from salary pay- County audiments due, from time to time, to the respective members em- tor's duties ployed by the county, the contributions required and at the close of each month shall transfer in the county treasury from the funds from which the salaries were paid, to the county permanent and county annuity deposit funds, respectively, amounts equal to the total of the contributions deducted during the month for the State Permanent Fund and State Retirement Annuity Fund, respectively. At the option of the Retirement Board and with respect only to contributions based on compensation earned after June 30, 1956, such transfer of the total contributions, shall be to one of such funds in the county treasury, regardless of the fund for which they were deducted.

SEC 13. Section 14488 of said code is amended to read:

14488. The requisition of the county superintendent of Report schools drawn in January and July, or beginning with the report for the 12 months ending June 30, 1943, only in July at the option of the Retirement Board, shall be accompanied by a report giving the names of the members from whose salary payments contributions were deducted during the preceding 6 or 12 months, as the case may be, the amount of the contributions in the case of each member, and such other information as the board may require. The original copy of the report shall be sent by the county superintendent of schools to the Retirement Board If monthly requisitions are required, the reports with respect to members' contributions to the An-

nuity Deposit Fund alone, or with respect to all members' contributions, may at the option of the board be required monthly. Sec. 14. Section 14490 of said code is amended to read:

Deposits

Segregation of amounts

14490.The amounts received shall be deposited forthwith by the Retirement Board in the State Treasury to the credit of the Permanent Fund or the Retirement Annuity Fund, respectively, except that so much of such moneys as is derived from deductions from members' salaries, for members' contributions to the Annuity Deposit Fund shall be credited to the Annuity Deposit Fund. If Permanent Fund and Retirement Annuity Fund contributions are made without segregation, approximate segregation of such amounts according to such funds shall be made upon their receipt for the purpose of such deposit. On the basis of service recorded in subsequent reports required by the Retirement Board from county superintendents of schools and employing agencies other than school districts accurate segregation, including adjustments of previous approximations, shall be made as may be necessary to comply with the provisions of this chapter relating to the Permanent and Retirement Annuity Fund.

Death benefit after retirement

Section 14575.2 of said code is amended to read: 14575.2. Upon receipt of due proof of the death of any person, after retirement and while receiving a retirement allowance from this system, there shall be paid to such beneficiary as he has nominated by written designation duly filed with the Retirement Board, the sum of four hundred dollars (\$400), to be provided from contributions of the State. From the death benefit provided in this section, there shall be deducted an amount equal to that portion of the benefit payable on account of said death by a local system or by the State Employees' Retirement System, regardless of whether before or after retirement under such local or state system, which is provided from contributions of the employer, independently of any optional election made by said person at the time of his retirement, under which he received a reduced retirement allowance and a benefit was provided at his death.

Allowances to persons retired prior to July 1, 1956

Section 14631 of said code is amended to read: Retirement allowances, excluding annuities under 14631. the Annuity Deposit Fund, payable for time commencing on July 1, 1956, 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, but not subject to the limit of 75 percent of average compensation earnable. Such changed retirement allowance, prior to modification under options in Section 14637, shall be at least an amount, by increase in the annuity under the Retirement Annuity Fund, based on service rendered prior to July 1, 1944, which, when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall equal the retirement allowance, prior to optional modification, to which the person would be entitled under this system if he were not entitled to any allowance from a local retirement system, minus one-half the retirement annuity on account of service rendered after June 30, 1944, to which the person would be so entitled, but for which he did not make annuity contributions. Contributions and interest thereon owed to the system by said persons on said effective date, shall be deducted from the respective increased allowances, in the manner prescribed in Section 14476. If the person elected at retirement to have his annuity modified under one of the options in Section 14637, and if his beneficiary is living on July 1, 1956, the increase in his annuity shall be modified under the option then elected and on the basis of current ages. This section does not authorize any decrease in any retirement allowance, nor does this section give any retired member, or his successors in interest, any claim against the State for any increase in any retirement allowance paid or payable for time prior to July 1, 1956.

Sec. 17. Section 14633 of said code is amended to read:

The retirement allowance in Section 14632, ex-Minimum clusive of the annuity in subdivision (c) of that section, but allowance when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall be, by increase in the annuity under the Retirement Annuity Fund, at least seventy dollars (\$70) per year, multiplied by the member's years of service, not to exceed forty (40); provided, the retired member is at least 60 years of age at the time of retirement. If retirement is at an age less than 60 years, the minimum retirement allowance under this section is an amount actuarially equivalent to the value at the lesser age of the minimum retirement allowance calculated under the preceding sentences, deferred to the age of 60 years. For any member under retirement who re-enters membership in the retirement system and subsequently retires, the lesser age to be taken to the preceding quarter year, in the next preceding sentence, for calculating the minimum retirement allowance under this section, shall be determined by deducting from the member's age at the subsequent retirement, the aggregate time during which the member was under retirement prior to re-entry into membership in the system No retirement allowance shall be increased under this section to exceed, annually, 75 percent of the average annual compensation earnable by the member during the three (3) years immediately preceding his retirement.

Sec. 18. Section 14636 of said code is repealed.

Section 14639 of said code is amended to read:

Upon retirement for disability, a member shall re- Disability ceive a retirement allowance which shall consist of:

Repeal

retirement allowance

- (a) A retirement salary derived from the Permanent Fund, payable monthly, equal to the retirement salary calculated under subdivision (a) of Section 14632 if the member has attained the age 60 years at the effective date of his retirement; or if the member has not attained such age, a retirement salary payable monthly equal to ninety percent (90%) of an amount which hears the same ratio to fifty dollars (\$50) as the number of years of service credited, not to exceed thirty (30) years, bears to 30 years. The retirement salary shall be subject to the deductions provided in Section 14476, if the member is not credited at the time of retirement with the total Permanent Fund contributions required of each member.
- (b) A disability annuity, derived from the Retirement Annuity Fund, computed pursuant to Section 14640.
- (c) An annuity which shall be the actuarial equivalent of the accumulated annuity deposits standing to the credit of his individual account at the time of his retirement.

Such retirement allowance, prior to modification under options in Section 14637, and exclusive of the annuity derived from accumulated annuity deposits, shall be at least an amount, by increase in the annuity under the Retirement Annuity Fund, which, when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall equal the retirement allowance, prior to optional modification, to which the person would be entitled under this system if he were not entitled to any allowance from a local retirement system, minus one-half the retirement annuity on account of service rendered after June 30, 1944, to which the person would be so entitled, but for which he did not make annuity contributions. However, no amount shall be paid under this paragraph to any retired person who has the right to receive a retirement allowance from a local retirement system upon his subsequent attainment of a minimum age after the retired person attains that minimum age unless he affirmatively exercises his right to receive the retirement allowance from the local retirement system, and if such a retired person does so exercise his right, only if some amount is then payable under this paragraph.

Repeal

Sec. 20. Section 14639.6 of said code is repealed.

SEC. 21. Section 14641 of said code is amended to read:

14641. When a member who has been retired and has thereafter re-entered membership in the Retirement System, subsequently retires, he shall not receive the full retirement annuities specified in subdivision (b) of Section 14632, or 14639, according to whether retirement is for service or disability, but shall receive (1) an annuity, based upon his salary earned in service from the date of re-entry into the Retirement System to the date of his subsequent retirement, and calculated under Section 14632 or 14639, as the case may be, plus (2) annuities equal to the annuities he received next preceding his re-entry into membership, adjusted according to any change in the provisions governing the cal-

Retirement after re-entry Annuity

culation of retirement allowances made after said re-entry and applicable to allowances being paid at the date of the change, provided that such subsequent retirement occurs before he renders after his re-entry, at least one year of service credited under the Retirement System; otherwise, plus (3) annuities based on the same salary and service as that upon which the annuities he received next preceding said re-entry were based, but calculated under Section 14632 regardless of whether retirement is for service or disability, on the basis of an age, taken to the preceding completed quarter year, and determined by deducting from his age at his subsequent retirement, the aggregate time during which he was under retirement.

Such a member likewise shall not receive the full retire- Salary ment salary specified in subdivision (a) of Section 14632 or 14639, according to whether retirement is for service or disability, but shall receive (1) a retirement salary, based upon his credited service from the date of re-entry into the Retirement System to the date of his subsequent retirement, and calculated under Section 14632 or 14639, as the case may be, plus (2) a retirement salary equal to the retirement salary he received next preceding his re-entry into membership, adjusted according to any change in the provisions governing the calculation of retirement allowances made after said re-entry and applicable to allowances being paid at the date of the change; provided, that such subsequent retirement occurs before he renders after his re-entry, at least one year of service credited under the Retirement System; otherwise, plus (3) a retirement salary based on the same service as that upon which the retirement salary he received next preceding said re-entry was based, but calculated under Section 14632, regardless of whether retirement is for service or disability on the basis of an age, taken to the preceding completed quarter year, and determined by deducting from his age at his subsequent retirement, the aggregate time during which he was under retire-

SEC. 22. Section 14683 of said code is amended to read:

14683. If a person who has been retired ceases to be en-Cossation of titled to benefits from a local retirement system, on account local system of which service was excluded in the calculation of such person's annuity, but who continues to be retired under this system, he shall be entitled to an annuity on account of such service, effective on the first day of the month in which he notifies the Retirement Board at its office in Sacramento. If Deposits in within 90 days after said effective date, said person deposits Annuty in the Retirement Annuity Fund, an amount equal to the Fund contributions which he would have been required to make to that fund during service rendered after June 30, 1944, if he had not then been a member of the local retirement system, less the portion of the annuity which would have been payable prior to said date, and an amount equal to which was not paid to the local district under Section 14565, with interest

on the balance of the contributions remaining after deducting said portion as it would have been paid from month to month, from the first of the year next following the date on which such contribution would have been payable to the date the deposit is made at the current rate of interest credited to retirement fund contributions, the annuity shall be calculated with respect to all such service on the basis of the effective date of retirement of such person. If deposit of such contributions and interest is not made, the annuity shall be calculated in said manner, but including only such service rendered prior to July 1, 1944, and the minimum retirement allowance applicable to such member shall be the minimum allowance calculated as if the deposit were made, and then reduced by the amount of the annuity which would have been the actuarial equivalent of such redeposit.

Benefit from local system If a person after retirement becomes entitled to a benefit from a local retirement system, based on service which was included in the calculation of his annuity, the annuity shall be recalculated as the effective date of the person's retirement, excluding said service, and the reduced retirement allowance shall be effective on the day the benefit under the local system began to accrue. Annuity contributions made on account of such service, plus interest and less the annuity paid to him on account of the contributions, shall be paid to him.

Operative date Urgency

SEC. 23. This act shall become operative on July 1, 1956. SEC. 24. 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 State Teachers' Retirement Law, as amended by Chapter 1395 of the Statutes of 1955, to become operative on July 1, 1956, provides a new formula for computing benefits to members of the Teachers' Retirement System. Legal and actuarial opinions regarding that act (Ch. 1395, Stats. 1955) have disclosed certain deficiencies therein which will impair the effectiveness of the act unless amended prior to the operative date thereof. In order to clarify the application of that law prior to its operative date, it is necessary that this act take effect immediately.

CHAPTER 56

An act to amend Sections 1500, 1505, 1507, 1508, 1509, 1509.7, 1513, 1518, 1518.1, 1518.2, 1518.3, 1518.4, 1520, 1535.2, 1535.3, 1535.7, 1535.8, 1540, 1542, 1562, 1563, 1571, 1582, 1587, and the heading of Article 2.5 of Chapter 1, Division 7 of, to add Sections 1543 and 1544 to, and to repeal Section

1509.8 and Article 4 of Chapter 1, Division 7 of, the Military and Veterans Code, relating to preparedness for and the mitigation of disasters.

[Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956]

In effect July 5, 1956

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

Section 1. Section 1500 of the Military and Veterans Code is amended to read:

The State has long recognized its responsibility to Disasters mitigate the disasters which result from such calamities as air state responsibility pollution, flood, fire, earthquake, pestilence, war, sabotage and riot. It is hereby found and declared that the provisions of this chapter are necessary, to enable the State: to effectively discharge that responsibility; to more effectively join with political subdivisions, municipal corporations and other public agencies of the State, in coping with conditions which may result in extreme peril to life, property and the resources of the State; generally to protect the health and safety and preserve the lives and property of the people of the State; in times when the United States of America is engaged in war, to assist the Federal Government in the successful prosecution thereof; and to obtain the maximum advantage of those implements and methods, organizations and arrangements that have already been developed through wartime experience to deal with possible future disasters.

Sec. 2. Section 1505 of said code is amended to read:

1505. As used in this chapter, "state of extreme emer-"State of gency" means the duly proclaimed existence of conditions of extreme emergency" extreme peril to the safety of persons and property within the State caused by an enemy attack or threatened attack by land, sea, or air, or when upon the advice of the commanding general of this area, such an attack is imminent, an air raid alarm, sabotage, or other cause such as air pollution, fire, flood, storm, epidemic, riot or earthquake, which conditions by reason of their magnitude are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city and county, or city and require the combined forces of a "mutual aid region or regions" to combat. "State of extreme emergency" does not include nor does any provision of this chapter apply to any condition resulting from a labor controversy.

As used in this chapter, "state of disaster" means the duly "State of proclaimed existence of conditions of extreme peril to the safety of persons and property within the State caused by such conditions as air pollution, fire, flood, storm, epidemic. riot or earthquake, or other conditions except as a result of war-caused disaster, which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat. "State of

disaster" does not include nor does any provision of this chapter apply to any condition resulting from a labor controversy.

[Ch. 56

Sec. 3. Section 1507 of said code is amended to read:

Existing plans

1507 -The State Fire Disaster Plan and the State Law Enforcement Mutual Aid Plan shall continue to be in effect, and either of them may hereafter be modified by the Disaster Council. The State of California Civil Defense and Disaster Plan shall remain in full force and effect until and as it may be revised or amended by the Governor upon the recommendation of the Disaster Council.

Sec. 4. Section 1508 of said code is amended to read:

Acceptance of aid

- (a) Whenever the Federal Government or agency or officer thereof shall offer to the State, or through the State to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of civil defense or the mitigation of disaster, the State, acting through the Governor, or such political subdivision, acting with the consent of the Governor and through its executive officer or governing body, may accept such offer. Upon such acceptance the Governor of the State or executive officer or governing body of such political subdivision may authorize any officer of the State or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the State or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.
- (b) Whenever any person, firm, or corporation shall offer to the State or to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant. or loan, for purpose of civil defense or the mitigation of disaster, the State, acting through the Governor, or such political subdivision, acting through its executive officer or governing body, may accept such offer. Upon such acceptance the Governor of the State or executive officer or governing body of such political subdivision may authorize any officer of the State or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the State or such political subdivision, and subject to the terms of the offer.

Sec. 5. Section 1509 of said code is amended to read:

Political activity

1509. No organization for civil defense or the mitigation of disaster established under the authority of this chapter shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

Sec 6. Section 1509 7 of said code is amended to read:

Assistance

Each department, division, bureau, board, commission, officer and employee of this State and of each agency, political subdivision, or local governmental unit of the State shall render all possible assistance to the Governor and to the Director of the Disaster Office in carrying out the provisions of this chapter.

Section 1513 of said code is amended to read:

1513. It shall be the duty of the Disaster Council, and it is Duties of hereby empowered:

To act as an advisory body to the Governor in times of war or disaster and with reference thereto in order to minimize the effects of such occurrences by recommending ameliorative action. The Disaster Council shall meet upon call of the Governor. During any war declared by Congress or during any national emergency proclaimed by the President of the United States, the Disaster Council shall meet not less frequently than once every other month on a day to be designated by the Governor. Notice of such meeting shall be given to each member of the Disaster Council not less than 15 days prior to the day selected by the Governor for the meeting of the council

It shall also be the duty of the Disaster Council, and it is

hereby empowered:

(a) To consider and recommend for approval by the Governor, rules or regulations or orders which are within the province of the Governor to promulgate;

(b) To consider and recommend to the Governor for approval the boundaries of such "mutual aid regions" of the

State as may be designated;

(c) To consider and approve interregional and regional mu-

tual aid plans; (d) To recommend to the Governor the assignment of any service or activity relative to disaster or disaster planning to a state department having duties related to such service

or activity: (e) To consider and recommend the creation by the Governor of advisory committees in order to make available to the State civilian participation and cooperation in disaster

planning and activities:

(f) To consider and recommend the expenditures of moneys appropriated for any of the objects or purposes of this

chapter:

- (g) To consider and recommend to the Governor for approval a State Disaster Plan built around mutual aid and integrate into such plan the several state departments and agencies whose resources are necessary in coping with disasters,
- (h) To encourage the development and maintenance of mutual aid plans and agreements whereunder local agencies may most effectively protect life and property during periods of emergency;

(i) To evaluate state communications systems with particular regard to their adequacy in case of disaster.

Sec. 8. The heading of Article 2.5 of Chapter 1, Division 7, of said code is amended to read.

Article 2.5. California Disaster Office

California Disaster Office Creation SEC. 9. Section 1518 of said code is amended to read: 1518 The Governor shall assign all or a part of his powers and duties under this chapter to such secretaries and personnel in his office as he may designate, and such secretaries and personnel shall be known as, and shall be referred to as, the

California Disaster Office.

Employees and assistants SEC. 10. Section 1518.1 of said code is amended to read: 1518.1. In addition to the authority conferred upon him by Section 12001 of the Government Code, the Governor may also appoint and fix the salaries of such assistants and employees for the California Disaster Office as he may deem necessary. Salaries within said office shall be fixed as nearly as possible to conform to the salaries established by the State Personnel Board for classes of positions in the state civil service involving comparable duties and responsibilities.

SEC. 11. Section 1518.2 of said code is amended to read:

Director

The Governor, with the approval of the Senate, shall designate one person in the California Disaster Office to act as the Director of the Disaster Office, and may fix the salary of such person at not to exceed fifteen thousand dollars (\$15,000) a year. The Director of the Disaster Office shall have all of the rights and powers of a head of a department except those conferred by Section 11154 of the Government Code. When the Governor proclaims a state of disaster within any region or regions of the State, the director shall act as the coordinator of all state disaster activities in connection with such emergency, and every state agency and officer shall cooperate with the director in rendering all possible assistance in carrying out the provisions of this chapter. In addition to the powers herein designated, the Governor may delegate any of the powers vested in him under this chapter to the Director of the Disaster Office and to the regional or area coordinators appointed by the Governor except the power to make appointments, the power to fix salaries, the power to make, amend, and rescind orders, rules, and regulations, and the power to proclaim a state of extreme emergency or a state of disaster.

Sec. 12. Section 1518.3 of said code is amended to read:

Proclamations 1518.3. Whenever conditions exist within any region or regions of the State which warrant the proclamation by the Governor of a state of extreme emergency or a state of disaster and the Governor has not acted under the provisions of Section 1580 by reason of the fact that he has been inaccessible, the Director of the Disaster Office may proclaim the existence of a state of extreme emergency or a state of disaster in the name of the Governor as to any region or regions of the State Whenever the Director of the Disaster Office has so proclaimed a state of extreme emergency or a state of disaster, such action shall be ratified by the Governor as soon as he becomes accessible and in the event the Governor does not ratify the action he shall immediately terminate the state of extreme emergency

or the state of disaster as proclaimed by the Director of the Disaster Office.

SEC. 13. Section 1518.4 of said code is amended to read:

The Director of the Disaster Office shall determine screening of **1**518.**4**. the order of priority for screening volunteer civil defense and workers disaster service workers. Screening shall include such investigation, fingerprinting, photographing, description and information as may be necessary to determine the loyalty of such volunteer civil defense and disaster service workers to the United States and their general fitness to assume their civil defense and disaster service powers and duties. The Director of the Disaster Office shall contract with the State Bureau of Criminal Identification and Investigation for the performance of such screening functions and the cost thereof shall not exceed the actual cost to the bureau for performing such work.

Sec. 14. Section 1520 of said code is amended to read:

The Governor may create advisory committees to Advisory assist in specific fields of civilian protection, war services and committees disaster mitigation. He shall appoint the members thereof and they shall serve at his pleasure. He shall also designate the chairman and vice chairman thereof. The committees shall be under the direction of the Governor or such state department head as he shall designate, and shall be wholly advisory in character and shall not be delegated any administrative authority or responsibility. Members of such committees shall not receive compensation from the State for their services under this chapter, but when called into conference or session by the Governor or a department head designated by him shall be reimbursed for their actual and necessary expenses incurred in connection with such conferences or sessions, or in lieu thereof shall receive mileage and ten dollars (\$10) per day of actual service.

Sec 15. Section 1535 2 of said code is amended to read:

The Governor shall coordinate the plan and pro-coordination gram for the mitigation of disaster in this State, such plan program and program to be integrated into and coordinated with the civil defense plans of the Federal Government and of other states to the fullest possible extent, and shall coordinate the preparation of plans and programs for the mitigation of disaster by the political subdivisions of this State, such plans to be integrated into and coordinated with the disaster plan and program of this State to the fullest possible extent.

SEC. 16. Section 1535 3 of said code is amended to read:

1535 3. The Governor may, in accordance with the plan specific and program for the mitigation of disaster in this State:

(a) Ascertain the requirements of the State or the political subdivisions thereof for food or clothing or other necessities of life in the event of attack or other disaster.

(b) Plan for and procure supplies, medicines, materials, and equipment.

- (c) Use and employ from time to time any of the property, services, and resources of the State for the purposes set forth in this chapter.
- (d) Make surveys of the industries, resources, and facilities within the State as are necessary to carry out the purposes of this chapter.

(e) Institute training programs and public information

programs

- (f) Plan for the use of any private facilities, services and property and when necessary, and when in fact used, to provide for payment for such use under such terms and conditions as may be agreed upon
- (g) Take all other preparatory steps, including the partial or full mobilization of civil defense and disaster organizations in advance of actual disaster, and including the ordering of test exercises, to insure the furnishing of adequately trained and equipped personnel in time of need.

(h) Provide for mobile support units.

Validation of

SEC 165. Section 1535.7 of said code is amended to read: 1535.7. The California Disaster and Civil Defense Master Mutual Aid Agreement as heretofore approved by the Governor on behalf of the State of California and all its departments and agencies, and all mutual aid operational plans or agreements duly adopted or approved by the State Disaster Council or the Governor are hereby confirmed, validated and declared legally effective. The terms "mutual aid agreements" or "agreements" as used in this chapter shall include "operational plans."

Legislative intent It is the purpose of the Legislature in enacting this section to facilitate the adoption of mutual aid operational plans and to make unnecessary the execution of written agreements customarily entered into by public agencies exercising joint powers. Mutual aid operational plans duly adopted by the State Disaster Council shall be effective for the purposes provided in the California Disaster and Civil Defense Mutual Aid Agreement.

SEC 17. Section 1535.8 of said code is amended to read:

Liability of other states

1535 8 No other state or its officers or employees rendering aid in this State pursuant to any interstate arrangement, agreement or compact shall be liable on account of any act or omission in good faith on the part of such state or its officers or employees while so engaged, or on account of the maintenance or use of any equipment or supplies in connection with civil defense or the mitigation of disaster.

SEC 18. Section 1540 of said code is amended to read:

Proclamation of state of disaster

1540 The Governor is hereby empowered to proclaim a state of disaster in an area or region affected or likely to be affected thereby when:

1. He finds that some or any of the circumstances described in Section 1505 exist; and either

2. He is requested to do so (a) in the case of a city by the mayor or chief executive, (b) in the case of a county by the chairman of the board of supervisors; or

3. He finds that local authority is inadequate to cope with

the peril.

