STATUTES OF CALIFORNIA

REGULAR SESSION

1958

Began Monday, February 3, 1958, and Adjourned
Sunday, March 30, 1958

STATUTES OF CALIFORNIA

PASSED AT THE 1958 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

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

[Approved by Governor February 7, 1958. Filed with Secretary of State February 7, 1958.] In effect immediately

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

SECTION 1. The sum of four hundred fifty-seven thousand dollars ($457,000) is appropriated from the General Fund for contingent expenses of the Assembly, in augmentation of the appropriation made by Item 8 of the Budget Act of 1957. Appropriation

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect. Current expenses

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CHAPTER 2

An act to amend Section 7137 of the Business and Professions Code, relating to contractors' licenses.

[Approved by Governor March 28, 1958. Filed with Secretary of State March 28, 1959.] In effect June 29, 1958

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

SECTION 1. Section 7137 of the Business and Professions Code is amended to read as follows:

7137. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

(a) The application fee for an original license is twenty dollars ($20).

(b) The fee for reapplication by or re-examination of an applicant for an original license who has previously applied for a license but has failed to qualify therefor is twenty dollars ($20).

(c) The annual renewal fee is ten dollars ($10), but the board may increase the fee to not more than twenty dollars ($20) in one or more years or may reduce the fee to not less than five dollars ($5) in one or more years.

(d) The penalty for failure to apply for a renewal of a license is five dollars ($5).

CHAPTER 3

An act to amend Sections 7149 and 7151 of the Fish and Game Code, relating to license fees, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 2, 1958. Filed with Secretary of State April 2, 1958.]

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

SECTION 1. Section 7149 of the Fish and Game Code is amended to read:

Sport fishing license issuance, etc.

7149. A sport fishing license granting the privilege to take fish from the ocean waters of this State and amphibia anywhere in this State for purposes other than profit shall be issued:

(a) To any citizen of the United States, over the age of 16 years, who is a resident of this State, upon the payment of three dollars ($3) for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof.

(b) To any nonresident or alien, over the age of 16 years, upon the payment of ten dollars ($10) for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof.

(c) To any citizen of the United States, over the age of 16 years, not a resident of this State, upon the payment of three dollars ($3), for a period of 10 days from the date of issue.

On payment of one dollar ($1) a sport fishing licensee may obtain a license stamp which if signed in ink by the licensee and permanently affixed to his license authorizes him to take all fish, other than trout, but including steelhead trout, anywhere in this State for purposes other than profit.

On payment of two dollars ($2) a sport fishing licensee may obtain two license stamps which if signed in ink by the licensee and permanently affixed to his license authorize him to take all fish anywhere in this State for purposes other than profit.

Any person receiving aid to the aged under the provisions of the Old Age Security Law on application to the department shall be issued a sport fishing license with two license stamps affixed thereto, free of charge.

Sport fishing license stamps shall be sold by license agents in the same manner as sport fishing licenses except that the compensation provided in Section 1055 shall not be paid to the license agent for sale of such stamps.

Reference in this code or any other law to a sport fishing license to be issued to disabled veterans, blind persons, recipients of aid to the aged, or resident Indians without payment of a license fee means a sport fishing license with two license stamps affixed thereto. All other references to a sport fishing license mean such a license with or without license stamps as may be appropriate for the type of fishing involved.

SEC. 2. Section 7151 of said code is amended to read:

7151. Every veteran, having a 70 percent or greater disability, of any war in which the United States has been, or may be, engaged, upon the presentation of proof of an honorable discharge from service, and proof of service-connected 70 percent or greater disability certification from the Veterans Administration, shall be entitled to a sport fishing license upon application to the Department of Fish and Game, Headquarters Office, Sacramento, free of charge. Same Veterans

As used in this section, "war" means that period of time commencing either when Congress declares war or when the armed forces of the United States are engaged in active military operations against any foreign power, whether or not war has been formally declared, and ending upon the termination of hostilities as proclaimed by the President of the United States.

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: Urgency

At the 1957 Regular Session a new Fish and Game Code was enacted. Through inadvertence an ambiguity was created with reference to sport fishing licenses for the taking of amphibia. Further, the granting of free licenses to disabled veterans was not clarified so that the same privilege was not accorded to veterans seeking a sport fishing license as to those seeking a hunting license. It is essential to the public peace, health, and safety that these ambiguities and inequities be removed immediately, in order that all persons in similar situations may be afforded like treatment.

CHAPTER 4

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

[Approved by Governor April 2, 1958. Filed with Secretary of State April 2, 1958.] In effect June 29, 1958

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

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

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

(a) An original license fee of two hundred dollars ($200).

(b) A continuation fee of one hundred dollars ($100) annually payable on or before the thirtieth day of June of each year.

(c) A duplicate license fee of ten dollars ($10).

(d) A temporary license fee of thirty-five dollars ($35).

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

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

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

(h) A fee of one dollar ($1) for each copy over one of any issue or edition of the licensing law and rules and regulations furnished to any licensee by the Secretary of State.

(i) A fee of five dollars ($5) for each addressograph list of licensees in good standing.

CHAPTER 5

An act to amend Section 9580 of the Business and Professions Code, relating to license fees of the Board of Dry Cleaners.

In effect June 29, 1958

[Approved by Governor April 2, 1958 Filed with Secretary of State April 2, 1958.]

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

SECTION 1. Section 9580 of the Business and Professions Code is amended to read:

Fees

9580. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

(a) The fee for an application for examination shall be twenty dollars ($20).

(b) The annual license fee for a dyeing plant or a wholesale or retail cleaning establishment or plant is sixty dollars ($60).

(c) The annual license fee for each private school or college of spotting, sponging or pressing is two hundred fifty dollars ($250).

(d) The annual license fee for a "cleaning and dyeing shop or store," a "spotting, sponging, or pressing establishment," dry cleaning agency, hat renovator or fur renovator is twelve dollars ($12).

(e) The annual fee required of all operators and owner-operators for a certificate of registration shall be four dollars ($4).

(f) The fee for a corrected or duplicate license or certificate of registration, including a change of the name or address thereon, is three dollars ($3).

Operative date

SEC. 2. This act shall become operative July 1, 1958.

CHAPTER 6

An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange and for accomplishing the purposes of this act.

In effect June 29, 1958

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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 opinion may be for the best interests of the State, all or any part of the following real property:

Parcel 1. Approximately 175 acres of unimproved real property comprised of four parcels of land containing various acreage, said parcels not being contiguous, at Metropolitan State Hospital, being portions of Sections 17 and 18, Township 3 South, Range 11 West, S. B. B. M., in the County of Los Angeles, State of California.

Parcel 2. The southerly 160 feet of the northerly 210 feet of the westerly 150 feet of the easterly 400 feet of the northwest quarter of Section 35, Township 4 South, Range 12 West, S. B. B. M. Said portion lying westerly of and adjacent to the alley deeded to the City of Long Beach and recorded in Book 47217, page 60, Official Records of Los Angeles County.

As to this parcel, the Director of Finance with the consent of the State Superintendent of Education, is authorized to quitclaim to the original grantor, the City of Long Beach, California, all right, title and interest of the State of California thereto, to be used as the site for a fire station to serve the Long Beach State College campus and surrounding area.

Parcel 3. Approximately 45 acres in the southeasterly portion of property of the Stockton State Hospital farm facing the state highway on the east, near the City of Stockton, California.

Parcel 4. Approximately 67 acres in the northeast portion of property of the Stockton State Hospital farm, facing the state highway on the east, near the City of Stockton, California.

Parcel 5. Approximately 0.56 acre being a portion of Lots 25, 26, and 27 in Block A of Tract 10842 near Norwalk, as per map recorded in Book 193 of Maps, pages 24 and 25, in the Office of the County Recorder of Los Angeles County.