Such proclamation shall be in writing and shall take effect immediately upon its issuance. As soon thereafter as possible it shall be filed in the Office of the Secretary of State. The Governor shall cause widespread publicity and notice to be given of such proclamation.

The Governor may assign to a state agency any activity con-Assignment cerned with the mitigation of disaster of a nature related to of activities the existing powers and duties of such agency, and it shall thereupon become the duty of such agency to undertake and

carry out such activity on behalf of the State.

Sec. 19 Section 1542 of said code is amended to read:

Subject to the approval of the Department of Fi- Powers of nance, any state agency may use its personnel, property, equip-state ment and appropriations for carrying out the purposes of this chapter, and in that connection may loan personnel to the California Disaster Office. The Department of Finance shall Reimbursedetermine whether reimbursement shall be made to any state ment for agency for expenditures heretofore or hereafter made or in-tures curred for such purposes from any appropriation available for the California Disaster Office except that as to any expenditure made or incurred by any state agency the funds of which are subject to constitutional restriction which would prohibit their use for such purposes, such reimbursement shall be provided and the original expenditure shall be considered a temporary loan to the General Fund of the State.

Sec 19.5. Section 1562 of said code is amended to read:

1562.During any state of extreme emergency or any state victorial of disaster when the need arises for outside aid in any county, and plans city and county, or city within the region, such aid shall be rendered in accordance with the mutual aid plans developed on a regional, area or other basis.

It shall be the duty of local public officials to comply with

such plans.

In periods of local peril or emergency local governmental agencies have full power to exercise mutual aid powers in accordance with local ordinances, resolutions, agreements or plans therefor.

Scc. 20. Section 1543 is added to said code, to read.

1543. During a state of disaster the Governor may direct Action by all agencies of the State Government to utilize and employ state state personnel, equipment and facilities for the performance of any and all activities designed to prevent and alleviate actual or threatened damage due to the disaster. Any agency Exeminure so directed by the Governor may expend any of its moneys of appropriations in performing such activities which have been appropriated

to it, irrespective of the particular purpose for which the money was appropriated.

Sec. 21. Section 1544 is added to said code, to read:

Suspension of laws

During a state of disaster the Governor may suspend the provisions of any regulatory statute, or statute prescribing the procedure for conduct of state business, or the rules, regulations or orders of any state agency, where the Governor determines and declares that strict compliance with the provisions of any such statute, rule, regulation or order would in any way prevent, hinder or delay the mitigation of the disaster.

Use of state personnel and eauroment

Sec. 21 5. Section 1563 of said code is amended to read: In the development of the regional mutual aid plans provisions shall be made for the most effective use of state personnel and equipment as a part of such plans and during a state of extreme emergency or a state of disaster the Governor may exercise such authority over the use of such equipment and personnel as he may see fit or place it under the direction of such state or local officer as he may determine most appropriate.

Sec. 22. Section 1571 of said code is amended to read: Counties, cities and counties, and cities may create

Local disaster councils

disaster councils by ordinance. A disaster council shall develop a plan for meeting any condition of extreme peril or any condition which is specified in Section 1505 as constituting the basis for a declaration of a state of extreme emergency or a state of disaster; such plan shall provide for the effective mobilization of all the resources of the community, both Organization, public and private. The legislative body of a county, city and county or city may in such ordinance or by resolution

powers, etc.

Citizen aid

adopted pursuant to such ordinance, provide for the organization, powers and duties, divisions, services and staff of the civil defense and disaster organization. The legislative body of a county, city and county or city may, by resolution, authorize public officers, employees and registered volunteers to command the aid of citizens when necessary in the execution of their duties during a period of a state of extreme emergency.

Rules and regulations

Counties, cities and counties, and cities may enact ordinances and resolutions and either establish rules and regulations or authorize disaster councils to recommend to the local director of civil defense rules and regulations for dealing with local emergencies that can be adequately dealt with locally; and further may act to carry out mutual aid on a voluntary basis, and to this end may enter into agreements. In the absence of a declaration of a state of extreme emergency, state personnel and equipment may be employed in accordance with any mutual aid plan or agreement, or at the direction of the Governor.

Existing councils

Any war, defense or disaster council established by any county, city and county, or city, existing as of the effective date of this chapter, and previously certified as an accredited war, defense or disaster council by the California State War Council shall, for the purposes of this chapter or any other law of this State, constitute a disaster council.

Neither this chapter nor anything expressed in it is in-construction tended to be or is to be construed as a denial of the power of such local agencies to establish such departments pursuant to Article XI, Section 11, of the Constitution.

Sec. 225. Section 1582 of said code is amended to read:

1582. (a) The Governor is hereby empowered to cooperate Emergency with public officials of other states and of the United States in Governor preparing plans for the preservation of life and property dur- Cooperation ing any state of extreme emergency.

(b) The Governor may assign to a state agency any activity Assignment concerned with the mitigation of disaster on an interstate of activities basis of a nature related to the existing powers and duties of such agency, and it shall be the duty of such agency to undertake and carry out such activity on behalf of the State. Funds may be made available for such purpose under the provisions of Section 1541 of this code.

(c) In cooperating with other states and the United States Mutual and plans for the mitigation of disaster, the Governor may enter into and execute upon behalf of this State plans for mutual aid during a period of a state of extreme emergency, and may enter into and execute upon behalf of this State interstate arrangements for the protection and preservation of life and property during a period of a state of extreme emergency.

(d) During a period of a state of extreme emergency, the Extraterritorial actions Governor, any state agency, and any agency acting under Section 1587 of this code may exercise outside the territorial limits of this State any of the powers conferred upon him or it by or pursuant to this chapter.

Sec. 22.7. Section 1587 of said code is amended to read:

1587 In the event that the Governor, during the state Use of local of extreme emergency or the state of disaster and in the exer-agencies and cise of the emergency powers vested in him, shall order the officers, employees, or agencies of any county, city and county, city or district to perform duties outside of the territorial limits of their respective agencies, any services performed or expenditures made in connection therewith by any such agency, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of such agency. During a state of extreme emergency or a Damage state of disaster in the event that any equipment owned, leased or operated by any county, city and county, city or district, is damaged or destroyed while being used outside of the territorial limits of the public agency owning such equipment, the public agency suffering loss shall be entitled to file a claim for the amount thereof against the State of California in the manner provided in Section 1586 of this chap-

Extraterritorial activities ter. Such agency shall have no claim against the State for services of such personnel or for the rental, use or ordinary wear and tear of such equipment, except such extraordinary services incurred by local governmental agencies in executing mutual aid agreements. All of the privileges and immunities from hability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of such officers, agents or employees of any such agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this chapter.

Liability of physicians, hospitals,

Any physician and surgeon (whether licensed in this or any other state), hospital, nurse, or dentist that renders services during a period of any state of extreme emergency or any state of disaster, at the express or implied request of any state official or agency or state or local disaster council, shall have no liability for any injury sustained by any person by reason of such services, regardless of how or under what circumstances or by what cause such injuries are sustained; provided, however, that the immunity herein granted shall not apply in the event of a wilful act or omission

Src. 23. Section 1509.8 and Article 4, Chapter 1, Division

7 of said code are repealed.

Construction

SEC 24. The changes made by this act shall not be construed to deprive any person or public agency of any substantial right which would have existed or hereafter exists had such changes not been made.

CHAPTER 57

An act making an appropriation to the Department of Public Works for surveys and plans to construct a depressed freeway and appurtenant floodway in the City of Stockton.

In effect July 5, 1956 [Approved by Governor April 25, 1956, Filed with Secretary of State April 26, 1956.]

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

Section 1. The sum of ten thousand dollars (\$10,000) is hereby appropriated, one-half payable from the General Fund, and one-half payable from the State Highway Fund, to the Department of Public Works for surveys and plans for a depressed freeway and appurtenant floodway in the City of Stockton in accordance with plans for this project adopted by the City Council of the City of Stockton, and for which the city has undertaken to acquire necessary rights of way.

CHAPTER 58

An act to add Part 1.5 (commencing with Section 34000) to Division 24 of the Health and Safety Code, relating to state and to redevelopment agencies in flood stricken areas, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956]

In effect ammediately

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

Section 1. Part 1.5 (commencing with Section 34000) is added to Division 24 of the Health and Safety Code, to read:

PART 1.5 FLOOD RELIEF REDEVELOPMENT LAW

34000. This part is known and may be cited as the Flood short title Relief Redevelopment Law.

"Director" means the State Director of Finance. 34001. "Property" means any land or buildings damaged "Property" or destroyed by storms or floods after October 1, 1955, and located within a redevelopment area.

34003. The director shall administer this part and make Adminissuch rules and regulations as may be necessary to carry out its provisions.

34004. From any state money made available to it for the Loans purpose, and subject to the conditions specified in this part, the director may lend money to any redevelopment agency to enable it to acquire property within the redevelopment area over which the agency has jurisdiction to enable it to plan a redevelopment project within the area.

34005. The director shall not make any loan under this Committeen part until he has first determined that it is reasonably certain that federal funds will eventually become available to be applied towards the acquisition of the property involved, but that it is necessary to acquire it in the meantime in order to carry out the redevelopment project or provide for its early completion at the lowest possible cost.

34006. No loan shall be made under this part until the same redevelopment agency has first entered into a contract with the United States or its authorized agent for an advance from the United States for surveys and plans for redevelopment projects

34007. The director may also lend money to a redevelop-Flood ment agency in respect to any redevelopment project in a affected areas flood affected area in an amount equal to not more than onethird of the aggregate of the net costs of the project where necessary to meet the requirements of local grants-in-aid required by federal law. Any such loan shall be conditioned Condution upon the agency entering into a contract with the United States or its authorized agent for a capital grant from the United States to the agency for the purpose of the project.

Repayment

450

34008. Any loan made by the director to a redevelopment agency pursuant to this part shall be repaid to the State General Fund in equal installments over a period of 10 years, together with an additional amount equal to the revenue which the State would have derived by investing the total deferred payment at the interest rate prevailing for legal state investments. The repayment shall be made out of the following funds: (a) any federal funds made available to the agency for carrying out the redevelopment project; (b) if there are no such available federal funds, any available current revenues of the agency; (c) if such available current revenues are insufficient, from any funds of the agency to which it may be entitled under the Alcoholic Beverage Control Law or out of motor vehicle license fee revenue, which funds shall be withheld from the agency by the State Controller upon the order of the director.

Acquisition of property

34009. Property may be acquired under this part upon the approval of the director and without the necessity of meeting any condition precedent to land acquisition prescribed by the Community Redevelopment Law. Property acquired under this part may be acquired in any manner permitted by the Community Redevelopment Law.

Appropriation SEC. 2. There is hereby appropriated out of the State General Fund the sum of three million five hundred thousand dollars (\$3,500,000) for expenditure by the State Director of Finance in carrying out the provisions of the Flood Relief Redevelopment Law.

The money hereby appropriated may be expended by the State Director of Finance during the Fiscal Year 1955-56, the Fiscal Year 1956-57, and the Fiscal Year 1957-58.

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 State Constitution and shall go into immediate effect. The facts constituting such necessity are:

The purpose of establishing a loan fund such as that herein provided is to permit local redevelopment agencies to acquire real property in flood damaged areas at the earliest possible time during the period that the agencies are planning such projects and prior to the availability of federal funds to carry them out and to assist such agencies in financing the local share of such projects. Such early acquisition of real properties in project areas will relieve personal hardship and assist in maintaining ultimate redevelopment project costs at the lowest possible level.

CHAPTER 59

An act to repeal Section 1 of Chapter 1730 of the Statutes of 1955 and to add Chapter 4 to Division 3 of the Welfare and Institutions Code, relating to the Citizens' Advisory Committee on Aging.

[Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956] In effect July 5, 1956

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

SECTION 1. Chapter 4 is added to Division 3 of the Welfare and Institutions Code, to read:

CHAPTER 4. CITIZENS' ADVISORY COMMITTEE ON AGING

2370. There is in the State Government, to advise the Governor on the needs and problems of the aging persons of Calicommittee fornia, a Citizens' Advisory Committee on Aging. The committee shall be composed of eight persons, appointed by the Governor, and selected on the basis of their demonstrated interest in the health, welfare, and happiness and the maintaining of adequate living standards for elderly persons in this State. The committee shall be solely advisory in character, and shall not be delegated any administrative authority or responsibility. The Governor shall designate the chairman and vice chairman of the committee and committee members shall serve at the pleasure of the Governor. Committee members shall serve without compensation, but shall be reimbursed for any actual and necessary expenses incurred in connection with the performance of their duties under this chapter.

2371. Two Members of the Senate, appointed by the Senate Committee on Rules, and two Members of the Assembly, appointed by the Speaker, shall meet with, and participate in, the work of the committee to the extent that such participation is not incompatible with their positions as Members of the Legislature. The Members of the Legislature appointed to the committee shall serve at the pleasure of the appointing power. For the purposes of this chapter, such Members of the Legislature shall constitute a joint interim legislative committee on the subject of this chapter and shall have the powers and duties imposed upon such committees by the Joint Rules of the

Senate and Assembly.

SEC. 2. Section 1 of Chapter 1730 of the Statutes of 1955 is Repeal repealed.

CHAPTER 60

An act to amend Section 4 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699 of the Statutes of 1977), relating to the objects and purposes of said act and the incidental provision of recreational facilities and the condemnation of property therefor, declaring the urgency thereof, to take effect immediately.

In effect immediately [Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956]

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

Section 1. Section 4 of the Monterey County Flood Control and Water Conservation District Act is amended to read: The objects and purposes of this act are to provide for the control of the flood and storm waters of the district and the flood and storm waters of streams that have their sources outside the district, but which streams and flood waters flow into the district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining, and causing such waters to percolate into the soil within the district, or to save and conserve in any manner all or any of such waters and to protect from such flood or storm waters the public highways, life and property in the district, and the watercourses and watersheds of streams flowing into the district, and to increase, and prevent the waste or diminution of the water supply in the district, and to obtain, retain and reclaim drainage, storm, flood and other waters for beneficial use within the district; and to provide, in the discretion of the district in connection with and as an incident to any works, dam or reservoir heretofore or hereafter constructed either within or without the district, for the construction, maintenance and operation of a minimum or permanent pool and facilities for swimming, boating, fishing and recreation in or upon waters stored in any stream, reservoir, or minimum or permanent pool, and for the acquisition in any manner provided in this act and for the use by the district, in addition or adjacent to lands that may be used or acquired for flood control or water conservation purposes or that may be acquired for the maintenance or protection of any such works, dam or reservoir or watersheds adjacent thereto, of lands deemed by the supervisors of the district to be necessary or convenient for the installation, construction, use and maintenance of recreational areas or facilities including picnic grounds, play grounds, camp grounds, home sites, boats and fishing, bathing or other facilities for use by the public, subject to such rules and regulations and reasonable charges as may be prescribed by the board of supervisors of the district; provided, however, that no property situated in another county, except property sought to be condemned in condemnation proceedings pending before a court upon the effective date of this section (as amended at the 1956 First Extraordinary Session) shall be

condemned by the district for recreational areas or facilities unless the board of supervisors of the county in which such property is situated agrees to the condemnation thereof.

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

sity is as follows:

The act governing this district, as now worded, does not clearly confer upon the district the powers conferred upon it by this act. Public funds have heretofore been voted and provided for the construction of a dam and reservoir by said district, including a reservoir and minimum pool available for fishing and recreational use. The completion of such dam and reservoir pursuant to a contract heretofore let, and the acquisition of property necessary therefor in proceedings now pending is essential to the early elimination of a desperate shortage of water in the County of Monterey. The enlargement of the pending project to include additional areas and facilities for the purposes specified in this act will serve a necessary and desirable public purpose and effect material economies in the cost thereof. To accomplish these purposes it is necessary that this act take effect immediately.

CHAPTER 61

An act to add Section 232 to the Water Code, relating to determination of water supplies and making an appropriation therefor.

> [Approved by Governor April 25, 1956, Filed with Secretary of State April 26, 1956]

In effect July 5, 1976

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

Section 1. Section 232 is added to the Water Code, to read:

- 232. The Legislature finds and declares that in providing for the full development and utilization of the water resources of this State it is necessary to obtain for consideration by the Legislature and the people, information as to the water which can be made available for exportation from the watersheds in which it originates without depriving those watersheds of water necessary for beneficial uses therem. To this end, the department is authorized and directed to conduct investigations and hearings and to prepare findings therefrom and to report thereon to the Legislature at the earliest possible date with respect to the following matters.
- (a) The boundaries of the respective watersheds of the State and the quantities of water originating therein;
- (b) The quantities of water reasonably required for ultimate beneficial use in the respective watersheds;

(c) The quantities of water, if any, available for export from the respective watersheds; and

(d) The areas which can be served by the water available

for export from each watershed.

Before adopting any findings which are reported to the Legislature, the department shall hold public hearings after reasonable notice, at which all interested persons may be heard.

Sec. 2. There is hereby appropriated one hundred fifty thousand dollars (\$150,000) to the Division of Water Resources, Department of Public Works, for the purposes of this act

CHAPTER 62

An act making an appropriation to the Regents of the University of California for research on water resources and hydraulic engineering.

In effect July 5, 1956 [Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956]

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

Section 1. There is hereby appropriated from the General Fund to the Regents of the University of California the sum of one hundred thousand dollars (\$100,000) in order to

- (a) Carry out research and make analyses and studies in the field of water resources, including irrigation, hydraulic, and sanitary engineering, with particular attention to the interrelationship of the engineering, economic and legal aspects of the water resources development problem, including underground, surface, and coastal waters for beneficial use.
 - (b) Prepare and issue reports and informational bulletins

on water resource subjects.

SEC. 2. To the extent deemed appropriate by the Regents the university shall cooperate in research with the Division of Water Resources, Department of Public Works, and any successor thereof, and with other agencies of the State of California concerned or charged with responsibility for the development, use, distribution and reclamation of water.

CHAPTER 63

An act to add Section 557 to the Streets and Highways Code, relating to state highways.

In effect July 5, 1956 [Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956.]

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

SECTION 1. Section 557 is added to the Streets and Highways Code, to read:

557. Route 237 is Junipero Serra Boulevard as it exists and as it was constructed by Joint Highway District No. 10

from its junction with State Highway Route No. 56 in Daly City, to the present terminals of said highway in the City of San Bruno.

Upon the effective date of this section, the Joint Highway District No. 10 shall be dissolved in accordance with the provisions of Chapter 20 of Part 1 of Division 16 of the Streets and Highways Code, and all property, assets, and liabilities of said district shall become the property of the State.

CHAPTER 64

An act to add Sections 7000.6 and 7109.15 to the Education Code, relating to the apportionment of the State School Fund, declaring the urgency thereof, to take effect immediatelu.

[Approved by Governor April 25, 1956. Filed with Secretary of State April 26, 1956.]

In effect **immediately**

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

Section 7000.6 is added to the Education Code, SECTION 1. to read:

When the total assessed valuation in any school Reduced district for the 1956-57 Fiscal Year is at least 2 percent less valuation than the total assessed valuation in the district for the 1955-56 Storms and floods Fiscal Year, as shown by the equalized assessment roll for such year, and such reduction in assessed valuation is the result of property damage caused by the storms and foods occurring in December, 1955, and January, 1956, the county assessor of the county in which such district is situated shall, on or before August 1, 1956, transmit to the Superintendent of Public Instruction the written notice prescribed by this section. The notice shall set forth the amount of assessed valuation in each such district in the county for the 1956-57 Fiscal Year, and shall include a certification that the assessed valuation in each such district for such fiscal year is at least 2 percent less than the assessed valuation in each such district as shown by the equalized assessment roll for the 1955-56 Fiscal Year and that the reduction is the result of property damage caused by storms and floods occurring in December, 1955, and January, 1956. When this section is applied to joint districts, the term "district," as used in this paragraph, means that portion of a joint district lying in the county of which the county assessor is an officer, and, as used in this paragraph, the term "total assessed valuation in the district" or "assessed valuation in the district" means the assessed valuation lying in the portion of the joint district situated in the county of which the county assessor is an officer.

Whenever during the Fiscal Year 1956-57 any computation is required by this chapter which is based in whole or in part on the assessed valuation of a school district as shown by the equalized assessment roll for the preceding year or preceding fiscal year, there shall be used, for such computations made

21-L-3546

for any school district included in the county assessor's notice. the amount of the assessed valuation of the district for the 1956-57 Fiscal Year as set forth in the notice plus an amount equal to 2 percent of the assessed valuation of the district as shown by the equalized assessment roll for the 1955-56 Piscal Year. If the district included in the notice is a joint district. there shall be used for such computations made for such joint district the total of the following amounts: for any portion of the district for which the notice has not been given, the amount of the assessed valuation lying in such portion of the district as shown by the equalized assessment roll for the 1955-56 Fiscal Year of the county in which such portion is situated. and for any portion for which the notice has been given, the amount of the assessed valuation lying in such portion of the district for the 1956-57 Fiscal Year as set forth in the notice given by the county assessor of the county in which such portion is situated plus an amount equal to 2 percent of the assessed valuation of such portion of the district as shown by the equalized assessment roll for the 1955-56 Fiscal Year for the county in which such portion is situated.

If the equalized assessment roll of the county for the 1956-57 Fiscal Year is completed by August 1, 1956, the assessed valuation of a district, or a portion of a joint district, for the 1956-57 Fiscal Year as set forth in the notice of the county assessor, shall be the assessed valuation of the district, or portion of a joint district, as shown on such equalized assessment roll. If such roll is not completed by August 1, 1956, the county assessor shall estimate the amount of assessed valuation in the distract, or portion of a joint district, for the 1956-57 Fiscal Year and set forth such estimated amount in his notice, and such estimated amount shall be used as the assessed valuation for the district, or portion of a joint district. If the estimated amount of assessed valuation is more or less than that shown by the completed equalized assessment roll for the 1956-57 Fiscal Year, correction in apportionments to the district shall be made pursuant to Section 7190 of this code.

SEC. 2. Section 7109.15 is added to the Education Code, to read:

Reduced a d a Floods 7109.15. Notwithstanding any provision of this article to the contrary, whenever the average daily attendance of a district, situated within the area designated by the Superintendent of Public Instruction as a disaster area, for the second period of the 1955-56 Fiscal Year is less than the average daily attendance of the district for the first period of the 1955-56 Fiscal Year, and the loss of average daily attendance for the second period is certified by the county superintendent of schools to have been a direct result of floods occurring in December, 1955, and January, 1956, for the purposes of this article, the average daily attendance for the second period of the 1955-56 Fiscal Year shall be deemed to be the same as the average daily attendance of the first period of the 1955-56 Fiscal Year. For the purposes of this section, the Superin-

tendent of Public Instruction may designate as a disaster area, any area affected by the floods occurring in December,

1955, and January, 1956.

SEC. 3. This act is an urgency measure necessary for the Urgency 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 extensive damage to property caused by the floods occurring in December, 1955, and January, 1956, will have a drastically adverse effect upon the finances of school districts in the flood area for the 1956-57 Fiscal Year unless the corrective legislation in this act takes effect. Unless the amount of current assessed valuation in the districts, which reflects the loss of assessed valuation caused by flood damage, is used, rather than the assessed valuation of the preceding year, which does not reflect such damage, such districts will be allowed, under the existing law, an insufficient amount of state equalization aid and will, in addition, be unable to raise sufficient tax money because of the reduced tax base, with the result that such districts will be unable to provide an adequate education for the pupils in the districts.