Parcel 6. Approximately one acre at the Women's Relief Corps Home of the Department of Veterans Affairs, being a portion of Lot B of the Pruneridge Tract in Santa Clara County.

SEC. 2. Notwithstanding Section 6503 of the Welfare and Institutions Code, the Director of Finance, with the consent of the Department of Mental Hygiene, may grant to the City of Stockton rights-of-way for road purposes over and across state property comprising the site of the farm property of the Stockton State Hospital, upon such terms and conditions as the Director of Finance may deem to be for the best interests of the State.

SEC. 3. Any costs or expenses necessarily incurred in the sale or other disposition of any parcel herein referred to shall be reimbursed from the proceeds of such sale or disposition.

SEC. 4. 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.

SEC. 5. Prior to the sale of parcels of property for value pursuant to this chapter, notice thereof shall be published pursuant to Government Code Section 6061 in a newspaper published in the county in which the real property to be sold is situated, and if there is no newspaper published in such county, notice shall be published in a newspaper published in an adjoining county and shall be posted in at least three public places in the county in which the real property to be sold is situated, including one posting on the subject property; provided, this requirement shall not be applicable to the disposition of said parcels to any federal, state or local governmental agency or to the disposition of Parcel 2 above.

SEC. 6. Any moneys received from the sale or other disposition of said property shall be paid into the General Fund in the State Treasury, except that the net proceeds from the sale or other disposition of Parcel 5 shall be paid into the Motor Vehicle Fund.

CHAPTER 7

An act making an appropriation for legislative printing, binding, mailing, etc., in augmentation of Item 9 of the Budget Act of 1957, to take effect immediately.

In effect immediately

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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

Appropriation

SECTION 1. The sum of three hundred fifty-two thousand dollars ($352,000) is hereby appropriated from the General Fund in the State Treasury in augmentation of Item 9 of the Budget Act of 1957, to pay the expense of legislative printing, binding, mailing, etc.

Current expenses

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 8

An act to add Section 8732.5 to the Revenue and Taxation Code, relating to state taxes.

In effect June 29, 1958

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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

SECTION 1. Section 8732.5 is added to the Revenue and Taxation Code, to read:

8732.5. In any report filed by a vendor under the provisions of this part the vendor may credit, under rules and regulations prescribed by the board, against the tax shown to be due on the report the amount of use fuel tax previously but sub-

sequent to July 1, 1958, reported and paid on sales of fuel represented by accounts which during the period covered by the report have been found to be worthless and actually charged off for income tax purposes; provided, that, if any such accounts are thereafter in whole or in part collected by the seller, the amount so collected shall be included in the first report filed after such collection and tax paid accordingly. The board may, at its option, require the seller to submit periodical reports listing accounts delinquent for a 90-day period or over.

CHAPTER 9

An act to add Section 1064.1 to, and to amend Sections 1064, 5003, and 5004 of, the Public Utilities Code, relating to transportation fees, to take effect immediately, tax levy.

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.] In effect immediately

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

Section 1. Section 1064 of the Public Utilities Code is amended to read:

1064. Each application for a certificate of public convenience and necessity made under the provisions of this article shall be accompanied by a fee of one hundred fifty dollars ($150). Fee

The commission may, with or without hearing, issue the certificate as prayed for, or refuse to issue it, or issue it for the partial exercise only of the privilege sought, and may attach to the exercise of the rights granted by the certificate such terms and conditions as, in its judgment, the public convenience and necessity require. Disposition of application

SEC. 2. Section 1064.1 is added to said code, to read:

1064.1. A fee of one hundred fifty dollars ($150) shall be paid to the commission for filing each application to sell, mortgage, lease, assign, transfer, or otherwise encumber any certificate. Fee

SEC. 3. Section 5003 of said code is amended to read:

5003. Every railroad corporation, express corporation, freight forwarder, and every person or corporation operating vessels, as these terms are defined in Part 1 of Division 1, and every motor transportation broker, as the term is defined in the Motor Transportation Brokers' Act, and every person or corporation owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the commission shall, between the first and fifteenth days of January, April, July, and October of each year, file with the commission a statement showing the gross operating revenue derived by such person or corporation from the transportation of property for the preceding three calendar months, and shall at the time of filing such report pay to the Filing of statement payment of fee

commission a fee of four dollars ($4) for each quarter, together with one-fourth of 1 percent of the amount of such gross operating revenue.