Similarly, unless the districts in the flood area receive credit, under the growth computations, for average daily attendance which was lost because pupils were unable, as a result of the floods, to travel to school, the purpose of the growth provisions will be defeated and such districts will be without funds to meet the expenses previously incurred by them for the education of such pupils. Therefore, in order to prevent the disruption of public education in such districts, it is necessary that

OTT A DEED O

this act take effect immediately.

CHAPTER 65

An act to amend Section 131 of the Streets and Highways Code, relating to emergency work on highways, declaring the urgency thereof and providing that this act shall take immediate effect.

> [Approved by Governor April 25, 1956 Filed with Secretary of State April 26, 1956]

In effect immediately

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

SECTION 1. Section 131 of the Streets and Highways Code Department of Public Works

131. Upon the application of the governing authority of Highways any county, city, or other governmental agency, the department may:

(a) Aid in establishing grades and drainage systems for highways.

(b) Advise with any such authority as to the construction, improvement or maintenance of highways.

Same

- (c) Prepare plans, specifications, or estimates for the construction, improvement or maintenance of highways.
 - (d) Act as the consulting engineer for any such authority.
- (e) Accept moneys from any such governmental unit for deposit in the State Treasury to the credit of any state fund which the department designates. The department shall use such moneys for the acquisition, construction, improvement or maintenance of highways situated within such governmental unit, in accordance with the plans, specifications, and terms agreed upon. The governing authority of any such governmental unit may pay into the State Treasury, as provided in this subdivision, any moneys in its treasury or raised by the issuance of bonds, which moneys are available for use by such authority for highway purposes.

Any county by resolution of the board of supervisors may authorize the State Controller to deduct from any apportionments to it from the Motor Vehicle Fund or the Motor Vehicle Fuel Fund, such amounts as the county may desire to be paid to the department for any work to be done in accordance with this subdivision. Upon such authorization the Controller shall transfer such moneys to such fund or funds as the department

may designate.

(f) Accept and pay to the State Highway Engineer such compensation as may be agreed upon by such authority, the director and the State Highway Engineer for the services of such

engineer rendered to such authority.

(g) Advance moneys, where the director determines that such advance can be made without interference with state highway work, for emergency construction or maintenance work on highways by state forces, or by state contractor, in cases of disaster due to storms or floods where (1) the Governor has declared an emergency pursuant to Section 188.1, and (2) the agency or agencies having jurisdiction over such highway or highways have by resolution or contract agreed to reimburse the department, from succeeding Highway User Tax Fund apportionments or other sources specified in such resolution or contract and available to said agency or agencies for highway purposes, for the entire cost of said work, including not to exceed 10 percent for overhead and administration. In the event such resolution or contract specifies reimbursement from future apportionments to said agency by the State Controller, the Controller shall transfer such moneys, in such manner and over such period as may be specified in said resolution or contract, to such fund or funds as the department may designate.

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 floods occurring during December, 1955, and January, 1956, created damage to so great an extent to streets, highways and bridges in certain communities that local authorities were

Same

Urgency

unable to proceed with required emergency work due to lack of funds, although funds from future apportionments provided for by law would be available for such work. In times of disasters of this nature, the facilities of the State Department of Public Works should be available for the emergency repair of such streets, highways and bridges. The depth of the snow in the mountains of this State is such as to indicate the possibility of future floods during the spring runoff period and this act should go into immediate effect so that its benefits would be available in that event.

CHAPTER 66

An act appropriating funds for the administration of water resources.

[Approved by Governor April 26, 1956. Filed with Secretary of State April 27, 1956.]

In effect July 5, 1956

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

Section 1. All funds heretofore appropriated for expenditure for functions transferred to the Department of Water Resources or the State Water Rights Board are hereby reappropriated to the agency to which the function is transferred and shall be available for expenditure by the agency to which transferred for the same purpose and in the same manner and for the same period as such funds were available prior to this reappropriation. The Director of Finance, with the approval of the Governor, shall determine which money pertains to the functions transferred to the Department of Water Resources and which money pertains to functions transferred to the State Water Rights Board.

CHAPTER 67

An act to amend Sections 30654 and 30657 of the Streets and Highways Code, relating to toll bridges and other toll highway crossings.

[Approved by Governor April 30, 1956. Filed with Secretary of State April 30, 1956.]

In effect July 5, 1956

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

Section 1. Section 30654 of the Streets and Highways Code is amended to read:

30654. The westerly terminus of the Southern Crossing Southern shall be in the vicinity of Third and Army Streets, and the Crossing westerly approaches shall include:

(a) A six-lane freeway connection between Army Street and Approaches the Embarcadero Freeway in the vicinity of Mission Street along the approximate route of Tennessee Street, Third Street,

Fourth Street, Townsend Street, and the Embarcadero with on-and-off ramp connections to city streets in the vicinity of Army Street, on-and-off ramp connections in the vicinity of 23d Street, two on-ramp and two off-ramp connections in the vicinity of Third Street between 16th Street and 22d Street, an off-ramp connection in the vicinity of Main and Harrison Streets, an on-ramp connection in the vicinity of Spear and Harrison Streets, an on-ramp connection in the vicinity of Fourth and Brannan Streets, an off-ramp connection in the vicinity of Third Street and Channel Street.

(b) Direct connections between the Southern Crossing, the freeway connection described in subdivision (a), and the southern freeway of the City and County of San Francisco.

If the easterly terminus of the Southern Crossing is on Bay Farm Island at or in the vicinity of a point on the southwesterly shore thereof south of the intersection of Kilkenny Road and the county road connecting Bay Farm Island with the City of Alameda, the easterly approaches shall include:

- (a) A freeway crossing Bay Farm Island to the bridge connecting the Island with the City of Alameda, with on-and-off ramps in both directions, the first set of such ramps to be located in the vicinity of the intersection of Maitland Drive and County Road and the other set of ramps between the first set and the easterly terminus of the Southern Crossing. The freeway through Bay Farm Island northerly of Mecartney Road shall be contiguous to both Maitland Drive and County Road.
- (b) A freeway from a point on the Bay Farm Island Freeway to the intersection of Eastshore Freeway and Hegenberger Road and a highway from such freeway in the vicinity of Hegenberger Road and Doolittle Drive along Doolittle Drive to Davis Street and thence northerly along Davis Street to the intersection of Eastshore Freeway.
- (c) A connection from Bay Farm Island to a point on the southerly shore of the City of Alameda and a highway along the southerly shore of the City of Alameda from such point to a southerly prolongation of Eighth Street, thence northerly along Eighth Street to a point near Lincoln Avenue, thence along the Southern Pacific right of way to Atlantic Avenue, and thence to the Posey Tube connecting the City of Alameda and the City of Oakland and a parallel tube which shall be constructed as part of the approaches, with on-and-off ramps in both directions in the vicinity of the north end of the bridge connecting to Bay Farm Island, and with adequate on-and-off ramps connecting the freeway and tubes with the streets in the Cities of Oakland and Alameda and an interchange in the vicinity of Atlantic Avenue and Webster Street in the City of Alameda.

Oakland-Alameda Tube The tube parallel to the Posey Tube connecting the City of Alameda with the City of Oakland at Webster Street, and the approaches to the parallel tubes shall be constructed imme-

diately as soon as money is obtained that may be used therefor either through the sale of revenue bonds the proceeds of which may be used for such purpose or through the refinancing by the Reconstruction Finance Corporation or any other agency.

SEC. 2. Section 30657 of the Streets and Highways Code is amended to read:

The authority, to the extent that it finds it feasible Construction to do so in connection with the financing of the Southern Crossing and the approaches thereto, shall include sufficient funds in any borrowing or issuance of bonds therefor to provide such amounts as will be necessary for the construction of the approaches mentioned in Section 30654 on each side of San Francisco Bay. Notwithstanding any other provision of this article, any such borrowing or issuance may take the form of successive issues or series of bonds, as may be determined by the authority to be in the public interest, which successive issues or series may be sold from time to time as the authority may determine. The approaches described in Section 30654 shall not be constructed by the authority or the department under this or any other law out of moneys in the State Highway Fund available for the maintenance or construction of state highways.

CHAPTER 68

An act to add Section 44.14 to the Vchicle Code, relating to authorized emergency vchicles.

[Approved by Governor May 4, 1956 Filed with Secretary of State May 4, 1956]

In effect July 5, 1956

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

Section 1. Section 44.14 is hereby added to the Vehicle Code, to read:

44.14. In addition to the vehicles designated as "authorized emergency vehicles" by Section 44, the provisions of this code relating to authorized emergency vehicles shall apply to vehicles owned by any county or air pollution control district and operated exclusively by an officer or employee of an air pollution control district engaged in enforcement work in responding to emergency calls and when operating under a permit issued by the Commissioner of the California Highway Patrol such automotive equipment shall constitute "authorized emergency vehicles."

CHAPTER 69

An act to add Section 75.5 to the Streets and Highways Code, relating to state highway and freeway routes.

In effect July 5, 1956 [Approved by Governor May 4, 1956 Filed with Secretary of State May 4, 1956]

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

SECTION 1. Section 75.5 is added to the Streets and Highways Code, to read:

At any public hearing or meeting before the commission or department on the selection of any state highway or freeway route at which comparative estimates are presented of the benefits that would accrue to drivers of motor vehicles in the use of alternative routes, on request of any city or county affected, estimates for the same time period, and based on similar assumptions, as the driver benefit estimates shall also be presented of the effect that the selection of either route would have upon community values, including but not limited to property values, state and local public facilities, and city street and county highway traffic. Such estimates are required only if requested by an affected city or county which transmits with its request such information relative to the estimates as it may wish to have presented. The department, whenever it announces that a public hearing or meeting is to be held on the selection of any state highway or freeway route, shall notify any affected city or county that it may make such a request. Failure of the department or the commission to comply with the requirements of this section shall not invalidate any action of the commission as to the adoption of a routing for any state highway, nor shall such failure be admissible evidence in any litigation for the acquisition of rights of way or involving the allocation of funds or the construction of the highway.

Concurrent and Joint Resolutions and Constitutional Amendments

Extraordinary Session 1956

CONCURRENT AND JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

ADOPTED AT THE 1956 EXTRAORDINARY SESSION OF THE LEGISLATURE

CHAPTER 1

Assembly Concurrent Resolution No. 2—Relative to the death of Earl W. Chapman.

[Filed with Secretary of State, March 12, 1956.]

Whereas, The Members of the Legislature have received with the deepest regret news of the passing of Earl W. Chapman on January 11, 1956; and

Whereas, Earl W. Chapman was born at Stonewall, California, on May 13, 1891, attended grammar school at Stockton, graduated from Sacramento High School, attended the University of Chicago, was subsequently employed by the Young Men's Christian Association in a secretarial capacity, and served his Country as a second lieutenant in the ordnance department in World War I; and

Whereas, He entered California state service in 1915, and, except for his period of military duty, served the State continuously for the next 40 years, rising from the position of clerk for the State Board of Control to become principal accountant of the State Department of Finance in 1929; and

Whereas, His diligent and unstinting labor in the establishment of the State Employees' Retirement System gained recognition with his appointment in 1932 as executive secretary of that agency, a position which he occupied until his death, and

WHEREAS, Under his guidance the State Employees' Retirement System came to be nationally known, widely imitated and generally considered the best in the Nation; and

Whereas, His exceptional organizing ability and his deep and sincere concern for the welfare of all government employees were further recognized by his election and subsequent four re-elections as the secretary-treasurer of the California State Employees' Association, and his selection as a delegate to every general council in the 25 years since the association was founded; and

WHEREAS. He was known for his high standards of individual and professional conduct, and for his outstanding devotion to his obligations and the tasks assigned to him as a state officer and employee; and

WHEREAS, The State of California is deeply indebted to this man who faithfully dedicated a lifetime of energy and ability to bettering the welfare of his fellow men; now, therefore, be it

Resolved by the Assembly of the State of California, the Schate thereof concurring, That the Members of the Legislature desire by this resolution to convey their most profound sympathy to the bereaved members of the family of Earl W. Chapman; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Mary J. Chapman, his widow; Dr. Norman C. Chapman, his son; and Mr. Willis T. Chapman of Burlingame, his brother.

CHAPTER 2

Assembly Concurrent Resolution No. 3—Relative to the death of Wm. K. Smith.

[Filed with Secretary of State, March 12, 1956.]

Whereas, The Legislature has learned the sad news of the sudden, untimely passing of Wm. K. Smith on February 3, 1956; and

Whereas, Wm. K. Smith was born in 1906 in Winnemucca, Nevada, the son of a Methodist minister and later was brought by his family to California where he spent his boyhood; and

Whereas, He attended the University of California where he graduated with high honors and obtained a master's degree in public administration; and

WHEREAS, He entered state service with the Civil Service Commission in 1930, and rose to become Executive Officer of the State Personnel Board in 1944, having held the position in an acting capacity since 1941; and

WHEREAS, Despite ill health, brought on by the tremendous responsibilities of his position during World War II, which forced him to relinquish the executive position and become training officer in 1947, he continued to serve the State to the full extent of his ability; and

Whereas. He was an active member of various professional organizations including the American Society for Public Administration, the Sacramento Personnel Association, and the Civil Service Assembly of the United States and Canada, being a member of the board of directors of the latter organization; and

Whereas, He contributed substantially to the high quality of the state civil service by playing a leading role in the formation of many groups designed to promote the exchange of information and improvement of government administration through personnel study and training programs; and

WHEREAS, His truly Christian spirit was revealed not only by his active participation in the First Methodist Church in which he served as a trustee and as president of the Men's Club, but by the many hours he gladly spent on the governing board of the Lincoln Christian Center endeavoring to brighten and better the lives of underprivileged children; and

WHEREAS, He endeared himself to his host of friends and colleagues by his never-ending good will, his kindness and

gentleness of nature; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature hereby express their sincere regret at the passing of Wm. K. Smith, and extend to his family their deepest sympa-

thy; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Edna Smith, his widow; Dean Smith and Sydney Smith, his sons; Rhoda Grace Smith, his daughter; and to Mrs. Ann Steiner of Santa Barbara, Miss Ruth Smith, Miss Alma Smith, and Miss Amelia Smith, all of Berkeley, his sisters.

CHAPTER 3

Assembly Concurrent Resolution No. 4—Relative to the one hundredth anniversary of the consolidation of the City and County Governments of San Francisco and the fiftieth anniversary of the great San Francisco fire.

[Filed with Secretary of State, March 12, 1956]

Whereas, This year 1956 marks the one hundredth anniversary of the consolidation of the City and County Governments of San Francisco, the act effecting such consolidation having been approved on April 19, 1856, and this year marks also the fiftieth anniversary of the great San Francisco fire, which occurred on April 18, 1906; and

Whereas, The consolidated government of the City and County of San Francisco has been characterized and is char-

acterized today by its vigor and progressiveness; and

Whereas, Notwithstanding the extent of the 1906 disaster, in which 497 city blocks, or about four square miles, were devastated, hundreds of lives were lost, and property damage estimated at three hundred fifty million dollars (\$350,000,000) was suffered, the people of San Francisco and their government immediately determined to rebuild the city and in fact built a new city, more beautiful and more substantial than the old, a new city which is a leader in finance, commerce, industry, and culture; and

Whereas, In commemoration of the consolidation of the City and County Governments of San Francisco and the fire of 1906, there will be held in San Francisco on April 18 through April 22, 1956, a "Festival of Progress," which will include such events as a pageant, with massed choruses, at which a queen will be crowned, a Market Street parade on April 22d, which will include among its many units vehicles

of pre-1906 vintage, folk dancing, neighborhood celebrations, and the display in Union Square of old-time fire-fighting equipment; 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 hereby joins in commemoration of the consolidation of the City and County Governments of San Francisco and of the 1906 fire, congratulates the City and County of San Francisco on the enormous progress it has made since those two events, and urges the people of California to attend the Festival of Progress; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Mayor and each member of the Board of Supervisors of the City and County of San Francisco.

CHAPTER 4

Assembly Concurrent Resolution No. 5—Relative to the retirement of Joseph W. Paulucci.

[Filed with Secretary of State, March 12, 1956.]

Whereas. The Members of the Legislature of the State of California, having learned of the retirement on November 1, 1955, after 24 years of exemplary service with the Office of the Legislative Counsel, including service in the position of Principal Deputy Legislative Counsel, of our great friend and able counselor, Joseph W. Paulucci, desire, hereby, to express to Joe their sincere thanks and appreciation for an arduous and exacting job admirably done and to convey to him their fervent best wishes for future happiness and for the success of the limited private law practice in which he is engaging; and

Whereas, A graduate of the School of Law at the University of California at Berkeley. Joe was admitted to the State Bar in 1925 and practiced in Yreka, Siskiyou County, and in Sacramento prior to joining the Legislative Counsel's staff in 1931; and

Whereas, He is an expert on the law with respect to agriculture and water and is entitled to a major share of the credit for the drafting of both the Agricultural and Water Codes of the State of California; and

WHEREAS, We shall all sorely miss his presence in the Office of the Legislative Counsel but we sincerely trust that we may continue to count him as one of our best friends for many years yet to come; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature of the State of California do, hereby, commend Joseph W. Paulucci for his distinguished service over a period of 24 years to the Legislature and to the State of California, and do extend to him their sincere best wishes for many years of good health, happiness, and success in his retirement; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare and transmit a suitable copy of this resolution to Joseph W. Paulucci

CHAPTER 5

Assembly Concurrent Resolution No 1—Relative to the passing of the Honorable Ed Fletcher.

[Filed with Secretary of State, March 14, 1956]

Whereas, It is with the most profound regret that we, the Members of the Legislature of the State of California, do hereby mark the passing from this life, on the fifteenth day of October, 1955, at the age of 82, of a most able and distinguished friend and former fellow colleague, the Honorable Ed Fletcher; and

Whereas, We pay particular homage to his memory, for there have been but few men who have so greatly contributed to the growth and development of California. The exemplary record of achievement which he inscribed upon the pages of the Book of Life eloquently testifies to Senator Fletcher's exceptional vision and to his faith in the future of this, his adopted State; and

Whereas, Born in Massachusetts, Senator Fletcher came to California in the year 1889, and settled in San Diego. For a time, he was in the wholesale business. Subsequently he entered the land and water development field and served as President of the San Dieguito Water Company, the Volcan Land and Water Company, and the Cuyamaca Water Company which built 10 dams providing irrigation facilities for over 70,000 acres of land in San Diego County; and

Whereas, Senator Fletcher was the founder of the towns of Del Mar, Solana Beach, Grossmont, where he resided at the date of his death, and numerous other subdivisions and was instrumental in the development of the Rancho Sante Fe; and

WHEREAS, He donated the land for Grossmont High School and the summit of Mt. Helix for the amphitheater used for San Diego County's best known Easter sunrise service; and

WHEREAS. A former National Guard officer and honorary colonel on the Governor's staff, his outstanding record of public service includes 12 years of uninterrupted service, from 1935 until 1947, when he retired undefeated, in the Legislature of the State of California, as an honored and respected Member of the Senate; and

Whereas. He was a devoted husband and father and leaves to mourn his passing and to receive the heartfelt sympathy of all, his wife, Mary, 10 children, 30 grandchildren, 11 greatgrandchildren, and a brother and sister; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature of the State of California do hereby convey their most sincere condolences to the family of the Honorable Ed Fletcher and pray that the Lord will comfort them in their hour of

need; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit suitable copies of this resolution to the members of the bereaved family of the Honorable Ed Fletcher.

CHAPTER 6

Assembly Concurrent Resolution No. 8—Relative to the retirement of Lex Lord.

[Filed with Secretary of State, March 14, 1956.]

Whereas, It has come to the attention of the Legislature that Lex Lord retired on February 1, 1956, from his office of San Diego County Registrar of Voters; and

Whereas, His retirement culminated 30 years of public serv-

ice; and

Whereas, He first became a county employee as a surveyor in 1913 and his service had been unbroken since 1928; and

Whereas, Lex Lord began working for the registrar's office in 1928 when there were only 108 city precincts and he has seen and taken part in the tremendous growth of such precincts to the present 916; and

Whereas, Lex Lord was responsible for establishing new policies which enabled the press and public to get early accurate returns on election night, while prior to his administration it took several days to get the returns in from all the precincts; and

WHEREAS, Since Lex Lord has concluded his public service, it is fitting that the Legislature take notice of the retirement of this outstanding citizen and of the benefit that his service has been to the County of San Diego and the State; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature hereby commend Lex Lord for his many years of devoted service to the County of San Diego and the State of California and wish him many years of happiness in his retirement: and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mr. Lex Lord.

CHAPTER 7

Assembly Concurrent Resolution No. 7—Relative to congratulating the Los Angeles Times on its current seventy-fifth anniversary year.

[Filed with Secretary of State, March 15, 1956]

Whereas, This year marks the seventy-fifth anniversary of the Los Angeles Times, one of the most outstanding newspapers, not only in California and the United States, but through-

out the English-speaking world; and

Whereas, The Los Angeles Times has long been known for its great achievements in the field of journalism as well as for its fine leadership in civic projects contributing to the growth and progress of the Los Angeles area and all of Southern California; and

Whereas, Its interest in the welfare of the citizens of the community is shown not only by the many benefits extended to its employees, but by its generous gifts to charity and its sponsorship of innumerable activities for civic betterment; now, therefore, be it

Resolved by the Assembly of the State of California, the Scnate thereof concurring, That the Members of the Legislature hereby extend to the Los Angeles Times, its publishers, editors, and employees, their heartiest congratulations on this seventy-fifth anniversary of the newspaper, and express their earnest wishes for its continued prosperity and pre-eminence in the world of journalism; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Mr. Norman

Chandler, Publisher of the Los Angeles Times.

CHAPTER 8

Assembly Concurrent Resolution No. 9—Relative to the death of Malcolm R Hersko.

[Filed with Secretary of State, March 20, 1956.]

Whereas, The Members of the Legislature received, with deep regret, word of the passing of Malcolm R. Hersko on March 9, 1956, at the age of 28; and

WHEREAS, Malcolm R. Hersko had served as a Deputy Legislative Counsel since 1953, and as such had been of great assistance to the Members of the Legislature as an attorney; and

Whereas, In the short span of his life, Malcolm R. Hersko had achieved, through his energy and ability, and his regard for the desires and feelings of his fellow men, a position in life meriting the high regard of his associates and friends, having graduated with honors from the University of California, and from the Boalt Hall, School of Law of the University of California; and

Whereas, He was not content to limit his activities to the field of law, but sought to help the youth of his city; and

Whereas, He was active as President of the Sacramento Little League, and as such was responsible for the construction of one of the first Little League baseball parks in the City of Sacramento; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature express their appreciation of the services performed by Malcolm R. Hersko, as an attorney and as a citizen, and their

sorrow at his passing; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably engrossed copy of this resolution to Myron Lee Hersko, his brother.

CHAPTER 9

Assembly Concurrent Resolution No. 11—Relating to the observance of Invest in America Week.

[Filed with Secretary of State, March 22, 1956]

Whereas, The American capitalistic system of free enterprise has made it possible for this Country to enjoy a standard of living unparalleled any place else in the world; and

Whereas, This has come about through the men and women of America investing their combined savings in various enterprises thus making possible more and finer products for consumers while assuring greater opportunities at higher wages for all; and

WHEREAS, It behooves the American people as individuals and as a Nation to continue contributing, each in accordance with his means, to the future growth and stability of the Country; and

WHEREAS, Invest in America Week is celebrated yearly as a means of focusing attention on the basic fact that it is through the combined efforts of the people as Americans and as capitalists that free enterprise prospers; and

WHEREAS, Invest in America Week has the support of practically every segment of society throughout the Nation, as well

as this State; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby proclaims the week of April 29th through May 5th to be Invest in America Week throughout the State of California, and commends it to the attention and support of all citizens of the State.

CHAPTER 10

Assembly Concurrent Resolution No. 6—Relative to commending the Ford Foundation and Henry Ford II.

[Filed with Secretary of State, March 26, 1956]

Whereas, The Legislature of the State of California desires, by this resolution, to commend the Ford Foundation and Henry Ford II, chairman of the foundation's board of trustees, for the unprecedented grant of five hundred million dollars (\$500,000,000), the largest single appropriation in the history of philanthropy, by the foundation, to be apportioned among 615 of the Nation's regionally accredited, privately supported, liberal arts and science colleges, to help them raise

the level of their faculty salaries; approximately 3,500 privately supported hospitals, to help them improve and extend their services to the public; and an, as yet, undetermined number of privately supported medical schools, to help them strengthen their instruction; and to express to them the sincere thanks and appreciation of the people of California for the included grant of more than twenty-one million dollars (\$21,000,000) which is to be shared by 26 colleges and universities and 162 hospitals located within this State; and

WHEREAS. This grant will bolster the sagging economic structures of many of these private institutions and it will create an atmosphere conducive to progress and expansion in the fields of education, research, medicine, and public health; 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 convey to the Ford Foundation and to Henry Ford II its commendation for the grant of five hundred million dollars (\$500,000,000) by the foundation to the Nation's privately supported schools and colleges, hospitals, and medical schools and that it does express to them the sincere thanks and appreciation of the people of California for the included grant to colleges and universities and hospitals located within this State; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare and transmit suitably engrossed copies of this resolution to the Ford Foundation and to Henry Ford II, chairman of the foundation's board of trustees.

CHAPTER 11

Assembly Joint Resolution No. 4—Relative to the enactment of federal highway legislation.

[Filed with Secretary of State, March 26, 1956]

WHEREAS, The California Legislature at its 1955 Session adopted Senate Joint Resolution No. 28, California 1955 Statutes, Chapter 126 of Resolutions, relative to the enactment of federal highway legislation; and

WHEREAS, The Congress has not, up to this time, enacted

such federal highway legislation; and

Whereas, There is now pending before the Congress legislation pertaining to the highways of the Nation which, if enacted by the Congress, will be of great importance to California, not only as to that portion of the National System of Interstate Highways but to all other public highways in California; 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 memorialized to enact legislation at the current session for the completion of the National System of Interstate Highways, without interfering with the orderly allocation of funds

to the other systems of federal-aid highways, and that such legislation should recognize the principles set forth in Senate Joint Resolution No. 28, giving particular emphasis to:

- 1. That the formula for the allocation of funds among the various states for the improvement of the National System of Interstate Highways should be based upon the cost of completing the system in each state, as related to the cost of completing the entire national system.
- 2. That any provision for credit by reason of the previous completion or toll financing of any portion of the national system be subordinated to the completion of the entire system and that if credit is to be given to any state therefor, such credit be considered as a portion of the allocation to such state under the above formula.
- 3. That in formulating such legislation the Congress give due consideration to the experience and demonstrated ability of the states to perform highway work under existing federal and state law and procedures that have been promulgated thereunder; and be it further

Resoluted, That copies of this resolution and copies of Senate Joint Resolution No. 28, California 1955 Statutes, Chapter 126 of Resolutions be transmitted to the President of the United States, the Vice President of the United States, the chairmen of the appropriate committees of the Congress and to each Senator and Representative from the State of California

CHAPTER 12

Senate Concurrent Resolution No. 3—Relative to Joint Rules of the Senate and Assembly.

[Filed with Secretary of State, March 27, 1956]

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the Joint Rules of the Senate and Assembly adopted at the 1956 Regular Session are hereby adopted as the Joint Rules of the Senate and Assembly for the 1956 First Extraordinary Session.

CHAPTER 13

Assembly Concurrent Resolution No. 22—Relative to designating March 28, 1956, a "Good-Will Day of Prayer."

[Filed with Secretary of State, March 28, 1956]

WHEREAS, The Houorable Goodwin J Knight, Governor of California, and religious leaders representing many denominations have joined in a call for the observance of Wednesday, March 28, 1956, as a "Good-Will Day of Prayer"; and

WHEREAS, Governor Knight has issued the following statement:

"During recent months there has been a quickening public concern throughout the Nation over problems arising out of ethnic differences existing between large segments of the American people. The divergent positions on these questions have attracted determined, sincere and vigorous advocates.

"Reasonable spokesmen for the conflicting viewpoints have consistently expressed the hope that the striving for proper solutions should be conducted within the bounds of legal sanction and temperate regard for the rights of others. To this end, a group of interdenominational religious leaders have joined in a call for observance of Wednesday, March 28, 1956, as a Good-Will Day of Prayer during which all Americans are called upon to ask for divine guidance in achieving a just, lasting and equitable solution to these vexing social problems

"As Governor of California, I take this means to commend them for their sincere expression of faith. Recognizing that America's progress has been achieved through cooperation and good-will among people of every walk of life, creed and race, I hope that my fellow Californians will join in this observance by praying that our people and their leaders be granted the breadth of vision and depth of wisdom needed to effectively deal with the critical problems facing our Nation in this hour"; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature joins with the Governor of California and these spiritual leaders in requesting the citizens of California to observe March 28, 1956, as a "Good-Will Day of Prayer"; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Hon. Goodwin J. Knight, Governor of California.

CHAPTER 14

Senate Concurrent Resolution No. 1—Relative to the area of school construction allowable under the state school building aid program.

[Filed with Secretary of State, March 28, 1956]

Whereas, When the Legislature adopted the amendment to Section 7717 of the Education Code at the 1955 Regular Session (Stats. 1955, Ch. 1917), it was with the intention that the amended section would apply to each high school in a district; and

Whereas, The Legislature has been informed that state agencies of the Executive Branch which are responsible for the administration of the State School Building Aid Law of 1952 are uncertain as to the meaning of the amended section but that they apparently tend to the construction that the amended section is to be applied on a district basis, rather

than that construction intended by the Legislature that the amended section apply on a school basis; and

Whereas, The Legislature currently convened in special session is the same body which considered and enacted the amendment to Section 7717 of the Education Code adopted at the 1955 Regular Session, no general election for Members of the Legislature having occurred in the interim; now, therefore, be it

Resolved by the Scnate of the State of California, the Assembly thereof concurring, That the Legislature hereby declares that it was its legislative intent, in adopting Chapter 1917 of the Statutes of 1955, that Section 7717 of the Education Code, as amended thereby, apply to each high school in a district; and be it further

Resolved, That the Members of the Legislature hereby respectfully request that the state departments, boards, and agencies responsible for the administration and application of the State School Building Aid Law of 1952 construe Section 7717 of the Education Code, as amended, in accordance with the original intention of the Legislature that the amended section apply to each high school in a district.

CHAPTER 15

Senate Joint Resolution No. 1—Relative to the proposed Washoe Project.

[Filed with Secretary of State, March 28, 1956]

Whereas, There is presently pending before the Congress legislation to authorize the construction of the Washoe Project, which project involves the waters of the Truckee and Carson Rivers, and which project originates in California, with some of its principal features located in California; and

Whereas, Most of the benefits of this project, as planned by the United States Bureau of Reclamation, accrue to the State of Nevada, and the legislation before Congress contains no provisions to protect the State of California with respect to the potential future development of the areas in this State which may possibly necessitate the use of waters involved in this project; and

WHEREAS, The State Engineer of California has recommended at hearings before congressional committees (1) that storage and water supply for the Washoe Project be based on stream runoff in the Truckee and Carson River basins as impaired by present and future use of water in the areas of origin in California, (2) that the amount of water to be available to the Washoe Project be defined in an interstate compact and the project operated in conformance therewith, and (3) that the Washoe Project provide a dependable water supply to lands in the Carson Valley in California as well as to lands in the same valley in Nevada, but such recommendations have not been adopted in pending legislation; and

Whereas, The Legislature of the State of California believes that the storage and distribution of waters which affect the interests of two or more states should be accomplished in conformity with the desires of the states involved and in pursuance of this policy has created a commission to cooperate with a similar commission from the State of Nevada in formulating an interstate compact relative to the distribution and use of the waters of, among others, the Truckee and Carson Rivers; and

Whereas, The interstate compact now under negotiation between the commissions of the State of California and the State of Nevada will determine the amount of water that can reasonably be made available for future development in the areas of origin in California; and

Whereas, It is not contemplated or believed that the provisions of such compact will have a detrimental effect upon the operation of the proposed Washoe Project or that the negotiation of such compact should be cause for delay of authorization of the project by the Congress if appropriate safeguards are included therein; and

Whereas, Amendments have been proposed to S. 497, Eighty-fourth Congress, First Session, one of the congressional bills to authorize the construction of the Washoe Project, to provide protection for the future development in the areas of origin in California and to provide that the operation of the Washoe Project shall be in conformance with any interstate compact formulated and approved, covering the distribution and use of the waters of the Truckee and Carson Rivers; and

Whereas, There is precedent for the inclusion in statutes authorizing federal reclamation projects of a provision subjecting project operation to requirements of state law, as exemplified by the statute authorizing the Santa Maria Project (68 Stat. 1190); and

Whereas, It is not the intention of the Legislature of the State of California in adopting this resolution to voice opposition to the authorization of the proposed Washoe Project, which project the Legislature firmly believes is a desirable and necessary development, but rather only to urge that provision be made in the legislation authorizing such project to protect the future development of the areas in California involved in this project; now, therefore, be it

Resolved by the Scnate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation authorizing the construction of the Washoe Project with appropriate statutory provisions to (a) afford water users in Alpine County, California, the opportunity to contract for project water made available by the Watasheamu Reservoir before that water is made available for the development of any new land in Nevada, with the right of such Alpine County water users to exchange the water so secured for existing rights to the natural flow or

stored water of the West Carson River; (b) provide that the use of the waters of the Little Truckee River solely for the generation of electric power by the Washoe Project shall be subject to appropriation in the future for beneficial consumptive uses within the Little Truckee River watershed in California to the same extent that such waters may be presently available for appropriation in the State of California, unless and until an interstate compact is formulated and approved, covering the distribution and use of the waters of the Truckee and Carson Rivers; and (c) provide that the dam at the Stampede Site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir behind it will have a capacity of approximately 175,000 acre-feet; and be it further

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

CHAPTER 16

Senate Joint Resolution No. 2—Relative to compliance with state water laws.

[Filed with Secretary of State, March 28, 1956.]

Whereas, Under the California State Water Resources Law of 1945, as amended, the State Water Resources Board was authorized and directed to prepare a comprehensive and coordinated plan for the full development of California water resources, for which purpose said board has expended nearly four million dollars (\$4,000,000) to date; and

Whereas, Such comprehensive plan, known as The California Water Plan, pursuant to the direction of said board, is under formulation by the Division of Water Resources and is approaching completion, and a preview thereof has been published; and

Whereas, In recent decisions of the Supreme Court of the United States construing the Federal Power Act, it has been held that licensees of the Federal Power Commission may construct and operate hydroelectric projects without compliance with state laws relating to the development and use of water; and

Whereas, Application and extension of the precedents established in said cases might result in federal domination of the use and development of the water resources of the states; and

WHEREAS, Such precedents constitute an impediment to the continued exercise of the traditional rights of the states to control and develop their water resources in the public interest; and

WHEREAS, It appears that remedial legislation by the Congress is necessary in order to protect and preserve such tradi-

tional rights of the states; 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 memorializes the Congress of the United States to promptly enact federal legislation to require all federal agencies and their licensees to comply with state laws relating to the development and use of water.

Resolved, That the Secretary of the Senate is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United

States.

CHAPTER 17

Assembly Concurrent Resolution No. 13—Congratulating Gordon A. Fleury on his appointment to the Superior Court of Sacramento County.

[Filed with Secretary of State, March 29, 1956.]

Whereas, The legislators have missed the smiling countenance and cheerful good humor of their former colleague Gordon A. Fleury at the current legislative session; and

Whereas, Gordon A. Fleury was first elected to the Assembly in 1948, and in a very short time proved himself an out-

standing investigator, organizer, and lawmaker; and

WHEREAS, He served with distinction as Chairman of the Standing and Interim Committees on Finance and Insurance, and Judiciary, besides being a member of Committees on Civil Service and State Personnel, Legislative Representation, and Ways and Means; and

Whereas, His exceptional ability to elicit facts together with his knack of cutting through technicalities to get to the heart of an issue have proved invaluable on numerous occasions during his career as a Legislator; and

Whereas, It was inevitable that these talents should one day be awarded recognition by a judicial appointment; now, there-

fore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature hereby extend to Gordon A. Fleury their heartiest congratulations on his appointment to the superior court bench of Sacramento County, and wish him even greater success in his new career; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to His Honor, Judge Gordon A. Fleury and his wife, Shirley Fleury.

Assembly Concurrent Resolution No 14—Relative to the Eighth California Y. M. C. A. Model Legislature.

[Filed with Secretary of State, March 29, 1956]

Whereas, The Eighth California Y. M. C. A. Model Legislature met in the State Capitol on February 23d through February 25th, in which several hundred young men and young women, members of Hi-Y and Tri-Hi-Y clubs throughout the State, actively participated as state officers, Senators, Assemblymen, delegates-in-training, and newspaper reporters; and

Whereas, This session of the Model Legislature was the culmination of more than five months of preparation and training in which many more Hi-Y and Tri-Hi-Y members participated and in the course of which they learned something of the process of state lawmaking and selected and prepared the bills that were considered; and

WHEREAS, The Eighth Y. M. C. A. Model Legislature was a part of the Y. M. C. A. youth and government program which is sponsored by the Pacific Southwest Area Council of the National Council of Young Men's Christian Associations, with the assistance of a state-wide committee of public-spirited citizens; and

WHEREAS, The purpose of this program is to help prepare groups of young men and young women, who are potentially leaders in public life, for moral and political leadership by providing guidance, training and experience in the theory and practice of determining public policy; and

Whereas, The value and outstanding success of this program was amply demonstrated by the Eighth California Y. M. C. A. Model Legislature and the skill, ability and knowledge displayed by the young men and young women who participated therein; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature hereby extend their heartiest congratulations to those officers and staff members of each California Y. M. C. A., and of the Pacific Southwest Area Council, who participated in the preparation for and holding of the Eighth California Y. M. C. A. Model Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Lloyd C. Sweetman of Sacramento, President, and to Mr. George E. Bottomley of Los Angeles, Area Executive, of the Pacific Southwest Area Council of Young Men's Christian Associations.

Assembly Concurrent Resolution No. 15—Relative to Kern County's nunctieth anniversary.

[Filed with Secretary of State, March 29, 1956.]

Whereas, Kern County, California's third largest county geographically, with a land area larger than the combined states of Rhode Island. Delaware, and Connecticut and a population greater than the State of Nevada or the Territory of Alaska, a vast, spectacular, golden land whose rich valleys abound in agricultural and petroleum wealth, whose mountain areas are replete with mineral, timber and recreational resources, and whose desert areas provide lavish opportunities for industrial and economic development, will, on the second day of April, 1956, celebrate the ninetieth anniversary of its organization; and

Whereas, Carved out of portions of Los Angeles and Tulare Counties, this inland empire of the southern San Joaquin Valley is a rare combination of amazing economic progress; residential charm; brisk business activity keyed to oil and agriculture, in both of which it ranks as a world leader; of metropolitan, suburban and country living at their finest; of a pleasant, salubrious year-round climate, and of varied topography ranging across valleys, mountain and desert; and

Whereas, Named in honor of Edward M. Kern, a topographer on General John Fremont's Third Expedition through the Sierra Nevadas in the winter of 1843-44, the modern era of Kern County's history began with the entrance into the San Joaquin Valley, in 1772, of Commander Don Pedro Fages. He was soon followed by Padre Francisco Garces, a Franciscan priest; Zalvidea, Moraga and other Spanish explorers. In 1851, the discovery of gold in the bed of the Kern River brought an influx of settlers and, in 1854, the United States Army established Fort Tejon as regimental headquarters for the 1st Dragoons. Oil was first discovered in 1865, the year before the county was formed with Havilah, a gold mining town, as the county seat. In 1873 the county seat was removed to Bakersfield where it has since remained; and

Whereas, Since that time Kern County's spectacular growth and development, rooted deep in the earth, both physically and economically in rich agricultural soil and in the deep strata whence flows the black gold of oil, has been one of the most remarkable sagas in the American story of development and an amazing tribute to the hard work and resourcefulness of her people; and

WHEREAS, Historically linked to yesterday, Kern County continues to make way for tomorrow and holds even brighter promise for those who continue to confide in her future; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is with the greatest pleasure and pride that the Members of the Legislature of the State of California do hereby extend to Kern County and to the people of Kern County their sincere and hearty congratulations upon the occasion of the ninetieth anniversary of Kern County; and be it further

STATUTES OF CALIFORNIA

Resolved, That the Chief Clerk of the Assembly is directed to prepare and transmit suitable copies of this resolution to the Board of Supervisors of Kern County and the Kern County Board of Trade.

CHAPTER 20

Assembly Concurrent Resolution No. 16—Relative to retirement of Martin Griffin.

[Filed with Secretary of State, March 29, 1956.]

Whereas, The Legislature has learned of the retirement on March 1, 1956, of Martin Griffin, who rendered outstanding service as a deputy sheriff and bailiff to San Diego County for 21 years; and

WHEREAS, He was born in Ohio on February 6, 1896, and was reared in the State of New Jersey until he was 16 years of age; and

WHEREAS, In 1912 Martin Griffin arrived in California and he resided in the San Francisco Bay area for many years; and

WHEREAS, An army veteran of the first World War, Martin Griffin also served his Country as a member of the United States Navy; and

WHEREAS, Since 1926, during his service both as a deputy sheriff and bailiff, though charged with the responsibility of restraining innumerable prisoners, he never allowed a prisoner to escape; and

Whereas, During his entire career, he never carried a firearm or any other type of weapon; and

WHEREAS, Martin Griffin has contributed much of his time to youth groups and has devoted many hours to working with juveniles; and

Whereas, The Legislature wishes to extend its gratitude to Martin Griffin for his many years of generous work with the youth of our State, now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Members of the Legislature hereby extend to Martin Griffin their heartiest congratulations for his great service to the people of his community and the State and wish him many years of happiness and continued community service in his retirement; and be it further

Resolved. That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. Martin Griffin.

Assembly Concurrent Resolution No. 18—Relative to the death of Dr. Harry M. Howell.

[Filed with Secretary of State, March 29, 1956]

Whereas, The California Legislature has been informed of the death on September 4, 1955, of Dr. Harry M. Howell, Associate Superintendent of the Los Angeles City School Districts; and

Whereas, Doctor Howell was born in Shamokin, Pennsylvania, on November 27, 1896, attended elementary and high schools in Worland, Wyoming, the University of Michigan, and the University of Southern California, where he received his master's degree and his doctorate in the field of education; and

WHEREAS, He began his service with the Los Angeles school system as a teacher, and thereafter rose through various positions in the division of budget and research to become associate superintendent in charge of the budget in 1949, a position which he held until his death; and

WHEREAS, He declined the post of city school superintendent offered him in 1954 because he felt he could best serve the district by continuing in his capacity as associate superintendent in charge of the budget and legislative adviser to the board; and

Whereas, Despite the knowledge that he had become a victim of cancer and that four operations had failed to halt the disease, he devoted himself even more intensely to the achievement of the goals he had set for himself, the completion of the 1955-56 budget for the Los Angeles schools and a four-volume comprehensive salary survey of certificated employees, which has since been hailed as a masterpiece in its field; and

WHEREAS, Doctor Howell was regarded both in California and throughout the Nation as one of the outstanding authorities on school financial matters and administration; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Members of the Legislature desire by this resolution to express their deep regret at the passing of Dr. Harry M. Howell, and to convey their most profound sympathy to the bereaved members of his family; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Faye Howell, and to his sons, Dick and Don Howell.

Assembly Concurrent Resolution No. 19—Relative to memorializing Nicholas J. Morrisey.

[Filed with Secretary of State, March 29, 1956]

Whereas, The Members of the Legislature have, with profound sorrow and deepest regret, learned of the sudden passing in the prime of life of their good friend Nicholas J. Morrisey, distinguished public servant, on October 26, 1955; and

WHEREAS, Nick, as he was called by his friends, had a full and productive life from the time of his birth in San Francisco, California, in 1906, and attended Polytechnic High School in that city, and the University of San Francisco Law School; and

Whereas, He was a tireless worker in many fields, both in professional endeavor and in the affairs of his community and church, and was possessed of great character, gentility, kindness and understanding that touched all who knew him so that to enumerate all of his accomplishments and kindly deeds would require volumes; and

Whereas, In his devoted service to his community, and to his fellow man, he was prominent in the affairs of his church particularly with respect to the King Retreat House of the Passionist Fathers, to which he annually conducted for meditative retreat, delegations of men of every creed and faith and from all walks of life, and was active in the Knights of Columbus, the Elks Club, the Serra Club, the California Employees' Association, and maintained throughout his life the keen interest in music which he first developed as musician during his youth; and

Whereas, He devoted his adult life to the service of his State, and during his dedicated and distinguished career served in the Department of Professional and Vocational Standards, as an investigator for the Contractors' State License Board until 1939, Deputy Registrar of Contractors in the San Francisco District until 1948, Assistant Registrar of Contractors until 1950, and Registrar of Contractors from 1950 to 1953, and Director of the Department of Professional and Vocational Standards from 1953, until his passing; and

Whereas, In addition to performing the demanding duties of these positions, this extraordinary man served as chief executive of boards and commissions which regulate nearly all of the professions and crafts practiced in this State, and acquired the reputation as an authority in the field of professional and vocational regulation and administration; and

WHEREAS, Nicholas J. Morrisey leaves behind to grieve his passing, a wife, Marguerite O'Reilly Morrisey, a daughter, Joanne Morrisey, and a son, John Morrisey, and a multitude of friends everywhere; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature desire to express their deep regret at the loss of a close friend and an outstanding public servant, and adopt this resolution of testimony to his great contributions to his State,

community, and fellow men; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the widow of Nicholas J. Morrisey, Marguerite O'Reilly Morrisey, to his daughter, Joanne Morrisey, to his son, John Morrisey, and to the American Federation of Musicians, Musicians Union Local No 6.

CHAPTER 23

Assembly Concurrent Resolution No. 21—Relative to the death of Raymond F. Leheney.

[Filed with Secretary of State, March 29, 1956]

WHEREAS, The Legislature was surprised and grieved to hear of the sudden death of Raymond F. Leheney on March 20, 1956, so soon after his recent recovery from a heart ailment; and

Whereas, Raymond Leheney has contributed immeasurably to the growth and prosperity of the State of California in his twin professions of labor leader and newspaperman; and

Whereas. Upon his death he held positions as the Director of Public Relations for the Joint Council of Teamsters Union Local No. 42 of Southern California, Secretary and Treasurer of the Union Label and Service Trades Department of the AFL-CIO, Editor of the Southern California "Teamster" and Chairman of the Public Relations Division of the Western Conference of Teamster Union AFL-CIO; and

Whereas, In addition to his labor activities he participated wholeheartedly in work as a former President of the California Safety Council and Vice President of the Presidential White House National Traffic Safety Commission and currently as Deputy Chief of Civil Defense for Transportation in Southern California; and

Whereas, In conjunction with his traffic safety duties he took a major part in the production and creation of the "Drive and Safety" film which won the National Safety Council Award and which is still used in California in the education of commercial vehicle examiners; and

Whereas, Raymond Leheney's enthusiasm and prodigious capacity and capability for work also led him to devote what little leisure time he had to active participation in numerous charities, particularly toward the Community Chest, which he served as director, and the labor drives for the City of Hope Hospital; and

WHEREAS, The death of such a man leaves positions that

several men will be unable to fill; and

Whereas, The State of California realizes, as do the business, fraternal and social associates of Raymond Leheney, that we have been deprived of a young man of rare ability, integrity and generosity; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby extends its deepest sympathy to the bereaved members of Raymond Leheney's family; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the wife of Raymond Leheney, Theresa, to his daughter Gail Marie, and to his brother, Victor.