SEC. 4. Section 5004 of said code is amended to read:

Fees

5004. The following fees shall be paid to the commission, pursuant to permits issued under the Highway Carriers' Act and the City Carriers' Act.

One hundred fifty dollars ($150) for filing each application for a permit.

One hundred fifty dollars ($150) for filing each application to sell, mortgage, lease, assign, transfer, or otherwise encumber any permit.

Tax levy

SEC. 5. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect.

Termination date

SEC 6. This act shall be effective until the ninety-first day after final adjournment of the 1959 Regular Session of the Legislature and thereafter shall have no force or effect.

CHAPTER 10

An act to amend Section 26072.5 of 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 effect immediately

[Approved by Governor April 8, 1958. Filed with Secretary of State April 9, 1958.]

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

SECTION 1. Section 26072.5 of the Revenue and Taxation Code is amended 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, 1958, 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, 1958, 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 immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: Urgency

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.

CONCURRENT AND JOINT RESOLUTIONS

REGULAR SESSION

1958

CONCURRENT AND JOINT RESOLUTIONS

ADOPTED AT THE 1958 REGULAR SESSION OF THE LEGISLATURE

CHAPTER 1

Senate Joint Resolution No. 1—Relative to milk price supports.

[Filed with Secretary of State February 5, 1958]

WHEREAS, Secretary Benson of the United States Department of Agriculture has announced his intention on April 1, 1958, to lower the dairy price support to 75 percent of parity; and

WHEREAS, Such action will result in a reduction of income to our Nation's dairy farmers of $250,000,000 at a time when many are already facing grave economic conditions; and

WHEREAS, California dairy farmers receive 40 percent of their income from milk on the basis of factory milk prices and the proposed lowering of supports will reduce dairy farm income in California by more than $7,000,000 in 1958 with the reduction affecting 40 percent of the milk supply produced in California; and

WHEREAS, 70 percent of dairy producers in the State would be directly affected by such a change and the resultant consequences would also seriously affect the other 30 percent of the producers in this State; and

WHEREAS, Since 1954, dairy farmers at their own expense have greatly increased programs of research for new outlets and engaged in trade promotion of dairy products and the dairy industry and allied organizations have worked out a program of self-help for the dairy farmer; and

WHEREAS, Legislation is now being proposed for consideration by Congress which would to a large extent eliminate the dairy farmers' problems; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That Secretary Benson of the United States Department of Agriculture be respectfully memorialized to withhold putting into effect any change in the existing dairy price supports until such time as the United States Congress has had an opportunity to study the problems of the dairy farmers and to consider and act upon proposed legislation to solve these problems; and be it further

Resolved, That the Secretary of the Senate be directed to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of the United States Department of Agriculture, and to each Member of Congress representing the State of California.

CHAPTER 2

Senate Concurrent Resolution No. 1—Relative to the Joint Rules of the Senate and Assembly.

[Filed with Secretary of State February 5, 1958.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following Rules be adopted as the Joint Rules for the 1958 Regular (Budget) Session.

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 Committee 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.

Digests of Bills Introduced

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 loose-leaf 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.

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.

Introduction of Departmental Bills

10.5. No departmental bill shall be introduced at the request of or on behalf of any state officer or agency after the thirteenth 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.

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 city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

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. Not more than two copies of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, shall be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and

mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room Unless otherwise provided for, the 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 within 15 days, 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.

The report of a conference committee shall be in writing, and a copy of any amendments proposed in the report shall be placed on the desk of each member of the house before it is acted upon by the house.

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.

Conference Committee Reports on Urgency Measures

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 occupations 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 privilege 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 theron the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents

properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house 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.

Resolutions Prepared by Legislative Counsel

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 Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the Legislature (including any recess of three days or less) an

allowance 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 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.

Expenses of Interim Committee Employees

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.

Appointment of Committees

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 seven Members of the Senate and seven Members of the Assembly. The Senate members of the committee shall consist of seven Members of the Senate appointed by the Committee on Rules. The Assembly members of the committee shall consist of seven 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 re-elected 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 received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the au-

thority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Analyst, 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 Analyst 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 Analyst 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 ap-

pointed, 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 Analyst 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 Analyst 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 Analyst 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 Analyst, 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.

Registration of Legislative Representatives

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.

Claims for Workmen's Compensation

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.

Information Concerning Interim Committees

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 3

Senate Concurrent Resolution No. 2—Relative to adjournment of the Senate and Assembly to meet for a session in the former State Capitol in Benicia.

[Filed with Secretary of State February 5, 1958]

WHEREAS, There exists in the City of Benicia the first permanent structure erected for a California State Capitol, and this structure is the only building in existence formerly used as a California State Capitol; and

WHEREAS, The State Capitol at Benicia was the meeting place of the Legislature from 1853 to 1854; and

WHEREAS, This structure has been acquired by means of a grant from the City of Benicia for a state historical monument to be maintained and operated by the State Division of Beaches and Parks; and

WHEREAS, This structure has now been restored to its original form; and

WHEREAS, Because of the historic interest in this structure and the meeting of the Legislature in this former State Capitol; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That this Legislature, when it adjourns on Friday, March 14, 1958, shall adjourn until Saturday, March 15, 1958, to meet for one day in the former State Capitol in the City of Benicia, and that the Members

of the Senate and Assembly shall meet on that day at the hour of 10 o'clock a.m., in the chambers provided for their respective use in the former State Capitol; and be it further

Resolved, That the Senate and Assembly Committees on Rules are authorized and directed to incur and pay such expenses and costs as may necessarily be incurred by the respective houses as may be necessary to provide for the holding of the sessions of the Senate and Assembly at Benicia pursuant to this resolution out of the funds available for expenditure by such committees, and the State Controller is authorized and directed to prepare and deliver his warrants therefor in payment thereof.

CHAPTER 4

Senate Concurrent Resolution No. 3—Relative to the creation of the Joint Investigating Committee on a Legislative Session in the Former State Capitol at Benicia.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, There exists in the City of Benicia the first permanent structure erected for a California State Capitol, and this structure is the only building in existence formerly used as a California State Capitol; and

WHEREAS, The State Capitol at Benicia was the meeting place of the Legislature from 1853 to 1854; and

WHEREAS, This structure has been acquired by means of a grant from the City of Benicia for a state historical monument to be maintained and operated by the State Division of Beaches and Parks; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, as follows:

1. The Joint Investigating Committee on a Legislative Session in the Former State Capitol at Benicia is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the planning and preparation for a session of the Legislature in the former State Capitol at Benicia on March 15, 1958, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of six Members of the Senate appointed by the Committee on Rules thereof, and six Members of the Assembly, appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than March 20, 1958.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one thousand dollars ($1,000) 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 committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent funds equally and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 5

Senate Concurrent Resolution No. 4—Relative to the San Francisco "Giants" and the Los Angeles "Dodgers."

[Filed with Secretary of State February 5, 1958.]