CHAPTER 24

Assembly Concurrent Resolution No. 17—Congratulating the Sunset News on its twenty-fifth anniversary.

[Filed with Secretary of State, March 30, 1956.]

WHEREAS, February of this year marked the twenty-fifth anniversary of the founding of Sunset News, one of San Francisco's leading home district newspapers; and

Whereas, Since that day in 1931 which saw the distribution of the first issue of Sunset News, it has been owned and published continuously by James W. McDougall and Raymond "Spud" Lawless; and

WHEREAS, During that time the paper has increased in both size and circulation and has become an influential voice in the community; and

Whereas, The owners and staff of the Sunset News can look back with pride on the vital role the paper has played in numerous civic betterment campaigns, as well as to the contribution it has made to the growth and prosperity of the Sunset district; and

WHEREAS, It is fitting that the Sunset News be commended for its quarter century of loyal service to its home community; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Members of the Legislature hereby extend to the Sunset News, its owners and staff, their heartiest congratulations on the twenty-fifth anniversary of the newspaper, and wish it many more years of success and service; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. James W. McDougall and Mr. Raymond Lawless, owners of the Sunset News.

CHAPTER 25

Assembly Joint Resolution No. 1—Relative to armed forces bombing and artillery ranges.

[Filed with Secretary of State, March 30, 1956.]

WHEREAS, Extensive areas of land and water within the State of California have been designated as bombing and artillery ranges and training areas for the Armed Forces; and Whereas, Use of land as a bombing area and artillery range

precludes its use for other purposes; and

WHEREAS, Many citizens believe that the Armed Forces do not have a program of maximum integrated land use in effect relating to areas which have been, or may be, designated as bombing and artillery ranges; and

WHERLAS, In order to insure the continued growth of California and prosperity of its residents it is mandatory that, in view of the limited areas of land within the State and the needs of future land development, further military use of such

land be kept at a minimum; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests the Congress of the United States to require that all Armed Forces requests for additional bombing and artillery ranges be accompanied by proof that all areas presently under their control suitable for use as bombing and artillery ranges are being utilized to their fullest extent; and be it further

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

CHAPTER 26

Senate Concurrent Resolution No. 2—Relative to the flooding of certain highways in Glenn and Colusa Counties.

[Filed with Secretary of State, March 30, 1956]

Whereas, The westerly approach of the bridge on State Highway Route 45 at Butte City is, for a distance of approximately one-half mile, subject to flooding each winter in the flowage area under the control of the Corps of Engineers of the United States Army; and

Whereas, On the east side of the Sacramento River 10 miles north of Colusa in Colusa County a county highway (Colusa-FAS 758), which is part of the federal aid secondary system, is likewise flooded each winter for a distance of approximately one-fourth of a mile; and

Whereas, In view of the present flood emergency it is deemed essential to the public health and safety that information be obtained immediately with respect to the means of preventing flooding of these highways, which flooding causes disruption of transportation in this area of the State; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Works be requested to report to the Legislature, at the earliest possible date, the costs and methods of preventing the flooding

of the westerly approach of the bridge on State Highway Route 45 at Butte City in Glenn County and of the county highway (Colusa-FAS 758) on the east side of the Sacramento River 10 miles north of Colusa in Colusa County, and the possible means of financing such projects; and be it further

Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to Mr. Frank B. Durkee,

Director of Public Works.

CHAPTER 27

Senate Concurrent Resolution No. 5—Relative to a highway between Woodland and Grapevine.

[Filed with Secretary of State, March 30, 1956]

WHEREAS, The San Joaquin Valley lies between the metropolitan area of Southern California and the metropolitan area of Northern California and under present conditions most of the travel through the valley between these metropolitan areas traverses the central portion of the valley and passes through the most populous cities therein; and

Whereas. The increasing growth of the population of this State, together with the presence of a large number of visitors in the State, have greatly increased the demand upon the pres-

ent highway system, and

Whereas, A highway from Woodland down the westerly side of the San Joaquin Valley to the vicinity of Grapevine in Kern County would provide a more direct route which would run through a somewhat sparsely populated area and would greatly increase the facilities available for through traffic between the metropolitan areas of the State; and

Whereas, The feasibility of such a highway from an engineering standpoint and the possible cost of construction of such a highway suitable for high speed motor traffic between the metropolitan areas of the State are matters upon which the Legislature should be informed; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Works, through its Division of Highways, is requested to investigate the feasibility and cost of constructing a high speed highway on the west side of the San Joaquin Valley from Woodland to the vicinity of Grapevine and to report its findings thereon to the Legislature not later than the fifteenth day of March, 1957, and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Director of Public Works and the State Highway Engineer.

Senate Concurrent Resolution No. 16—Relative to congratulating Dr. Robert Gordon Sproul upon the completion of his twenty-fifth year as President of the University of California.

[Filed with Secretary of State, March 30, 1956]

Whereas, Dr. Robert Gordon Sproul is this year completing a period of 25 years of dedicated public service as President of the University of California, the longest term of service yet

rendered to the university by any president; and

WHEREAS, Dr. Robert Gordon Sproul's vision and his forceful, dynamic, and inspiring leadership have not only drawn to the university a distinguished faculty but have also served to weld together, for the benefit of the university and the State of California the dreams and plans and contributions of the faculty, officers, and the many individuals who have worked unceasingly for the best interests of the university; and

Whereas, Under the able administration of Dr. Robert Gordon Sproul the University of California has grown from an institution of state-wide distinction to one of world-wide recognition and during which time the campuses of the university have expanded into several areas of the State for greater service to the people of the State and the well being of mankind; and

Whereas, For his warm and sympathetic human understanding Dr Robert Gordon Sproul has won the love of the students of the university, the admiration of the public at large, and the respect of Members of the Legislature before whom he has appeared through the years as a friendly advocate; and

Whereas, Dr. Robert Gordon Sproul is being congratulated and honored during this twenty-fifth anniversary year by many individuals and groups of the university's distinguished sons and daughters; and

Whereas, The Senate and the Assembly of California deem it altogether fitting and proper that their congratulations be expressed to Dr. Robert Gordon Sproul and that their appreciation for his able and distinguished service to the State of California be publicly recorded; now, therefore, be it

Resolved, by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Senate and Assembly hereby extend to Dr. Robert Gordon Sproul their hearty congratulations and sincere appreciation for his 25 years of distinguished service to the University of California as its president; and be it further

Resolved, That the Members of the Senate and Assembly of California express to Dr. Robert Gordon Sproul their best wishes for continued and greater success in the years to come; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Robert Gordon Sproul.

Assembly Joint Resolution No. 6—Relative to petitioning the Federal Maritime Board for allocation of shipbuilding and ship repair.

[Filed with Secretary of State, April 2, 1956.]

Whereas, The maintenance of a nucleus of skilled workers and shipbuilding facilities on the West Coast is considered by national military leaders to be vital to national defense; and

Whereas, In recognition of the importance of maintaining the ability of West Coast shippards to respond immediately to a national emergency, West Coast shippards receive a 6 percent differential in bidding against eastern yards on government merchant ship construction, with the thought that thereby at least a minimum of experienced workers would be available immediately in a crisis; and

WHEREAS, The importance of maintaining the West Coast shipbuilding industry, at least at a minimal level, is not merely a matter of regional interest but it is in the interest of national security; and

WHEREAS, Bids on proposal OSC-11 T4 and T5 tankers have recently been opened and Pacific Coast companies have submitted a bid on the T4's only five thousand dollars (\$5,000) higher than the Ingalls' bid (and two hundred three thousand nine hundred dollars (\$203,900) higher on the T5's); and

WHEREAS, Although this construction does not fall under the 6 percent limitation, it does involve public funds and consideration should be given to the desperate need for shipyard work on this Pacific Coast; and

Whereas, Whatever the efforts have been of our congressional delegation in Washington, the fact remains that we have not seen shipbuilding or ship repair work brought to this Pacific Coast and the entire industry is imperiled by this dangerous situation we now face; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Members of this Legislature do hereby respectfully petition the Federal Maritime Board to allocate some portion of this tanker work to the Pacific Coast; and be it further

Resolved, That each Senator and Representative from California in Congress is requested to vigorously campaign for the assignment of a substantial portion of shipbuilding and ship repair to the San Francisco Bay area and to other ship-yards in California, wherever located; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to each member of the Federal Maritime Commission, and to each Senator and Representative from California in the Congress of the United States.

Assembly Joint Resolution No. 7—Relative to permitting recipients of aid to the aged to earn fifty dollars (\$50) per month in addition to such aid.

[Filed with Secretary of State, April 2, 1956.]

Whereas, In 1950 the Congress of the United States amended the Social Security Law to provide that the first fifty dollars (\$50) per month of income earned by a blind person shall be disregarded in computing aid to such person, thereby allowing a blind person to earn this amount in addition to his aid; and

Whereas, Legislation is presently before the Congress of the United States which would extend this same benefit to recipients of aid to the aged; and

Whereas, It is the belief of the Legislature of the State of California that there is an abundance of odd jobs and temporary employment in this State that could be capably filled by aged persons; and

WHEREAS, The present public assistance program discourages these aged persons from seeking such employment by requiring that any and all earnings be deducted from their aid; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact such legislation as is necessary to permit recipients of aid to the aged to earn fifty dollars (\$50) a month, which amount shall not be taken into consideration in computing aid to such recipients; and be it further

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

CHAPTER 31

Assembly Concurrent Resolution No. 10—Relative to the Joint Rules of the Senate and Assembly.

[Filed with Secretary of State, April 2, 1956.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Rules of the Senate and Assembly are hereby amended by amending Rule No. 36 thereof to read as follows:

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute pro-

vide 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, when such authorization may lawfully be made, 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 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 fifteen cents (\$0.15) per mile each way for travel within the State and ten cents (\$0.10) per mile each way for travel outside the borders of the State 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 twenty dollars (\$20) 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 expeditiously 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.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller; and be it further

Resolved, That said Joint Rule 36 as amended by this resolution is hereby made applicable to each committee created at

the 1955 Regular Session, to committees created thereafter, and to the members of said committees. On and after the date of the adoption of this resolution each such committee and the members thereof shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of said Joint Rule 36.

CHAPTER 32

Assembly Concurrent Resolution No. 25—Relative to the commendation of Israel.

[Filed with Secretary of State, April 2, 1956]

Whereas, The State of Israel, a republic, was the first nation created by order of the United Nations; and

Whereas, Since its founding in 1948 this nation, though beset by external strife, through able leadership and the unstinting sacrifice of its people accepted, by 1954, 735,934 immigrants; and

WHEREAS, While it continues to be primarily an agrarian nation great strides in industry and the technical trades have been taken in the past years, so that current commodities include automobiles, tires, electrical appliances, building materials, paper, textiles and pharmaceutical products; and

Whereas, This government finished construction, in 1952, of the large and modern Beit Natufa Dam north of Nazareth which is to form the hub of a 20-year water scheme ultimately linking this nation's water resources, and, in 1955, of a 66-mile pipeline diverting water from the Yarkon River to the Negev region; and

Whereas, The Israeli schools are now serving over 350,000 pupils under a unified educational system with higher education provided by Hebrew University, Israel Institute of Technology, Weizmann Institute of Science, Bar-Ilan University and the School of Law and Economics; and

WHEREAS, Labor in Israel has also made a major contribution toward the amazing development of this young and vigorous nation in the past eight years and, in turn, has grown in proportion to Israel's industries, schools and farms; and

WHEREAS, Organized labor in Israel under Histadrut, the General Federation of Labor in Israel. a trade union, now numbers over half-a-million members; and

Whereas, Histadrut, a trade union movement which is also an association of cooperatives in agriculture, industry, trades and services, a semipublic owner and operator of economic enterprises and public services, and a network of health and social welfare institutions has, as an able member and part of Israel, contributed to and promoted that country's economic development and stability through various wage policies and production methods so that, at this time, there is almost full employment of workers in Israel; and

Whereas, These amazing achievements, made in the face of great difficulty by this new nation, reflect and characterize the strength and foresight of those people that dedicated themselves to the Zionist movement and, under the late Dr. Chaim Weizmann, successfully campaigned for a homeland in Palestine; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature of the State of California do hereby congratulate the Israeli people upon their past accomplishments and wish them the success which should result from their dedicated work to make their homeland a leader among nations; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Yitzak Ben-Zui, President of Israel, Moshe Sharrett, Foreign Minister, and to Julius Fligelman, Dr. Nathan S. Saltzman, Charles Brown and Dr. Israel I. Blumenfeld, officers of the Israel Histadrut Campaign.

CHAPTER 33

Assembly Concurrent Resolution No. 27—Relating to the Fifty Golden Years celebration of the City of Newport Beach.

[Filed with Secretary of State, April 2, 1956.]

WHEREAS, The City of Newport Beach, situated in Orange County, will, on the first of September, 1956, celebrate its fiftieth anniversary as a city; and

Whereas, During the 50 years since its incorporation the City of Newport Beach has made a phenomenal growth, changing from a little village of but a few hundred people in 1906 to a highly developed community of twenty thousand inhabitants in 1956; and

Whereas, This city has become famous throughout the world as a residential and recreational community of the highest order being situated on one of the finest small craft harbors in the world, a harbor highly developed from a mere shallow bay and a sand spit into a spacious harbor with miles of deep channels bordered by clean, sandy beaches and the homes of people who appreciate aquatic sports and the relaxation of a home at the seaside; and

Whereas, All of the development and progress which this wonderful city has experienced has been the result of the energy, enterprise, and the vision of the people of Newport Beach, Balboa, and other parts of greater Newport Harbor, and Orange County, which has inspired them to work unfailingly through years of discouragement and disappointment to attain the results which will be celebrated upon the city's fiftieth birthday; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That the Legislature commends the people of the City of Newport Beach for the foresight, enterprise, and the devotion which they have manifested in bringing their city to the forefront as a residential and recreational community, and wishes for the City of Newport Beach a most festive and successful celebration of this happy occasion; and be it further

Resolved, That the Honorable Earl W. Stanley, Assembly man from the Seventy-fourth District, the Honorable John C. Murdy, Senator from Orange County, and the Honorable Joseph A. Beek, Secretary of the Senate, be and they are hereby appointed a committee to represent the Legislature at the festivities planned by the City of Newport Beach to celebrate its Fifty Golden Years; and be it further

Resolved, That the Secretary of the Senate be, and he is hereby directed to forward suitably prepared copies of this resolution to Dora Hill, Mayor of the City of Newport Beach; David Olmsted, Chairman, Golden Years Committee, City of Newport Beach; Ben Reddick, Publisher, Newport Harbor News-Press; and to Hay Langenheim, Secretary-Manager, Newport Harbor Chamber of Commerce.

CHAPTER 34

Assembly Concurrent Resolution No. 31—Relative to commemorating Westminster Presbyterian Church on its 100th anniversary.

[Filed with Secretary of State, April 2, 1956.]

WHEREAS, On April 27, 1856, the Westminster Presbyterian Church of Sacramento held its first church service in a hall at Sixth and J Streets; and

WHEREAS, This service marked the formation of the first Presbyterian congregation in Sacramento; and

WHEREAS, In 1867 the first Westminster Presbyterian Church building was erected at Sixth and L Streets, and in 1903 a new church was located at Thirteenth and K Streets; and

Whereas, The present church was constructed at its present site on Thirteenth and N Streets, facing Capitol Park, in 1927; and

WHEREAS, For the 100 years of its existence the Westminster Presbyterian Church and its rectors have provided a strength, wisdom and opportunity for worship for peoples of the Presbyterian faith in Sacramento; and

Whereas. In addition to tending to the needs of the congregation this church and its rectors have been leaders and motivating forces in the spiritual life of Sacramento itself; and

Whereas, The need for the benefits to be gained from spiritual exercises continues to grow greater in the stress of our times and the opportunities for worship offered by the Westminster Presbyterian fulfills this basic requisite in the lives of men; and

Whereas, For the second century of its existence this church can look forward to continuing its work in contributing to the welfare of its members and to the Capital City of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Westminster Presbyterian Church is hereby congratulated upon reaching its 100th anniversary; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the rector of the Westminster Presbyterian Church of Sacramento.

CHAPTER 35

Assembly Concurrent Resolution No. 32—Relative to the Los Angeles Temple of the Church of Jesus Christ of Latter-Day Saints.

[Filed with Secretary of State, April 2, 1956]

Whereas, The people of the State of California have recently witnessed the completion and dedication of a beautiful and majestic edifice of worship and service—the Los Angeles Temple of the Church of Jesus Christ of Latter-Day Saints; and

Whereas, This notable achievement will be an impressive reminder of the part played by the heroic Mormon people toward the exploration and colonization of California in the midyears of the nineteenth century; and

Whereas, The first contribution came when the "Good Ship Brooklyn," under command of Samuel Brannan, arrived at San Francisco July 31, 1846, bringing 230 people, many of whom figured notably in the early history of the Bay region; and

Whereas, The second contribution was the Mormon Battalion, a body of 500 men enlisted at Council Bluffs, Iowa, as United States Infantry, under orders to explore and chart a highway for transcontinental traffic between Santa Fe and San Diego. This body of men served as military patrol at San Diego and Cajon Pass. In Los Angeles they built Fort Moore and assisted in raising the United States Flag July 4, 1847. This marked the beginning of California-United States history; and

Whereas. The third contribution was the colonization of San Bernardino in 1851 by a group of 437 people who made their way from Utah in 150 wagons. They became the founders of that beautiful city; and

Whereas, In the past 30 years approximately 150,000 of these intelligent and enterprising people have settled in California and have made notable contributions to the progress and prosperity of this State in business, finance, manufacture, agriculture and industry, as well as in the cultural fields of literature, music, entertainment and education; and

WHEREAS, In this same period of time these devout and progressive people have erected more than 200 places of worship in the communities of California—chapels, recreation halls, auditoriums and welfare centers; 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 convey to the officials and members of the Church of Jesus Christ of Latter-Day Saints the congratulations of the State of California upon the completion and dedication of the great temple in Los Angeles, and commend the church and its people upon the contributions made to the progress of the Commonwealth of California; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to President Daniel O. McKay at the General Headquarters of the Church of Jesus Christ of Latter-Day Saints in Salt Lake City, Utah, to the Los Angeles Temple of the Church of Jesus Christ of the Latter-Day Saints, and to the Honorable Hugh C. Smith, 10721 Zelzah Avenue, Granada Hills.

CHAPTER 36

Assembly Concurrent Resolution No. 35—Relative to the retirement of W. F. Prisk and Neva Paddock as publishers of the Pasadona Star-News.

[Filed with Secretary of State, April 2, 1956]

Whereas, It has come to the attention of the Legislature that the ownership and management of the Pasadena Star-News has recently changed hands; and

WHEREAS, The controlling ownership of this popular newspaper serving the San Gabriel Valley has been in the Prisk family for over 50 years; and

WHEREAS, Prior to its recent sale, the publishers of the Star-News were Mr. W. F. Prisk, who with 67 years' experience as a newspaper publisher is probably the dean of California publishers, and his capable associate and President of the Star-News Publishing Company, Mrs. Neva Prisk Paddock, who became active in the business following the death of her husband Charley Paddock several years ago while on active duty with the Marine Corps; and

Whereas, Under the able and farsighted management of its copublishers, the Star-News has grown and prospered greatly over the years, playing an influential role in the betterment of the community it serves and contributing much to the cultural traditions of Pasadena; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Legislature hereby commends Mr. W. F. Prisk and Mrs. Neva Prisk Paddock for the many outstanding services they have performed for their com-

munity over the years through the medium of their newspaper, and extends best wishes to them on their retirement as publishers of the Pasadena Star-News; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Mr. W. F. Prisk and Mrs. Neva Paddock, former publishers of the Pasadena Star-News.

CHAPTER 37

Assembly Concurrent Resolution No. 36—Relative to the change in ownership of the Pasadena Star-News and the Pasadena Independent.

[Filed with Secretary of State, April 2, 1956.]

WHEREAS, The Legislature has been informed of the recent purchase of the Pasadena Star-News and the Pasadena Independent by Twin Coast Newspapers, Inc., a company owned by the Ridder family, which has a nation-wide reputation for its long and remarkable history in the fields of newspaper publishing and broadcasting; and

Whereas, The new publisher, Mr. Bernard J. Ridder, has himself become well known in business circles for his outstanding and successful management since 1946 of the New York Journal of Commerce, and

York Journal of Commerce; and

Whereas, Mr. Ridder, an alumnus of the 1936 class of Princeton University, brings to Pasadena a pioneering spirit, vigorous, aggressive and dedicated to community progress, with confidence in the future of the rich region he has chosen to serve; and

WHEREAS, Mr. Ridder has purchased a home in the Pasadena area, where he will soon be joined by his wife, the former Georgia Buck, and their two sons, Bernard J. Ridder, Jr., and Laurance M. Ridder; and

Whereas, It is fitting that every courtesy be extended to this family which has left its many friends and familiar surroundings on Long Island, New York, to begin a new life at the opposite end of the Country; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature hereby extend to Mr. Bernard J. Ridder and his family a cordial welcome to California and wish them the greatest success in their new publishing venture and happiness in their new home; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Bernard J. Ridder and his wife, Georgia.

Senate Joint Resolution No. 6—Commending the Boy Scouts of America and supporting the 1957 Boy Scout Jamboree at Valley Forge.

[Filed with Secretary of State, April 2, 1956]

Whereas, The Boy Scouts of America, one of the greatest character-building institutions in the world, is holding its Fourth National Jamboree, at Valley Forge Park, Pennsylvania, July 12 to 18, 1957; and

Whereas, Based upon the experience of the three prior national jamborees held under the auspices of the Boy Scouts of America it has been proven that there are unnumerable benefits to the boyhood of America through such national jamborees, such as:

1. An unforgettable Scouting experience for approximately 50,000 American boys;

2. An opportunity to see some of the wonderful country in which we live, and visit historic shrines located at Valley Forge and at Washington, D. C., and in places en route and returning from the jamboree;

3. A practical method of teaching Americanism, good citi-

zenship, and leadership training;

4. A realistic opportunity to teach Boy Scouts the value of the Scout Law-A Scout is Thrifty, and encourage him to earn his own way to the jamboree; and

5. For an unrivaled opportunity to accelerate the whole character-building program of the Boy Scouts of America; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California, in full recognition of the success of the Boy Scouts of America, earnestly requests the Congress of the United States, state legislatures, state executive officers, boards of supervisors, city councils, and other governmental bodies and officers to give the fullest support and endorsement to the Boy Scouts of America and the Fourth National Jamboree to be held at Valley Forge Park, Pennsylvania, July 12 to 18, 1957; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to each Senator and Representative from California in the Congress of the United States, to the County Supervisors Association of California, to the League of California Cities.

Senate Concurrent Resolution No. 8—Relative to augmenting the funds of the Joint Legislative Committee for School Visitations.