WHEREAS, Baseballwise, the Pacific Coast has come of age through the relocation of the "Giants" in San Francisco and the "Dodgers" in Los Angeles; and

WHEREAS, These clubs are among the best in major league baseball, and have contributed greatly to baseball lore and tradition; and

WHEREAS, There is no question but that in their new environment, with the loyal and enthusiastic backing of their innumerable fans, they will continue to excel and make valuable additions to baseball's Hall of Fame; and

WHEREAS, Our great State of California is flattered and proud that these two fine baseball organizations have seen fit to locate themselves here; and

WHEREAS, Our "Giants" and "Dodgers" can rest assured that the people of this State will never give them any cause for regret in tying their future to ours; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members thereof hereby join with all baseball lovers in California and elsewhere in welcoming the San Francisco "Giants" and the Los Angeles "Dodgers" to California, and in wishing each of them the very best of luck in all their campaigns ahead; and be it further

Resolved, That the Secretary of the Senate be directed to transmit suitably prepared copies of this resolution to the managements of the San Francisco "Giants" and the Los Angeles "Dodgers" and to Mayor George Christopher of the City and County of San Francisco and Mayor Norris Poulson of the City of Los Angeles.

CHAPTER 6

Senate Concurrent Resolution No. 5—Relative to the passing of Walter Hopkins Duval.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, On October 5, 1957, a former highly esteemed member of the Legislature, Walter Hopkins Duval, passed from this life; and

WHEREAS, Walter Hopkins Duval was a native of the village of Saticoy, California, where he grew up and went to school, following which he attended Woodbury Business College in Los Angeles; and

WHEREAS, While Walter Hopkins Duval had a natural talent for the transaction of business, he was by virtue of a love of the soil a farmer, succeeding in the conduct of orchards, crop lands, citrus groves and other ramifications of agricultural activities; and

WHEREAS, As an example of his capacity in the business world he organized and served as president of the Union National Bank of Ventura, until it merged into the present Security First National Bank of Los Angeles, was at one time manager and vice president of the Saticoy Branch of the Los Angeles First National Trust & Savings Bank, and organized and was president of the Farmers Realty & Investment Company of Santa Paula; and

WHEREAS, Walter Hopkins Duval found time from his agricultural and business interests to serve the public in important

capacities, serving as Assemblyman of his district from 1923 to 1929, and as State Senator from 1929 to 1937, and

WHEREAS, In addition to his distinguished service in the fields of business, agriculture and public affairs, Walter Hopkins Duval was known and esteemed as a man of sterling character, temperate habits and good will toward his fellow man; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That it deeply mourns the passing of this fine, stalwart Californian, and desires by this resolution to convey its sympathy to Mrs. Walter Hopkins Duval, widow. Mrs. Ord Toomey, daughter, Edwin Duval, brother, and Mrs. Anna Willis, sister, of the late Walter Hopkins Duval; and be it further

Resolved, That when the Legislature shall adjourn from its labor on this, the fourth day of February, 1958, it shall do so in honor of the passing of the late Walter Hopkins Duval; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward suitably engrossed copies of this resolution to bereaved relatives of the late Walter Hopkins Duval.

CHAPTER 7

Senate Concurrent Resolution No. 6—Relative to the demise of Alfred W. Robertson.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, Members of the Legislature were shocked to learn of the death of the Honorable Alfred W. Robertson on the nineteenth of January of this year; and

WHEREAS, The Honorable Alfred W. Robertson was a native of New Hampshire, a graduate of Occidental College and Stanford University with A.B. and J.D. degrees; and

WHEREAS, The Honorable Alfred W. Robertson became a resident of California in 1908, entered the practice of law in Santa Barbara in 1914, pursuing his profession until the time of his death; and

WHEREAS, The Honorable Alfred W. Robertson was elected to the Assembly from the 37th Assembly District in 1934 and re-elected continuously thereafter to and including the election of 1944; and

WHEREAS, The Honorable Alfred W. Robertson was a most highly esteemed citizen of the State of California and a member of Phi Gamma Delta, the University Club and numerous civic and fraternal organizations, and was elected chairman of the Democratic State Central Committee for 1933-34, and vice chairman for Southern California from 1944-46; and