[Filed with Secretary of State, April 2, 1956]

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 two thousand five hundred dollars (\$2,500), 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 for School Visitations (created by Resolutions Chapter No. 48 of the Statutes of 1955) and its members and for any charges, expenses, or claims it may incur under said 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.

CHAPTER 40

Assembly Joint Resolution No. 3—Relative to continuance of increased grants-in-aid for old age security and aid to the blind benefits.

[Filed with Secretary of State, April 3, 1956.]

WHEREAS, The California Legislature at the 1952 Second Extraordinary Session increased the old age security and aid to the blind benefits to California recipients by the maximum amount of five dollars (\$5) per month by passing on to them the increase in federal grants-in-aid; and

WHEREAS, This increase was made contingent upon the continuation of the increased grants-in-aid by the Federal Government; and

WHEREAS, The increase in the federal grants-in-aid will expire unless Congress enacts legislation at the current session continuing the increase; and

WHERDAS, The Governor of California, the Honorable Goodwin Knight, has requested the Senators and Representatives in Congress from California to support federal legislation continuing the increased grants-in-aid; and

Whereas, At the 1955 Session of the Legislature Senate Bill No. 398 was enacted and signed by the Governor providing that if an additional five dollars (\$5) per month increase in grants-in-aid for old age security and blind aid is provided by Congress such increase would be immediately passed on to old age security and blind aid recipients in this State; and

Whereas, High living costs and the maintenance of a reasonably adequate and fair old age security and aid to the blind program in California warrant the continuation of the

present five-dollar (\$5) increase as well as the authorization of an additional five-dollar (\$5) increase; and

Whereas, Legislation is pending in the Congress of the United States which would accomplish these two objectives for the recipients of old age security and aid to the blind; now therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature respectfully requests that the Congress of the United States enact legislation at this session continuing the increased grants-in-aid passed in 1952 and give careful consideration to an additional five-dollar (\$5) increase, and that support be given such legislation by the Senators and Representatives in Congress from California; and be it further

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

CHAPTER 41

Assembly Concurrent Resolution No. 24—Relative to the commendation and congratulation of Walter A. Gordon.

[Filed with Secretary of State, April 3, 1956]

Whereas, A distinguished Californian, Walter A. Gordon, has recently received two signal honors, appointment and confirmation as Governor of the Virgin Islands and selection as "Alumnus of the Year" of the University of California; and

WHEREAS, Born in Atlanta, Georgia, in 1894, he moved, at the age of 10, to Riverside, California, and in 1914 enrolled at the University of California; and

Whereas, His performance at the university was characterized by the perseverance and the variety of interests and abilities that have characterized all of his career, for though he worked his way through the university and made a creditable scholastic record, he was also the top football lineman in the West in his college years, for three successive years was on the All-Coast team, and in his senior year was named to Walter Camp's All-American team, the first West Coast player to achieve this distinction, and was also California intercollegiate champion in both boxing and wrestling for two years; and

Whereas, Among other accomplishments he was a peace officer of exceptional ability on Berkeley's model police force, served as an assistant coach of the University of California's football team for 24 years, and became a successful attorney; and

WHEREAS, In the position of Chairman of the Adult Authority he won national recognition for his skill in administration

of what has often been referred to as the most effective parole and rehabilitation system in the Country; and

Whereas, The Members of the Legislature are highly gratified that the university Governor Gordon served so well has bestowed upon him so high an honor and that the President of the United States and the United States Senate have recognized his enormous capabilities by giving him the top governmental position in a possession of strategic importance; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That this Legislature extends to Walter A. Gordon its commendation for a long distinguished career to date and its congratulations for his appointment to the Office of Governor of the Virgin Islands and for his selection as Alumnus of the Year of the University of California; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Honorable Walter A. Gordon, Governor of the Virgin Islands.

CHAPTER 42

Assembly Joint Resolution No. 2—Relative to prohibiting minors, unaccompanied by a parent or guardian, from crossing the United States-Mexico border without a permit for such purposes.

[Filed with Secretary of State, April 4, 1956]

Whereas. There is pending in Congress action on two particular bills concerning the crossing of the United States-Mexico border by unescorted minors; and

Whereas, Either H. R. 5108, introduced by Representative Wilson of California, or H. J. R. 168, introduced by Representative Hosmer of California, would require that a minor be accompanied by a parent or guardian before he could cross the border into Mexico; also H. R. 5108 would allow unescorted minors to cross the border if they had a proper permit issued by the United States Attorney General, and H. J. R. 168 would allow such minors to cross the border if it is demonstrated to the satisfaction of the appropriate immigration officers that the purpose of crossing the border is legitimate and not for the purpose of obtaining narcotic drugs; and

Whereas, Under existing laws there is no restriction on minors who cross the border and many of such minors are entering Mexico for one paramount reason, to get free access to narcotic drugs; and

WHEREAS. The alarming increase in the use of narcotics by the youth of our Country seriously threatens to undermine the foundation of our citizenry, the youngster of today—the voter of tomorrow; and WHERFAS, Many of our youths who could otherwise lead a constructive life are being consigned by the use of narcotics to a living death; and

Whereas, These bills, which would ban border crossings by unescorted minors, are deserving of full congressional support, and passage of either of them would be a tremendous stride in correcting this evil; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact either H. R. 5108 or H. J. R 168 or in the alternative to enact such legislation as is necessary to close the border between the United States and the Republic of Mexico until corrective action is taken by the citizens of Mexico to prevent the simple and easy acquisition of narcotics and their derivatives; and be it further

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

CHAPTER 43

Assembly Joint Resolution No. 5—Relative to national minerals policy.

[Filed with Secretary of State, April 4, 1956]

Wherevs, The Western Governors Mineral Policies Conference was called by Governor Goodwin J Knight of California in Sacramento, California, on November 7 and 8, 1955, after consultation by Governor Knight with Governor Charles H. Russell of Nevada, who is chairman of the Western Governors Advisory Council; and

Whereas, This conference and the subsequent meetings of the Western Governors Mining Advisory Council produced the following recommendations for the development of a national minerals policy:

MINERAL ECONOMICS

RECOMMENDATIONS ON MINERAL COMMODITIES

1. Gold

The council calls attention to the following conditions in regard to gold:

(1) The absolute and arbitrary control exercised by the United States Treasury over the production, disposition, and holding of domestic gold is in direct violation of the rights of personal liberty, personal security, and personal ownership of private property.

- (2) The government has usurped the right of individuals to sell newly mined gold to industry and to the arts, and has denied individuals the right to own, buy, or sell this commodity in a free market.
- (3) The sale of gold from our federal gold reserve for other than monetary use annually exceeds the total domestic gold production and is dissipating the United States monetary reserves.
- (4) By making itself the sole buyer of newly mined gold in processed form and by fixing its arbitrary and low price, the United States Government imposes such hardships on the domestic gold producer that 95 percent of the primary gold mines have been forced to close operations

The council recommends that:

- (1) Congress be urged to enact legislation to discontinue the sale of government-owned gold from the monetary reserve to private industry and to restore to the people of the United States the right freely to buy, possess, sell, and otherwise treat gold. Such legislation is now pending in the Congress, but references to gold therein should be amended so as to not limit the measure to newly mined gold.
- (2) The respective state legislatures be requested to urge the Congress to support such legislation.

2. Silver

The council recommends that.

(1) The existing policy, whereby newly mined domestic silver may be tendered to the Treasury Department for coinage purposes, be continued.

(2) Senate Bill 1427, "A bill to repeal certain legislation relating to the purchase of silver and for other purposes," be

rejected by the Congress

(3) As longer range objectives, the council further recommends that:

a The sale of government-owned silver by the Treasury Department at less than its coinage value of \$1 2929 per troy ounce be prohibited; and

b. The seigniorage retained by the Treasury Department be progressively reduced in recognition of the steadily mounting

cost of producing silver.

(4) The council highly commends the governors and the legislators of the western states for the vigorous support which they have given to the silver mining industry, and we respectfully call to their attention the fact that their continued support is urgently needed

3. Lead and Zine

The council recommends that:

(1) An excise tax of 2 cents per pound be established on imports of zinc and lead to take effect whenever the price of

zinc falls below 14 cents, East St. Louis, and the price of lead to 16 cents, New York.

(2) The present stockpiling of lead and zinc should be continued until such an excise tax is put into effect.

4. Copper

The council recommends that.

The present excise tax on imported copper be maintained.

5. Molybdenum

The council recommends that:

The national stockpile program on molybdenum concentrates be continued until maximum emergency defense requirements are met.

6. Fluorspar

The council recommends that:

The fluorspar industry be afforded tariff protection and/or restriction of fluorspar imports sufficient to permit its survival.

7. Uranium—Vanadium

The council strongly urges that:

The Atomic Energy Commission make a prompt public declaration regarding the continuation and extension of its uranium purchase program. Upon the announcement of its proposed program the domestic industry at large should be provided an opportunity to appraise and evaluate said proposed program and to submit further recommendations before its final adoption. Meantime, so long as the government retains control of the purchase and use of uranium, the council looks to the Atomic Energy Commission to maintain an adequate purchase program and to prepare plans for an orderly transition from the current monopolies to the period when industrial requirements predominate.

The council strongly urges that more access and mine-to-market roads be planned and completed with all possible speed.

The council favors the continued curtailment by the Atomic Energy Commission of its exploration drilling program and urges that funds hitherto allocated for that purpose be made available to the Defense Mineral Exploration Administration.

The council further recommends that.

The security program be re-examined in order that maximum information be made available to the industry for effective future planning.

The Atomic Energy Commission should arrange to facilitate and plan continuity of studies of problems of the industry related to the marketing of uranium ores, in particular (a) penalties now being imposed for high lime content, (b) the disposition of other metals produced in association with uranium including vanadium, copper, et cetera and (c) the

feasibility of establishing fixed uniform prices for uranium concentrates. These studies should enlist the personnel and experience of the Atomic Energy Commission, appropriate state and federal agencies as well as private research organizations and the producing industry.

The council urges that:

In all future raw material purchase programs that the domestic uranium industry be given paramount consideration.

8. Rare Earths and Thorium

The council recommends that:

(1) The Atomic Energy Commission should establish a price and buying schedule for thorium similar to that for uranium, since it has complete control of both these fissionable materials.

(2) A tariff be placed on foreign monazite, bastnasite, and rare earth compounds which is sufficiently high to permit domestic producers to survive. A tariff of 10 cents per pound on

contained rare earths metals is suggested.

(3) Until Nos. 1 and 2 above are effective the Federal Government should make new contracts to purchase monazite and bastnasite concentrates in sufficient quantities and at a price which will maintain an adequate mobilization base for the industry.

9. Quicksilver

The council calls attention to the fact the market for mercury is assured by G. S. A. purchases until December 31, 1957, but it has no knowledge of any definite demand which could assure the continuation of the domestic industry much beyond that date.

The council recommends:

(1) The establishment of a tariff equivalent in protection and at the same percentage of the selling price as at the time the present tariff was established (1922).

(2) If this is not possible, there should be established a plan of distributing the tariff paid by foreign producers to domestic producers in accordance with their production with the tariff adjusted from 25 cents per pound to 35 cents per pound.

(3) In the absence of 1 or 2 above then the General Services Administration purchase program should be continued until the present appropriation is expended.

10. Tungsten

The council recommends that:

(1) An adequate tariff be established to enable the domestic tungsten mining industry to stand on its own feet and compete with the low-cost foreign producers.

(2) If it is impossible to obtain such a tariff, then an adequate tariff on imported tungsten ore should be established, the proceeds of which must be distributed to the producers of

domestic tungsten produced and sold within the United States,

in proportion to their production.

(3) A purchase program for a reasonable period be established providing for reduced government purchases at lower than current floor prices, based on the grade and impurities of the concentrates purchased, and with gradually reducing amounts and prices to enable complete withdrawal of the United States Government from the program by the end of that period.

(4) Until 1 or 2 and 3 above are put into effect, the principles and purpose, as expressed in H. R. 6373 (Eighty-fourth Congress), be reaffirmed as desirable objectives to provide a continuing and prosperous tungsten mining industry in order that an adequate mobilization base might be maintained.

The council suggests:

That the Department of Defense be advised that it is no longer necessary to "design around" tungsten. It should be used wherever and whenever it is best suited to the defense problem in hand.

11. Chrome

The council recommends that:

In order to prevent the domestic chrome industry from being shut down in the fall of 1956 and in order that the industry might continue as a mobilization base for possible emergency, that:

(1) A tariff be established of 5 cents per pound on contained

chromium metal in imported chromite ore;

(2) If it is impossible to obtain such a tariff, then a tariff equal to five-eighths cent per pound on contained chromium metal in imported chromite ore should be established. The proceeds of this tariff must be distributed to the producers of chromite produced and sold within the United States in proportion to their production. Then the chrome industry could continue into the foreseeable future as a strong, healthy industry, capable of expansion and able to act as a mobilization base in time of national emergency;

(3) Until such a long term program as outlined under 1 or 2 is adopted and put into effect, the General Services Administration purchase program should be continued on its present

basis.

12. Manganese

The council recommends that:

(1) A tariff be established of 5 cents per pound of contained manganese in imported foreign ores:

(2) If the stipulation in paragraph 1 is impossible, then a tariff equivalent to one-half cent per pound of contained manganese be imposed, the proceeds being distributed to domestic producers on the basis of each domestic producer's unit production produced and sold;

(3) The limitation of 10,000 tons on the carlot program be eliminated until the provisions of either paragraph 1 or 2 are

adopted;

(4) If the recommendations in paragraphs 1 and 2 are impossible, then a program similar to the present earlot program should be put into effect over a long term of years.

The council suggests that:

Every effort be made to obtain a treatment plant at either the Deming, New Mexico, or the Wenden, Arizona, depot to beneficiate stockpile ores to usable grade.

13. Antimony

In order to reactivate domestic antimony production the council recommends that:

(1) Minimum tariff rates be established.

a. On antimony ore and concentrates at not less than 15 cents per pound of contained antimony; and

(b) On antimony smelter products at not less than 30 cents

per pound of contained autimony.

(2) If it is not possible to obtain such tariffs then a tariff of 6 cents per pound on contained antimony metal in imported antimony metal, ores or concentrates should be established. The proceeds of this tariff must be distributed to the producers of primary antimony, produced and sold within the United States, in proportion to their production.

14. Asbestos

The council recommends that.

- (1) Unused funds now earmarked for the purchase of No. 3 fiber be made available to purchase additional No. 1 and No. 2 high grade fiber, thereby making usable all of the funds allocated to the G. S. A. Globe warehouse The purchase of No. 3 should be continued on the present ratio of three tons of No. 3 purchased to each ton of No. 1 or No 2; (approximately \$1,000,000 remains in the No. 3 fund to supply funds for the above change in the program).
- (2) Fiber of national stockpile quality now in the Globe warehouse be transferred to the national stockpile and the Globe warehouse be credited accordingly;
- (3) The life of the asbestos program be extended. This can be done by making available to Arizona asbestos producers part of the funds allocated to the national stockpile and changing the present Globe warehouse program as in No. 1 above;
- (4) The inspection of fiber for transfer to the national stockpile be done by G. S. A. classifiers now inspecting Globe warehouse fiber;
- (5) Fiber of national stockpile quality and sold to the national stockpile be checked in at the Globe warehouse and paid for as now being done through San Francisco Office of G. S. A.;
 - (6) The present standards of quality be retained.

15. Coal

The council recommends that:

The governors give equal consideration to all of the available energy resources—uranium, coal, oil, gas, oil shale and water—before deciding which is to be used as the source of generating power in any given area.

16. Aggregates—Clay—Talc

The council recommends that:

The congressional committees on interstate and foreign commerce be urged to investigate the encroachment by the I. C. C. regulations on many minerals and mineral aggregate in intrastate commerce.

LANDS AND WATER

The council considers the objective of the General Mining Laws to be the discovery and development of the mineral resources of the public domain by private enterprise. To effect this objective the laws invite citizens to prospect for minerals and upon discovery to locate valid mining claims. The mining laws also provide for protection of valid claims and the possessory rights thereunder prior to patent, and for transfer of legal title to private ownership by patent. History has proven the soundness of this system, and the council reaffirms its confidence in it.

The council holds that public lands are not the property of the Government of the United States or of any of its agencies but instead are lands held in trust for the people of the United States, and are destined for their eventual use under the principles of free enterprise. Vast areas of the West have in prospect many present and future uses, but they are most likely to find best use as a source of the national mineral wealth.

The continued inroads upon the use of this land which are made by federal withdrawal of the land from mineral entry or by acquisition by various agencies of the Federal Government, have long been adverse to the economy of the West. Such inroads have been tremendously augmented in recent years by military acquisition of huge areas in the western states. This has served to curtail seriously the productivity of private enterprise within the State, and to reduce state and federal income, as well as the supply of materials for the defense of the Country Under present laws, no federal land state has the power effectively to resist such inroads.

For those cogent reasons the council recommends that:

- 1 As to federal land withdrawals:
- a The western governors urge an immediate congressional investigation of federal lands now withdrawn from mineral entry and other beneficial uses, whether withdrawn for military or other purposes, and of western lands otherwise acquired by the various agencies of the Federal Government; that among other things such investigation determine the

necessity for and the authenticity of the withdrawal, whether the land is still serving the purpose for which it was withdrawn or acquired and whether portions of it or the whole of it may be returned to the public domain or to private owners (with priority right for repurchase given to original owners); and that such investigation determine whether the various agencies and military units cannot combine their activities as to the use of such lands rather than making separate use thereof, in order to give such land the highest possible usefulness.

- b. Congress be urged by the governors to explore the possibility of federal legislation requiring the cooperation and approval of any state for any federal withdrawal or acquisition within its boundaries.
- c. The western governors request Congress to enact legislation to provide that in all further federal land withdrawals, either for military use or otherwise:
 - (1) Public hearings be held on the proposed withdrawals.
- (2) These hearings be held in at least one community within or near the area proposed for withdrawal.
- (3) Notice of these hearings be published in the Federal Register and in a newspaper having maximum circulation in affected areas, at least 90 days in advance of the hearings.
- (4) These hearings shall seek to determine the relative beneficial use of the land involved, and whether excessive acreages are being proposed for withdrawal.
 - 2. As to the Oil and Gas Leasing Act:

The western governors oppose any further amendment of the Oil and Gas Leasing Act, approved February 25, 1920 (41 Stat. 437, 30 U. S. C. A. 181, et seq.), or any other legislative proposals which would add any further classes of lessees or any minerals or mineral deposits to those now named in said act.

3 As to Mineral Leasing Act:

The western governors urge the Department of Interior to reappraise the maximum acreage limitations presently existing on the leasing of federal mineral lands withdrawn from location and increase the acreage to meet the requirements of modern mining and refining needs. Illustrative of such need is phosphate.

It is the considered opinion of the council that no further restriction should be placed upon the noncompetitive lease rules and regulations and that such regulations should be so administered as to encourage the investment of venture capital

- 4. As to restrictive federal legislation:
- a. The western governors oppose any and all legislation in the Congress that promotes further control and withdrawal of federal lands from the public domain.
- b. The governors urge the Congress of the United States to return to the first principles laid down by our founding fathers, that the federal lands of the United States are for the benefit of the citizens and should be sold and disposed of to the

citizens as rapidly as is practically possible, so that those lands may be made the subject of private ownership by our citizenry and the subject of taxation for the support of local and state governments.

c. The western governors advocate the annulment of the rules and regulations promulgated by the many departments of government withdrawing and otherwise prohibiting possession of public lands by the citizens of this Nation, so that the citizens may again be free to take up the land under the original laws relating to mining or agricultural classification and carry that land through to patent without interference by a multitude of governmental agencies.

5. As to geophysical exploration:

The governors urge Congress to give prompt consideration of constructive changes in the discovery provisions of the General Mining Laws so as to afford a reasonable period of protection to those who in good faith seek a mineral discovery where the object of exploration is a deep or hidden deposit and discovery can only be made following prolonged use of expensive equipment and modern scientific methods of prospecting.

6. As to "in lieu" lands:

The western governors recommend to Congress a thorough study of the need for legislation serving to permit the public land states to make "in lieu" selection from mineral lands, for the mineral lands lost to the state because of the pre-emption of numbered school sections before the state's right to such sections was determined by survey.

7. As to state mining laws:

The western governors investigate the desirability of making more uniform the laws of the various states governing location and annual assessment work, and other mineral land matters within their jurisdiction.

TAXES

The council holds that the continuance of a healthy and prosperous mining industry and the contributions it can and should make to the public revenue, to employment, to national security and to the general welfare, depends upon continuing production from now operating mines and the continuing discovery and development of new deposits. Essential to this is the hope for profits commensurate with the difficulties, the effort and the risks of losses involved. The inherent risks in mining cannot be avoided, and taxes should not be imposed in nature or amounts as will kill incentives for incurring these risks and will result in loss of government revenues and harm to the domestic economy.

The council recommends:

1. As to depletion:

a. Full and adequate allowance for percentage as well as cost depletion should be provided for all minerals on a fair and equitable basis, not less favorable than present rates. We particularly note the necessity of such allowances in the development of so-called oil shales in the western states.

- b. Depletion should be recognized as an allowance to stock-holders in determining the taxability of dividends they receive as well as being allowed to the corporation in determining its taxable income.
 - 2. As to exploration costs:

Cost of exploration, as well as development, should be allowed as a deduction without the limitations imposed by present law.

3. As to depreciation:

The provisions for more reasonable depreciation contained in present law should be retained without fundamental changes. No amount should be considered as recovered by depreciation deductions which has not effectively reduced the taxpayer's income subject to tax.

4. As to operating loss:

The more equitable allowance of net operating losses provided by present law should be maintained.

5. As to research expenditures:

The allowance under present law as a deduction of expenditures on research and experimentation should be preserved.

6. As to double taxation of corporate earnings:

The small step recently taken to minimize double taxation of corporate earnings should be enlarged.

7. As to new mines:

New mines should be exempted from income taxes for three years after commercial production begins.

8. As to capital gains:

A further reduction of the rate on net long-term capital gains would be economically beneficial to the mining industry and, on the basis of past experience, would increase net revenue collected.

9. As to severance taxes:

In state taxation, no particular tax nor the combined federal, state and local taxes should be such as to discourage the exploration and development or production of minerals. Severance taxes or taxes based on or measured by gross output should be avoided.

RESEARCH

The council recommends to the governors serious consideration of the following discussed facts and conditions affecting industry research.

Research is the very foundation upon which growth of the mineral industries must depend. For the future health of the mineral industries and of the entire national economy, there should be vigorous research activity supported directly by private industry as well as by state and federal agencies, each working in the sphere for which it is best fitted; and

With respect to privately supported industrial research, economic factors should be such as to give maximum encour-

agement to industrial expenditures for research. This viewpoint is embodied in a recommendation on taxes, shared in by the research committee; and

Since many research projects involve financial commitments over a long period of years, the lack of a clearly stated national mineral policy, has limited industry's willingness to undertake such long-term projects. It follows that the adoption of such a national policy, to which all these recommendations are devoted, will do much to encourage industrial research

With respect to state and federal research, the council recommends the following:

- 1. Establish at federal level, and at state level where desirable, permanent minerals research advisory boards. These boards should consider and recommend initiation of research programs which, in their opinion, are particularly needed.
- 2. Encourage federal and state mineral research programs at appropriate state agencies, universities and nonprofit research foundations.
- 3. Expand or establish in each of the mining states a clearinghouse or library of pertinent technical information and records dealing with all phases of the mineral industries.