WHEREAS, The Honorable Alfred W. Robertson served as chairman of the legislative committee on the revision of the Constitution which tried valiantly but unsuccessfully to elimi-

nate from the State Constitution various unnecessary, ambiguous and restrictive provisions; and

WHEREAS, The Honorable Alfred W. Robertson earned for himself the respect and gratitude of the people of his county by his persistent efforts which finally culminated in the success of locating a branch of the University of California at Santa Barbara; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members of the Legislature of this State keenly regret the loss of this distinguished citizen and desire by this resolution to convey their sympathy to Mrs. Alfred W. Robertson, his widow, and other bereaved members of the family of the Honorable Alfred W. Robertson; 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 members of the family of the late Honorable Alfred W. Robertson.

CHAPTER 8

Assembly Joint Resolution No. 1—Relating to memorializing the Congress of the United States to undertake immediate action to make upward adjustments in the pay scales of key personnel in the armed forces in the interests of national defense.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The events of recent months and particularly those involving the extraordinary advances, by the potential enemies of our Country and of the free world, in the development of the most terrifying of military destructive weapons including thermonuclear bombs, intercontinental ballistic missiles, and other devices, clearly points up the need for immediate action to increase the efficiency and effectiveness of our military defense forces; and

WHEREAS, It is a matter of common knowledge that the inability of the various branches of the armed forces to retain highly trained personnel in the services has for many years been a key factor in reducing the effectiveness of such forces in providing both the United States of America and the free world with efficient and effective defensive forces; and

WHEREAS, The inability of the armed forces of the United States to operate to provide an efficient defense where highly trained personnel are not given the remunerative incentive to remain in the service for a period beyond that of their original enlistment is illustrated by published statistical data including the fact that in 1955 the Air Force lost men who cost 2 billion dollars to train; that the cost of training an electronics expert is $20,000, that the time needed to train him is three years, and that 90 percent of these individuals leave the service after their four-year enlistments having given the government but one

year of expert service during their enlistment; and the fact that such turnover has resulted in a disproportionate expenditure of available moneys on the training of a continuous stream of newly recruited personnel at the expense of having to forego concentration on the development of new weapons and techniques; and

WHEREAS, The need for increased efficiency in the armed forces and the peril created by deficiencies in that regard is particularly apparent to the people of the State of California, which is the most vulnerable of all the States of the Union, with its great population centers bottled up by natural barriers, where prompt escape is virtually impossible; and

WHEREAS, This State is the cradle of the electronics, missile, and airframe industries; and

WHEREAS, It is common knowledge that the greatest potential enemy of this Nation now possesses at least 400 missile launching submarines capable of completely annihilating this State in the manner of a few minutes; and

WHEREAS, The Legislature of this State deems the matter of such importance and urgency that no further delay of any kind can be countenanced; and

WHEREAS, The Legislature is informed that the military establishment is in desperate need of a means to attract and retain scientific, professional, combat leadership, and management to maintain its deterrent power, and cannot presently compete for trained personnel, and that these deficiencies can best be removed by the passage of federal legislation such as that proposed by S 2014 and H. R 7475, introduced at the First Session of the Eighty-fifth Congress, and H. R 9979 which has been introduced at the Second Session of the Eighty-fifth Congress; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That because of the gross vulnerability of the State of California and the fact that time is of the essence, that the President, and the Congress of the United States make consideration of the necessary steps to increase the salaries of servicemen a matter of top priority and bring about the necessary changes at the earliest possible time; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and 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, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 9

Assembly Concurrent Resolution No. 1—Relative to approving amendments to the charter of the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-ninth day of October, 1957.

[Filed with Secretary of State February 5, 1958.]

City of Torrance· Charter amendments

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of amendments to the charter of the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, as hereinafter set out in the certificate of the mayor and city clerk of the said city as follows, to wit:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTS BY THE ELECTORS OF THE CITY OF TORRANCE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.
CITY OF TORRANCE

Certificate

We, the undersigned, Albert Isen, Mayor of the City of Torrance, California, and A. H. Bartlett, City Clerk of said city, do hereby certify and declare as follows.