The mineral industries of many of the western states, particularly the small mine operators, need some form of central clearinghouse for pertinent technical information which would be readily available in suitable form.

4. Continue support of existing long range research in federal and state agencies.

Geological and topographic mapping should be accelerated as an essential part of this long range program.

Public Information

When and if the governors approve the recommendations the council recommends that the western governors authorize the Western Governors Mining Advisory Council to undertake the following public relations activities to attain the widest possible public understanding of the policies adopted by them as a result of the Western Governors Mineral Policies Conference:

- 1. Distribute to all related and interested organizations the recommendations on national mineral policy affecting the mining industry as adopted by the governors as a result of this conference.
- 2. Distribute basic information related to the recommendations necessary to promote the broadest possible public reception and understanding.
- 3. Continue to distribute such additional information as should subsequently develop relating to those recommendations.
- 4. Obtain the full cooperation of all organizations and agencies, private and public, whose interests are related directly or indirectly to the mining industry.

WHEREAS, These recommendations constitute a basic national minerals policy designed to strengthen the mining industry and the national security; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature recommends to the executive and legislative branches of the United States the consideration of the national minerals policy formulated by the Western Governors Mineral Policies Conference and the effectuation of such recommendations; and be it further

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

CHAPTER 44

Assembly Concurrent Resolution No 28—Relative to the retirement of Fred W Links.

[Filed with Secretary of State, April 4, 1956]

WHEREAS, The Legislature has learned that Fred W. Links, Assistant Director of the Department of Finance, has announced his proposed retirement from state service, effective July 6, 1956, and desires to express its appreciation for his 40 years of effort in the State Government; and

Whereas, Fred W. Links, a native of Sacramento, after working as a youth for Breuners, Pacific Fruit Exchange, Pacific Gas and Electric Co., and for the Y. M. C. A. was first employed by the State on July 2, 1915, as a clerk in the State Printer's Office and thereafter transferred to the office of the California Highway Commission, where he remained until he entered the military service of the United States in 1918, and upon his return was employed from 1919 until 1922 as Assistant Secretary of the California State Fair; and

Whereas, His long career in the Department of Finance started in 1922 as an employee of the State Board of Control, the predecessor of the present Department of Finance. He was one of the original employees of the Department of Finance at the time of its creation in 1927 as successor to the Board of Control, and as such became one of the leaders in the operation of the fiscal affairs of the State, being appointed Superintendent of Accounts on February 1, 1931, Chief of the Division of Budgets and Accounts on July 1, 1939, and Assistant to the Director of Finance on August 1, 1949; and

Whereas, He was one of the men who worked upon the first Governor's Budget to be submitted pursuant to the constitutional amendment of 1922, which established our present system of state budgets, and, throughout the years, since that time has been active in formulating the Governor's Budget for presentation to the Legislature, and establishing the policies governing its operation; and

WHEREAS, In addition to his official duties he has found time to be active in the life of his community contributing to the construction and conduct of the First Methodist Church of Sacramento and the Carmichael Presbyterian Community Church, to the development of the north shore of Lake Tahoe, to the founding of the State Men's Club, and to the establishment of the State Employees' Retirement System; and

Whereas, During his busy life as a state official he has also been a devoted father and more recently grandfather, who has spent many hours, as a hobby, in the actual construction and

furnishing of his home; and

Whereas, He has always taken pride, and justifiably so, in his activities as a choir director for the various churches with which he has been affiliated, and his activities as song leader for 10 years for the Sacramento Rotary Club; and

Whereas, Fred W. Links has for many years been known to the Members of the Legislature as one of the state officials most ready to assist the Legislature in its deliberations and to furnish it the information which is indispensable to its operations; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Legislature extends to Fred W. Links its appreciation of his many years of devoted service to the interests of the people of the State of California, its thanks for his contribution to the establishment of a sound and efficient government in the State, its congratulations upon his retirement, and best wishes for a continued active and happy life; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward a suitably engrossed copy of this resolution to

Fred W. Links.

CHAPTER 45

Assembly Concurrent Resolution No. 30—Relative to the passing of Thomas C. Hickey.

[Filed with Secretary of State, April 4, 1956.]

WHEREAS, The Legislature has learned of the recent passing on March 24, 1956, of Thomas C. Hickey, noted civic leader and businessman in San Mateo County; and

Whereas, Thomas C. Hickey was born in Chicago, Illinois, on September 17, 1871; at an early age he became a butcher in the stockyards; in 1892 while working for Swift & Co., he was transferred to South San Francisco as foreman of the Western Meat Company's plant; and in 1908 he began working for Equitable Life Assurance Society; and

Whereas, He ably served the County of San Mateo as a member of the board of supervisors from 1916 to 1932 and again from 1940 to 1952, constituting 28 years of service to

the people of San Mateo County; and

Whereas, After suffering great hardships in the loss of his son in 1921 and of his wife soon afterward, Thomas C. Hickey devoted his entire energies to serving the people of San Mateo County and he was a great champion of the public welfare; and

Whereas, It was largely through his efforts that San Mateo County established the first county welfare commission and the fifth community hospital in California; and

Whereas, He also served as a city trustee of South San Francisco and as a member of the Board of Governors of the San Mateo County Development Board; in addition, he was a member of the Elks, the Knights of Columbus, and the Loyal Order of Moose: and

WHEREAS, The people of San Mateo County will long be impressed with the contributions made by this great, sincere, and conscientious public servant; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature hereby express their deep sorrow at the loss of this outstanding public-spirited official and convey their most profound sympathy to the bereaved members of the family of Thomas C. Hickey; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Loretta O'Connor of Burlingame, sister of Thomas C. Hickey, to Loretta O'Connor, Helen O'Connor, Mrs. Harriet Blank, Mrs. Helen Waddell, his nieces, and to Edward Hickey, Jack Hickey, William Hickey, and to James Hickey, his nephews.

CHAPTER 46

Senate Joint Resolution No. 4—Relative to the prevention of flood conditions in the Napa Valley.

[Filed with Secretary of State, April 4, 1956.]

Whereas, During the year 1955 extensive loss of life and property occurred as the result of flood waters in California; and

Whereas, If proper measures are not taken to control streams and rivers floods may be expected at any time in the future with resultant losses; and

Whereas, It is in the mutual interest of this State and Nation to prevent the depredations of flood waters as they affect the people and property of this Country; and

Whereas, In order to prevent recurring flood conditions extensive planning and construction is called for both to prevent floods and control and utilize the vast power that is unleashed upon such occasions; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the U.S. Army Engineers and Department of Public Works, State of California are hereby

requested to take the necessary measures to prevent future floods in the Napa Valley and City of Napa area; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, the U. S. Army Engineers, the Governor of California and to the Department of Public Works, State of California.

CHAPTER 47

Senate Concurrent Resolution No. 12—Congratulating the Sacramento Chapter of the National Secretaries' Association (International) on its successful organization.

[Filed with Secretary of State, April 4, 1956.]

Whereas, The National Secretaries' Association (International) is a professional group organized in 1942 for the purpose of elevating the standards of the secretarial profession by working together to encourage the educational and social development of secretaries; and

Whereas, The members of the said association have dedicated themselves to exemplify loyalty, dependability, trustworthiness, integrity, character, good judgment, honesty, fortitude, courtesy, patience, cooperative attitude, neatness, diplomacy, tact, modesty, interest, initiative, intelligence, resourcefulness, intuition, understanding, and clairvoyance; and

Whereas, The association offers its members an opportunity for continued education, and has become influential in establishing educational goals and aiding in the improvement of educational standards by courses of study and examinations, all to the end that properly qualified secretaries shall be recognized as such; and

WHEREAS, The National Secretaries' Association has established chapters in 45 states of the United States; in Canada and Puerto Rico; and

Whereas, More than 25 cities in the State of California have established chapters of the said association; and

Whereas, It is fitting and desirable that Sacramento, the Capital City of California, have an established chapter of the National Secretaries' Association to provide management and secretaries with the benefit of its inherent qualities; and

WHEREAS, The Altamont Chapter of the National Secretaries' Association, at Tracy, California, through the guidance of its California divisional officers, are sponsoring the establishment of such a chapter in Sacramento; and

WHEREAS, Plans for chartering Sacramento Chapter now have been completed for Sunday afternoon, April 15, 1956; now, therefore, be it

Resolved, That the Members of the Legislature hereby extend to the Sacramento Chapter of the National Secretaries' Association (International) their heartiest congratulations on the successful organization of its group, and wish it continued success in the achievement of its most commendable objectives; and be it further

Resolved, That the Secretary of the Senate is directed to transmit suitably prepared copies of this resolution to Mrs. Mary Douglas, President, Altamont Chapter, and to Mrs. Ester F. Perry, Charter President, and Miss Helen Brown, Charter Secretary of the Sacramento Chapter of the National Secretaries' Association (International).

CHAPTER 48

Senate Concurrent Resolution No. 11—Relating to the observance of National Secretaries Week.

[Filed with Secretary of State, April 4, 1956.]

WHEREAS, The American secretary plays a vital roll in the function of business, industry, government, and education; and

Whereas, The American secretary is resolved to further the interests of whatever business she follows; and

Whereas, The American secretary is resolved to exemplify loyalty, dependability, trustworthiness, integrity, character, good judgment, honesty, fortitude, courtesy, patience, a cooperative attitude, neatness, diplomacy, tact, finesse, modesty, interest, initiative, intelligence, resourcefulness, intuition, understanding, and clairvoyance; and

WHEREAS, The American secretary, in establishing herself on a path of improvement in every phase of secretarial work, has made a valuable contribution to management: and

Whereas, The last full week in April has been set aside each year by the Secretary of Commerce to honor all American

secretaries; now, therefore, be it

Resolved, That the Legislature hereby proclaims the week of April 22d to April 28th to be National Secretaries' Week throughout the State of California, and commends it to the attention of business and the secretary alike to pay tribute to the "First Lady of American Business" by honoring all secretaries for their services to the community and to the State.

CHAPTER 49

Senate Joint Resolution No. 3—Relative to flood control on the Mad and Eel Rivers, South Fork of Eel River, Redwood Creek, Klamath, Mattole, Russian, Smith, and Van Duzen Rivers.

[Filed with Secretary of State, April 5, 1956.]

Whereas, The most devastating floods on record struck the lands of the Northern Coastal Area of this State which lie

along the Mad and Eel Rivers, South Fork of Eel River, Redwood Creek, Klamath, Mattole, Russian, Smith, and Van Duzen Rivers during December of 1955; and

Whereas, Many communities were completely demolished by these flood waters which caused immense property damage and indescribable human suffering that is difficult to comprehend even after visual inspection; and

Whereas, Adequate flood control measures could have com-

pletely saved this area from these losses; and

Whereas, The Corps of Engineers of the United States Army has been authorized to make a comprehensive survey for flood control on the Eel River and a preliminary examination and survey with respect to Redwood Creek but no money has been appropriated therefor; and

WHEREAS, There is a like need for appropriate authorization and appropriation for flood control examination and survey on the Mad, the South Fork of the Eel River, the Klamath, Mattole, Russian. Smith, and Van Duzen Rivers; now, there-

fore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take immediate steps to provide adequate safeguards against any recurrence of the devastating floods along the Mad and Eel Rivers, South Fork of Eel River, Redwood Creek, Klamath, Mattole, Russian, Smith, and Van Duzen Rivers, including the appropriation of funds for the already authorized surveys and examinations on the Eel River and Redwood Creek and authorization of surveys on the Mad River, South Fork of Eel River, the Klamath, Mattole, Russian, Smith, and Van Duzen Rivers and necessary appropriation therefor; and be it further

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

CHAPTER 50

Senate Concurrent Resolution No. 15—Relating to highway signs showing the way and mileage to the City of North Sacramento.

[Filed with Secretary of State, April 5, 1956]

WHEREAS, There are no highway signs in the City of Sacramento indicating the route and mileage to the City of North Sacramento; and

WHEREAS, There are no such signs on any highways in the Cities of Auburn, Davis, Lodi, Marysville, Placerville, Plymouth, Roseville, Stockton, Yuba City and Woodland; and

Whereas, There are no such signs on any of the following highways: U. S. Highway 40 to the northeast and southwest of the City of North Sacramento; U. S. Highway 50 to the east and south of such city; State Sign Route 16 to the east and west of such city; and U. S. Highway 99 to the south, west and east of such city; and

Whereas, There are no highway directional signs to the City of North Sacramento on the Elvas Freeway, south of Arden Way, in the City and in the unincorporated area of

Sacramento; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Works is hereby requested to place and maintain appropriate signs indicating the route and mileage to the City of North Sacramento along the highways within the cities and along the other highways and freeway above mentioned, and, in particular, at the following points—in the City of Roseville, on both sides of the intersection of Del Paso Boulevard and El Camino Way in the County of Sacramento, on both sides of the intersection of Arden Way and the Elvas Freeway in the County of Sacramento, and in the City of Sacramento at the intersections of Sixteenth and N Streets, Sixteenth Street and Broadway, Thirtieth Street and Broadway, Thirtieth Street and Broadway, and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of the State Department of Public Works.

CHAPTER 51

Assembly Joint Resolution No. 9—Relative to federal legislation respecting the tuna fish industry.

[Filed with Secretary of State, April 5, 1956]

Whereas, The fishing industry, which constitutes an important element of the economy of the United States, is in dire need of legislation to establish a national program for the stabilization of the industry; and

WHEREAS, There have been a number of measures introduced at the present session of Congress, among them being S 3339, HR 9552, HR 9607, HR 9700, H. Res. 377, H Res. 378, and S. Res. 186; and

Whereas, These measures contain various provisions to assist the fishing industry by establishing a top level policy-making United States Fisheries Commission, creating a Fisheries Stabilization Corporation empowered to make loans to fishermen, and fixing quotas on the importation of fish, shell-fish and their products; and

Whereas, The Legislature has been informed that representatives of the fishing industry in California, New England

and the gulf states are in agreement that such remedial legislation is greatly needed; and

Whereas, It is particularly urgent that a quota formula for imports be enacted to prevent the threatened ruin of the Southern California tuna industry by the American market being taken over by cheaper Japanese imports; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation protecting the Country's fishing industry by establishing a policy-making United States Fisheries Commission, creating a Fisheries Stabilization Corporation empowered to make loans to fishermen, and fixing quotas on imports on fish, shellfish, and the products thereof; and be it further

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

CHAPTER 52

Assembly Concurrent Resolution No. 20—Relative to congratulating San Mateo County on the 100th anniversary of its formation.

[Filed with Secretary of State, April 5, 1956.]

WHEREAS, In 1850, the year in which California was admitted to the Union, San Matco County was a part of the County of San Francisco; and

Whereas, In 1856, one year after an unsuccessful attempt to create a new county distinct from San Francisco, the Legislature of the State of California passed the "Consolidation Act" which provided for the consolidation of the City and County of San Francisco and for the establishment of San Mateo County; and

WHEREAS, Pursuant to this act, whose effective date was July 1, 1856, San Mateo County was formed; and

Whereas, Since 1856 San Mateo has continued to be one of the leading counties in the State of California with its advanced educational systems and modern residence and shopping areas; and

Whereas, In addition to the above, San Mateo County contains some of the finest recreational and industrial facilities within this State; and

Whereas, Though faced with the tremendous and continuing problems concomitant with rapid growth the people of this county have continued to meet and resolve each crisis with the same intelligence, integrity and native ingenuity displayed by those men that helped to originally create this county; and

Whereas, As a result of these past achievements, obtained by diligent labor in the face of numerous obstacles, San Mateo

County has become and remained a credit to its residents and to the State to which it belongs; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That San Mateo County and its residents are hereby congratulated upon the centennial anniversary of its creation; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Supervisors of the County of San Mateo, the county officers of San Mateo County and to the Chamber of Commerce of San Mateo County

CHAPTER 53

Assembly Concurrent Resolution No. 23—Relative to the appointment of an advisory committee of citizens to assist in an investigation of the procedures of the Legislature.

[Filed with Secretary of State, April 5, 1956]

Whereas, There has been introduced at each session of the Legislature an increasing number of measures, now in excess of 6,000, which has necessitated greater efforts by the Members of the Legislature, both during sessions of the Legislature and as members of interim committees; and

Whereas, It appears that this increased volume of work will continue resulting as it does in part from the growth of

population and industry in the State; and

Whereas, The pressures of work upon a Member of the Legislature have placed an undue burden upon the individual members and have contributed in large part to the death of five Members of the Legislature during and immediately following the 1955 Regular Session; and

Whereas, Preliminary studies have indicated that the total expense of conducting the business of the Legislature in California is disproportionately low in comparison with the amounts expended upon the same services in other states and

are not at all comparable with private business; and

Whereas, It has been suggested that the work of the Legislature and its members may be facilitated and made less burdensome upon the individual members by making provision for more staff assistance, a rearrangement of session times, better district facilities, more adequate remuneration or expense allowances, and other improvements in the procedures followed by the Legislature, and that such improvement would appear to redound to the benefit of the public generally through a better consideration of measures pending in the Legislature and by enabling the Members of the Legislature to devote their full attention to the problems presented to the Legislature; and

Whereas, It appears that there are many interested citizens and groups of citizens in the State who should be consulted before any changes in the Legislature's procedures and staff are adopted; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That an advisory committee of citizens, of at least 25 persons, be appointed by the Joint Committee on Legislative Procedure, the membership of such advisory committee to be selected in such fashion that the interests of various groups throughout the State, including management, labor, women's clubs, the press and the universities, are represented on said committee to the fullest extent possible, and that such advisory committee shall have the power to select its own chairman; and be it further

Resolved, That the advisory committee shall assist and advise the Joint Committee on Legislative Procedure and the Committees on Rules of the Senate and Assembly in their deliberations on possible improvements in the procedures and staffing of the Legislature and that said committee shall report to the Legislature at its 1957 Regular Session not later

than March 15, 1957; and be it further

Resolved, That 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 Assembly for the expenses of the Joint Committee on Legislative Procedure and its members and for any charges, expenses, or claims that may be incurred under this resolution or under Assembly Concurrent Resolution No. 147 (Resolutions Chapter 237, Statutes of 1955), 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.

CHAPTER 54

Assembly Concurrent Resolution No 33—Relative to appointment of members to the Los Angeles World Trade Center Authority.

[Filed with Secretary of State, April 5, 1956]

Whereas, It has been declared to be the general policy of the State of California to foster and develop domestic and international trade for the benefit of the entire State and, particularly, trade in the natural, processed, and manufactured products of the State; and

Whereas, In furtherance of this policy it is essential to improve the facilities for domestic and international trade in the City of Los Angeles, which has become the center of a manufacturing and transportation network, serving as a major outlet for California, for the West, and for the whole United States: and

Whereas, The Legislature has provided in Chapter 1508 of the Statutes of 1947 for the establishment of the Los Angeles World Trade Center Authority, and has provided that seven members of the authority shall be appointed by the Governor of the State, of whom at least two shall be residents of the County of Los Angeles, at least one a resident of Santa Barbara, San Luis Obispo, Ventura, or Kern Counties, at least one a resident of San Diego or Imperial Counties, at least one a resident of Riverside or San Bernardino Counties, and two shall be appointed at large, each to be a resident of a county south of the southern boundaries of Monterey, Kings, Tulare, and Inyo Counties, and all such persons appointed shall have outstanding qualifications resulting from training, experience, and attainments in production and trade; and

Whereas, It is now the desire and intent of the Legislature that the Los Angeles World Trade Center Authority be organized in accordance with the law and the members of the au-

thority enter into their duties; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Governor of the State is hereby respectfully requested to appoint seven persons to the Los Angeles World Trade Center Authority as provided by law; and be it further

Resolved, That the Chief Clerk of the Assembly is directed

to send a copy of this resolution to the Governor.

CHAPTER 55

Assembly Concurrent Resolution No. 34—Relative to the retirement of H. Allen Smith.

[Filed with Secretary of State, April 5, 1956.]

Whereas, The Legislature has learned of the planned retirement of H. Allen Smith, who has served in the Assembly since 1948 from the Forty-third District in Glendale; and

Whereas, H. Allen Smith has continually demonstrated throughout his terms of office in the Assembly the strength, decisiveness and ability which are of paramount importance in the makeup of the able administrator and legislator; and

Whereas, As the result of his superior attributes as an attorney and his natural capabilities as a leader he has served on, and been chairman of, numerous important committees

within the Legislature; and

Whereas, He has successfully authored and ardently supported crime prevention and punishment legislation throughout his career in the Assembly having come to the Legislature after distinguished service from 1935 to 1942 in the Federal Bureau of Investigation where, as a special agent, he supervised all national defense activities relating to espionage, sabotage, plant protection and un-American activities; and

Whereas, He has achieved particular success in sponsoring legislation concerning narcotics traffic and crimes committed

against children by users of narcotics; and

Whereas, Consequent to his service as an agent for the Federal Bureau of Investigation he was employed as plant protection manager at Lockheed Aircraft Corporation in Burbank and, subsequent to World War II, has maintained a private practice as an attorney; and

WHEREAS, He now intends to devote his full time to the practice of law and to his family, his wife Elizabeth and two sons, Lauren and Allen; and

Whereas, The Legislature and the people of Glendale will sorely miss the able and effective leadership and representation of this outstanding young and vigorous campaigner; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature do, hereby, commend H. Allen Smith for his service to the Legislature and to the State of California, and do extend to him their sincere and best wishes for his continued success in the field of law; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to H. Allen Smith.

CHAPTER 56

Assembly Concurrent Resolution No. 37—Relative to congratulating and commending Hon. George A. Clarke.

[Filed with Secretary of State, April 5, 1956]

WHEREAS, The Honorable George A. Clarke, sagacious and venerated Member of the Assembly, has announced his desire to retire from public office; and

Whereas, Ever since his birth in Bishop, County of Inyo, in the pioneer days, on January 9, 1874, he has distinguished himself not only in temporal accomplishments as farmer, businessman, civic leader and statesman but also has always been an example worthy of emulation of all those qualities of a spiritual nature which make man truly God's image; and

Whereas, George A. Clarke, in his service to the public, participated in the organization and incorporation of the City of Bishop in 1903, followed by service as a Trustee of the City of Bishop for 13 years, and his service in the Assembly of this State from the time he was first elected to the Assembly in 1912, serving the Forty-seventh Assembly District, and returning to Sacramento to serve for this district again in 1922, continuing his service to the people of the Thirty-third Assembly District as their Assemblyman in 1938 and 1940, through his service from 1942 when he was elected by the people of the Thirty-first District as their representative in the Assembly, to the present day. This record is truly an attestation to the recognition by his constituents of the superior quality of this man as a statesman and citizen; and

WHEREAS, Any attempt to fully enumerate all the many accomplishments of this beloved legislator must fail for the reasons that words have limitations and because this man has the true humility which is so wonderful to encounter but

so hard to break through in order to obtain a list of his many activities which have spanned over 80 years of active life, nevertheless recognition should be given for his service as State Director of the Farm Bureau, President of the Merced County Farm Bureau, Director of the Production Credit Association, member of the Farm Debt Adjustment Board, and his attainment of the position of Past Master in the Masonic Lodge; and

Whereas, The deep regard and affection of his colleagues to George A Clarke is evidenced in the following poem written by his fellow Assemblyman, Glenn E. Coolidge, delivered at a dinner honoring Assemblyman Clarke on March

27, 1956:

In eighteen hundred seventy-four, A stork came knocking at the door. In the Town of Bishop on a farm, The stork placed George on his mother's arm.

A cute little cuss with a dimpled chin, No hair on his head but a great big grin. He had six brothers and a sister too, With that size family there was work to do.

And at fifteen years in age—not looks, He had the job of keeping the family books. He did right well till seventeen, Then his father taught him how to drive a team.

He drove a stagecoach after school, Used to have a time with a lop-eared mule. He drove this stage without any harm, Until he decided it was time to farm.

So farm he did and I'm telling you, He did right smart till 1902. That was the year and this is no fable, He started making eyes at a girl named Mabel.

She kept him on the right path living straight. Then she took away his freedom at twenty-eight. She got him into politics—that's no sin, George was elected on a pencil write-in.

For four years after he brought home the bounty, For Mariposa—Mono—and Inyo County. And then Merced and Madera too, Having seen what George could do,

Made him a full-fledged resident, And back to the Assembly he was sent. For eighteen years he gave them his best, So now he says he's gonna take a rest. He's been a Mason for fifty years and three, Gonna gather round the boys and have a little spree. George and Mabel, believe me it's true, You'll miss us and we'll miss you.

In the parlance of Maloney, your genial host, I offer to you this little toast:

God grant that you, George, and your wife, Will have an everlasting life.
That peace and happiness will be your score, From this date on forevermore.

So good-by, George, Good luck sublime, May God be with you till the end of time.

now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the California Legislature will miss the strength, wisdom, and courage of this pioneer who has for so many years devoted his untiring efforts for the betterment of the people of California and by this resolution pay tribute to their close and dear friend, a great Californian who has contributed so much to the welfare of this State; and be it further

Resolved, That the Legislature of the State of California will always be honored to welcome on its floors, the Honorable George A. Clarke, as Member of the Legislature of the State of California, Emeritus; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably engraved copy of this resolution to Assemblyman George A. Clarke, and his wife, Mabel C. Clarke.

CHAPTER 57

Senate Concurrent Resolution No. 6—Relative to an alternate route for U. S. Highway 50 between Placerville and French Camp.

[Filed with Secretary of State, April 6, 1956]

WHERLAS, There is a rapidly increasing volume of west-bound motor traffic over U. S. Highway 50 via Echo Summit bound for the San Joaquin Valley and the southern San Francisco Bay region; and

Whereas, This important motor traffic should be given the option of taking an alternate route approximately 35 miles shorter than historic Highway 50 between Placerville via Shingle Springs and Sacramento to Stockton; and

Whereas, The desirability of designating an alternate U. S. Highway 50 over this shorter route is a matter upon which the California State Legislature should be informed; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the Department of Public Works, through its Division of Highways, is requested to investigate the feasibility and desirability of designating as an alternate U. S. Highway 50 the route along the present Highway 88 from French Camp and Stockton via Clements and Ione, and Highway 49 via Plymouth, El Dorado and Diamond Springs to Placerville, and to report its findings not later than the first day of March, 1957; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Director of Public

Works and the State Highway Engineer.

CHAPTER 58

Schate Concurrent Resolution No. 7—Relative to a new highway route between Roseville and Bakersfield.

[Filed with Secretary of State, April 6, 1956.]

Whereas, The San Joaquin Valley lies between the eastern Sacramento Valley of Northern California and the great Santa Ana River Valley of Southern California; and

Whereas, The great increasing growth of the population of the two important areas increases the demand for an alternate

highway route between them; and

Whereas, A highway joining with Highway 99E and Highway 40 at Roseville continuing down the east side of the San Joaquin Valley in the vicinity of Ione, Farmington, Hughson, Clovis. and Sanger to Bakersfield would provide a more direct route between such areas and provide highway connections urgently needed by the communities along the east side of the San Joaquin Valley; and

WHEREAS, The practicability of such a highway and an estimate of the probable cost of construction would provide valuable information for the State Legislature; now, therefore,

be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Works, through its Division of Highways, is requested to investigate the feasibility and approximate cost of constructing a suitable expressway along the east side of the San Joaquin Valley, from Roseville via Sanger to the vicinity of Bakersfield and report its findings thereon to the State Legislature not later than the first day of March, 1957; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Director of Public Works and the State Highway Engineer.

CHAPTER 59

Senate Concurrent Resolution No. 13—Relative to the passing of John Raymond Keaton.

[Filed with Secretary of State, April 6, 1956]

WHEREAS, The Members of the Senate were saddened to learn of the passing of John Raymond Keaton, former Coroner of Marin County; and

WHEREAS. Mr. Keaton became Deputy Coroner of Marin County in 1910, continuing in that post until his election as coroner, in which office he served for 30 years, being elected thereto seven times; and

WHEREAS, In addition to his service to Marin County, Mr. Keaton served as Director of the State Board of Embalmers for 16 years and under four governors, receiving his initial appointment from Governor Richardson in 1926; and

Whereas, He also served a term as national president of

the Funeral Services and Examining Board; and

Whereas, Active in lodge circles, Mr. Keaton was a member of the San Rafael lodge of the Knights of Columbus, the San Rafael Elks, the San Rafael Aerie of Eagles, the Mt. Tamalpais Parlor of Native Sons, and the Tamal Tribe of Redmen; and

Whereas, Such devotion to public life and to the affairs of his community will not soon be forgotten by his associates or by anyone who knew him; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature take this means to express their sorrow at the passing of John Raymond Keaton, and to extend to his family their heartfelt condolences; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to Frank J. Keaton, William R. Keaton, and Harold Keaton, sons of John Raymond Keaton, and to Mrs. Margaret Galeoto and Mrs. Regina Brahic, his daughters.

CHAPTER 60

Senate Concurrent Resolution No. 17—Relative to the establishment of a state park in Glenn County.

[Filed with Secretary of State, April 6, 1956]

WHEREAS, The State Legislature in 1945 made available certain funds to acquire state park sites in the interior area of the State of California; and

Whereas, No park sites have as yet been designated within the boundaries of Glenn County; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the Division of Beaches and Parks of the State Department of Natural Resources is requested to conduct a study on the feasibility of establishing a

state park on the Sacramento River in the vicinity of Butte City and a state park in the vicinity of Stony Gorge Reservoir and the Winslow Bridge on Stony Creek, and to report its findings to the Legislature upon the convening of the 1957 Regular Session; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Director of the Department of Natural Resources and to the Chief of the Divi-

sion of Beaches and Parks.

CHAPTER 61

Senate Concurrent Resolution No. 18—Relative to the retirement of Fred W. Links.

[Filed with Secretary of State, April 6, 1956]

Whereas, It has been called to the attention of the Legislature of the State of California that one of its most devoted public servants, Fred W. Links, is retiring after 41 years of public service; and

Whereas, Fred W. Links began his career with the State Division of Highways in 1915, taking a leave of absence to serve in the armed forces from 1917 to 1919, returning to become Assistant General Manager of the California State Fair; and

Whereas, Fred W. Links entered the Department of Finance as a junior accountant and was promoted through the ranks in a series of advancements to his present position as assistant state director, to which position he was appointed in 1949, after serving as State Superintendent of Accounts and later Chief of the Division of Budgets and Accounts where, for 28 years, he took a leading part in the preparation of state budgets; and

WHEREAS, Fred W. Links has been the Finance Department's adviser to the State Fair Board for two decades, which position he held under 10 Finance Directors since that position was established in 1927; and

WHERLAS, Fred W. Links has been active in local musical circles, where for more than 40 years he has been a church choir director, serving for many years as choirister at the First Methodist Church, and currently directing the 45-voice choir at the Carmichael Presbyterian Community Church, and serving for 10 years as song leader for the Sacramento Rotary Club; and

WHEREAS, Fred W. Links has been active in designing and fashioning metal ornamental fixtures for churches, and recently designed a seal to be known as the Governor's Seal, for the personal use of the Governors of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring. That it congratulates this splendid citizen upon his many years of devotion and service to the

State of California, and desires for him many long, full and

happy years of retirement ahead; and be it further

Resolved, That the Secretary of the Senate is hereby instructed to prepare and present a suitably engrossed copy of this resolution to Fred W. Links.

CHAPTER 62

Senate Concurrent Resolution No. 19—Relative to a study of an aqueduct route.

[Filed with Secretary of State, April 6, 1956]

Whereas, The Division of Water Resources of the Department of Public Works has under consideration and study the selection of alternate aqueduct routes to San Diego County in connection with studies being made of the Feather River Project; now, therefore, be it

Resolved by the Scnate of the State of California, the Assembly thereof concurring, That the Division of Water Resources is requested in connection with its study to consider possible routes for such an aqueduct through San Bernardino County and Riverside County and to report thereon to the Legislature at its 1957 Regular Session; and be it further

Resolved, That the Secretary of the Senate send a copy of this resolution to the Division of Water Resources and to the Director of Public Works.

CHAPTER 63

Senate Concurrent Resolution No. 20—Relative to a state park in Big Bear and Arrowhead areas of San Bernardino County.

[Filed with Secretary of State, April 6, 1956]

Whereas, The Big Bear and Lake Arrowhead areas in San Bernardino County contain the most visited resort and vacation spots in the western part of the United States; and

WHEREAS, More than 5,000,000 people visit those areas annually; and

Whereas, Those areas are within two hours' driving time from the homes of approximately 7,000,000 people; and

Whereas, The increase in the population of California has been accompanied by a decrease in the State's available resort and vacation areas, and has taxed to the breaking point those facilities that are still available; and

WHEREAS, The State should act without delay in protecting and developing for our people the resort and vacation areas that are still available; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Chief of the Division of Parks in the State Department of Natural Resources is hereby directed to study the feasibility of including in the State Park

System the Big Bear and Lake Arrowhead areas in San Bernardino County; and be it further

Resolved, That said Chief of the Division of Parks is hereby directed to submit a report containing his findings and recommendations on such feasibility to this Legislature at its 1957 Regular Session, not later than January 15, 1957; and be it further

Resolved, That the Secretary of the Senate is directed to deliver a copy of this resolution to said Chief of the Division of Parks.

CHAPTER 64

Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding subdivision (c) to Section 2 of Article IV thereof and by amending Section 14 of Article IV, relating to legislative sessions.

[Filed with Secretary of State, April 9, 1956.]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1956 First Extraordinary Session commencing on the fifth day of March, 1956, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First—That subdivision (c) be added to Section 2 of Article IV thereof, to read:

(c) Notwithstanding any provisions in subdivision (a) of this section of this article to the contrary, all budget sessions shall commence at 12 m. on the first Monday in February and no budget session shall exceed 30 calendar days in duration exclusive of the recess authorized to be taken by this subdivision. After the introduction of the Budget Bill at a budget session a recess of both houses may be taken for a period not to exceed 30 calendar days. Members of the committees to which the Budget Bill is assigned for consideration during such recess shall be reimbursed for their expenses incurred for days while serving as members of such committees during the recess, in addition to the days allowed by subdivision (b) of this section.

Second—That Section 14 of Article IV be amended to read: Sec. 14. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which they may be sitting.

CHAPTER 65

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the 1956 First Extraordinary Session of the Legislature of the State of California.

[Filed with Secretary of State, April 9, 1956]

Resolved by the Schate of the State of California, the Assembly thereof concurring, That the 1956 First Extraordinary Session of the Legislature of the State of California, shall adjourn sine die at 6 o'clock p.m. on the fifth day of April, 1956.

CHAPTER 66

Senate Joint Resolution No. 7—Relating to the construction of a dam on the San Luis Rey River.

[Filed with Secretary of State, April 9, 1956]

WHEREAS, The City of Carlsbad and the surrounding territory depends upon water from the San Luis Rey River in the area known as Mission Basin which is located between Bonsall Narrows and the Pacific Ocean; and

WHEREAS, The water supply for the City of Oceanside is also located in this same area; and

Whereas, The experience of this area has been that following prolonged periods of drought periods of extreme floods may be expected and since a severe drought has existed in this area for approximately the last 10 years, it appears almost certain that a period of destructive floods can be expected which will cause extensive damage to persons and property located in this basin and will also endanger the water supply of both the Cities of Carlsbad and Oceanside; and

Whereas, Studies by the Carlsbad Mutual Water Company and the Division of Water Resources of the State of California indicate that a favorable site exists at Bonsall Narrows on the San Luis Rey River for a dam which would control these destructive flood waters and would also permit these waters to be conserved for future use by way of controlled release into the Mission Basin; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Congress of the United States, the Army Corps of Engineers, the State Water Resources Board, and the State of California Department of Public Works are hereby respectfully requested to consider and take all necessary steps to provide for the necessary studies for a dam on the San Luis Rey River and immediate construction of the dam if it is found to be feasible; and be it further

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

Army Corps of Engineers, to the Honorable Goodwin J. Knight, Governor of California, the State Water Resources Board, and to the Honorable Frank B. Durkee, Director of the Department of Public Works of the State of California.

CHAPTER 67

Assembly Joint Resolution No. 8—Relative to the prevention of floods in the Napa Valley area.

[Filed with Secretary of State, April 6, 1956.]

WHERFAS, The people of the Napa Valley area were recently subjected to one of the worst floods in the history of California: and

WHEREAS, Unless proper measures are taken to control and direct the heavy rains which may occur during any year losses of private and public property will again result; and

WHERLAS, Flood control dams and other measures taken for the protection of residents of this area in addition to alleviating the flood problem would also become a source of water or power if a scarcity of one or both should occur; and

Whereas, There is a need for immediate action in order that comprehensive studies may be made in order to ascertain the most favorable method and means of flood control so that, in turn, construction may be initiated at the earliest possible time; now, therefore, be it

Resolved by the Assembly and Senate of the State of Calfornia, jointly, That the United States Army Engineers and Department of Public Works, State of California, are hereby requested to consider and take action regarding flood control measures in Napa Valley and the City of Napa; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Governor of California and to the Department of Public Works, State of California.

CHAPTER 68

Assembly Joint Resolution No. 11—Relative to flood control project authorization by the United States Congress.

[Filed with Secretary of State, April 6, 1956]

Whereas, The recent disastrous floods made even more imperative than ever the immediate construction of flood control works in the area between Chico Landing and Red Bluff; and

WHEREAS, House Document 272, Eighty-fourth Congress, Second Session, sets forth the protection necessary for this area; and

WHEREAS, Immediate authorization by the Congress of the United States for the Chico Landing to Red Bluff project has been recommended by the Division of Water Resources in its publication "Floods of December, 1955 in California"; and

WHUREAS, State Water Resources Board has recommended that this project be authorized; and

Whereas, Bill No. H. R. 9595, introduced in the Second Session of the Eighty-fourth Congress, would authorize the construction of these necessary flood control works; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States is respectfully memorialized to take immediate steps for the authorization of the Chico Landing to Red Bluff project by favorable consideration of H. R. 9595; and be it further

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

CHAPTER 69

Assembly Joint Resolution No. 13—Relative to federal disability payments for aged and needy veterans.

[Filed with Secretary of State, April 6, 1956.]

Whereas, There are in this Country today thousands of aged and disabled needy war veterans who are unemployable and who have little or no income on which to live; and

Whereas, The laws enacted by Congress to assist such veterans are being defeated by arbitrary and unjust interpretations given them by the Veterans Administration; and

Whereas, It is particularly deplorable and discriminatory that the Veterans Administration has ruled that a 65-year-old veteran, suffering from the disabilities and ailments that come with old age, remains employable if he can eke out a few dollars here and there by part-time work to supplement an otherwise inadequate income, and on that ground denies disability payments to such veterans; and

Whereas, The rise in the cost of living that has occurred since the scale for veterans' payments was established some years ago has also resulted in hardships on those who are aged and disabled; and

Whereas, The American Legion is solidly behind a program to correct these inequities by raising the monthly benefits for disabled veterans to bring them more in line with today's increased living costs, by raising the limitation on the annual income which a veteran may receive and still remain eligible for disability benefits, and by amending the present law to include the automatic presumption that a veteran at the age of 65 becomes unemployable due to advancing years and physical infirmities and thus entitled to security benefits provided he can meet the income limitation and other requirements; and

Whereas, There is now pending in Congress the War Veterans Security Bill. H. R. 7886, which embodies these provisions and will give some much needed help to these veterans who are now old and infirm, but who in their younger days answered their Country's call; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly. That the Legislature of the State of California respectfully memorializes the Congress of the United States to

enact into law H. R. 7886; and be it further

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

CHAPTER 70

Assembly Concurrent Resolution No. 38—Relative to an interim study by the Joint Committee on Water Problems.

[Filed with Secretary of State, April 6, 1956]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Committee on Water Problems is requested to study the proposals contained in Assembly Constitutional Amendments No. 3 and No. 6 of the 1956 First Extraordinary Session together with other possible solutions to the problem of providing water for beneficial uses throughout the State without depriving the areas in which the water originates of water needed for their development.

CHAPTER 71

Assembly Concurrent Resolution No. 39—Relative to the retirement of Assemblyman John J. McFall.

[Filed with Secretary of State, April 6, 1956]

Whereas, John J. McFall, our esteemed colleague, representing the Twelfth Assembly District, has recently announced his decision to retire from service in the Assembly; and

WHERDAS. He was elected to the Assembly for the first time in 1950, and has since served for three consecutive terms, during which he has well and ably represented the people of his district and has conscientiously and with distinction served the State through his participation in the work of the Assembly; and

Whereas, His service with numerous legislative committees, including the Assembly Committees on Agriculture, Education, Finance and Insurance, Rules, Legislative Process and Judiciary, as well as his service as Chairman of the Subcommittee on Long Beach Tidelands, has demonstrated his ability as a statesman and has won for him the admiration and respect of his colleagues for his ability, integrity, fairness and courage; and

WHEREAS, Prior to his service as a member of the State Legislature, he served his Country as a staff sergeant in the Army Security Intelligence Corps, and his community as Mayor of Manteca, California, and has freely given his time and effort to community activities and fraternal organizations as a member of the Lions Club of Manteca, the Masons, Grange, Odd Fellows and American Legion; and

Whereas, The Members of the Legislature having been the special beneficiaries of his wisdom, humor and friendship, wish to properly commemorate the retirement of their esteemed

colleague, friend and counselor; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Members of the Legislature hereby extend to their estremed colleague, John J. Mc-Fall, congratulations for a job well done, together with their warmest wishes for his continued good health, happiness and success; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolu-

tion to the Honorable John J. McFall.

CHAPTER 72

Assembly Concurrent Resolution No. 40—Relating to the study of transportation problems.

[Filed with Secretary of State, April 6, 1956]

Whereas, More than half of California's 4,000 communities are solely dependent on commercial motor vehicles for transportation of goods to support life and industry; and

Whereas, More than a half a million of California's citizens

are employed by the trucking industry; and

Whereas, The revenues from commercial vehicle license fees, fuel taxes, city and county taxes, play an important part in the financing of California's Highway System including municipal services and a substantial amount of direct contribution for city streets; and

Whereas, There is a tendency on the part of many of the State's municipalities to prohibit the use of their streets to through commercial vehicles, thereby resulting in essential truck service often being unavailable to surrounding and neighboring communities except by the use of circuitous routes; and

Whereas, This growing tendency results in the streets and highways in areas adjacent to and surrounding the municipalities barring trucks to carry a disproportionate share of truck traffic with the resultant inconvenience to these citizens; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Joint Interim Committee on Transportation Problems be requested to study the situation and recommend corrective legislation.

CHAPTER 73

Assembly Concurrent Resolution No. 41—Relative to the Flood Relief Law of 1956.

[Filed with Secretary of State, April 6, 1956]

Whereas, The Legislature has before it for consideration at this session Assembly Bill No 17, which would enact the Flood Relief Law of 1956 to provide for allocation of state moneys to local agencies for the repair or restoration, or both, of public property damaged or destroyed by storms or floods during the month of December, 1955, and January and February, 1956; and

Whereas, On March 14, 1956, there was printed in the Senate Journal of the 1956 Budget Session (commencing on page 123) a document entitled "California Highway Disaster Rehabilitation Program as of March 1, 1956, Resulting From Floods—December 15, 1955, to March, 1956," which document sets forth the expenditures necessary to rehabilitate certain state highways, county roads, and city streets damaged or destroyed by said storms or floods; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the intent of the Legislature, if the Flood Relief Law of 1956 is enacted at this session of the Legislature, that the State Public Works Board, the Director of Finance, and the Department of Public Works shall presume that the county roads and city streets listed in the document cited in this resolution are eligible projects for allocation under the Flood Relief Law of 1956 in the absence of evidence to the contrary, but that any other county road or city street project for which allocation of money thereunder is requested shall not be deemed ineligible solely because it is not listed in the document cited in this resolution

CHAPTER 74

Assembly Concurrent Resolution No. 42—Relative to the observance of Pan-American Week.

[Filed with Secretary of State, April 6, 1956.]

WHEREAS. On April 14, 1890, the First International Conference of American States met in Washington, D. C., and

adopted a resolution which resulted in the creation of the or-

ganization known as the Pan-American Union; and

Whereas, The aims of the Pan-American Union, known today as the Organization of American States, have been and continue to be the defense and mutual benefit of the 21 American republics comprising the members of this organization; and

Whereas, The need for confidence and strength resulting from the affiliation of peoples with common ideals continues to be of the greatest importance in this age in which we live; and

Whereas, The Organization of American States has ably shown for 66 years that friendship and understanding together with a mutual desire for peace can forge a powerful unit of defense and in addition can lead to amicable and just settle-

ments in all areas of dispute; and

Whereas, Dwight D. Eisenhower, President of the United States, has proclaimed Saturday, April 14, 1956, as Pan-American Day and urges the people of this Nation on that day and throughout the period of April 8 through April 14, 1956, to give expression to their cordial good will toward the peoples of the other American republics and of their intention to maintain the principles of freedom and equality fundamental to all; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the people of California are hereby requested to observe Pan-American Day and Pan-American Week in the spirit outlined by the President of the

United States; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the President and Vice President of the United States.

CHAPTER 75

Assembly Concurrent Resolution No. 43—Relative to continuing the broadcast recording service.

[Filed with Secretary of State, April 6, 1956]

Whereas, A broadcast recording service providing an opportunity for Members of the Legislature to make periodic reports to the people of California concerning vital legislation has been provided for the past several years by the Department of Finance through its Buildings and Grounds Division; and

Whereas, Such service is now accepted as a necessary public function, being ably managed by Mr. Cliff Hamilton of the Buildings and Grounds Division of the Department of Finance; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Director of Finance is hereby requested to take all steps necessary to insure that the broadcast recording service is continued; and be it further

Resolved, That the Chief Clerk of the Assembly forward a copy of this resolution to the Director of Finance.

CHAPTER 76

Assembly Concurrent Resolution No. 44—Relative to the observance of Cabrullo Day.

[Filed with Secretary of State, April 6, 1956]

Whereas, John Rodrigues Cabrillo, a native of Portugal, discovered California on Thursday, September 28, 1542, while in the service of the King of Spain, by entering that portion of California which is now known as the Harbor of San Diego; and

Whereas, The discovery of California by Cabrillo was an event of world-wide importance, and the anniversary of such event is of particular interest to all the people of California; and

Whereas, The Board of Supervisors of the City and County of San Francisco have adopted a resolution calling upon the people of San Francisco to observe Cabrillo Day on the twenty-eighth, twenty-ninth and thirtieth of September by appropriate patriotic and festive celebrations; and

Whereas, It is fitting and proper that all the people of the State of California be invited to share in this observance of

Cabrillo Day; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby calls upon the people of the State of California to join in the observance of Cabrillo Day on September 28, 29, and 30, 1956; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to Joseph F. Fernandes, President of the Cabrillo Civic Club No. 1, and to Hon. George Christopher, Mayor of the City of San Francisco.