That the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said city certain proposals for the amendment of the Charter of said city at a special election duly and regularly called and held for that purpose in said city on the 29th day of October, 1957, said charter amendments being herein designated as Charter Amendment No. 1 and Charter Amendment No. 2.

That on the 19th day of September, 1957, said City Council caused said proposed charter amendments to be duly and regularly published and advertised in each and every edition of said 19th day of September, 1957, of the Torrance Herald, the official newspaper of said city and a semi-weekly newspaper of general circulation printed, published and circulated in said city.

That said City Council caused copies of said proposed 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.

That said City Council, until the day fixed for the election upon said proposed charter amendments, did advertise in said Torrance Herald, a semi-weekly newspaper of general circulation printed, published and circulated in said city, a notice that copies thereof might be had upon application therefor; that copies of said proposed charter amendments could be had upon application therefor at the office of the City Clerk of said city up to and including the day fixed for said special election.

That said special election was duly and regularly held in said city on the date fixed by said City Council, to wit, October 29, 1957, which date was not less than forty (40) and not more than sixty (60) days after completion of the advertising of said proposed charter amendments, and the returns of said special election were duly and regularly canvassed and the results declared and entered, namely, that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify Charter Amendment No. 1 and Charter Amendment No. 2, hereinafter specifically set forth.

That said amendments to the Charter of said city so ratified by the voters of said city are as follows, to wit:

CHARTER AMENDMENT No. 1

That a new Article XX be added to the Charter of the City of Torrance to read as follows:

Article XX, Airport Fund

Airport fund Sources of revenue

Section 1. Airport Fund. There shall be in the treasury of the City a separate fund to be designated as the "Airport Fund" and under such fund there may be such accounts as may be necessary or convenient. From time to time as the same are received, all fees, tolls, rentals, charges, proceeds from the sale of property, and other revenues received by the City from or in connection with the use or operation of any airport facilities owned, controlled or operated by the City shall be placed in said Airport Fund.

Uses

Section 2. Airport Fund Uses. Moneys in the Airport Fund shall be used only for the following purposes and in the following order of priority, to wit:

(1) For the current, necessary and reasonable costs and expenses to the City of operating and maintaining airport facilities owned, controlled or operated by the City, but without allowance for depreciation or obsolescence, or for additions, betterments, extensions or capital improvements thereto.

(2) For the payment or providing for payment, as the same falls due, of the principal of and interest on any bonds of the City, including general obligation bonds, issued for the acquisition, construction, improvement or financing of airport

facilities or for additions, betterments, extensions or capital improvements thereto.

(3) After paying or providing for all current costs and expenses under subparagraph (1) above and after paying or providing for all payments under subparagraph (2) above, which are due or which will become due during the next ensuing 12 months' period, any balance which remains from time to time in the Airport Fund and the several accounts therein may be used for the purpose of acquiring, constructing or improving airport facilities or for additions, betterments, extensions or capital improvements thereto (including deposits in reserve or depreciation reserves or accounts established for that purpose), and any part of such balance not then needed for such purposes may be used for any lawful purpose.

"Airport Facilities"

Section 3. Definition of Airport Facilities. As used in this Article XX the term "airport facilities" means all property of any kind heretofore or hereafter acquired by the City for airport purposes or for the direct or indirect development and promotion of air commerce, air manufacture, air navigation, air transportation, aviation, or for matters incidental to or used in connection with any of the foregoing.

Limitation

Section 4. Article XX Not a Covenant. Nothing in this Article XX shall be deemed to be a covenant which shall be enforceable by any holder of any general obligation bond of the City.

Charter Amendment No. 2

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

A. That Section 1 of Article VI of the Charter of the City of Torrance be amended to read in its entirety as follows:

Elective officers

"Section 1. Elective officers. The elective officers of the city shall be the mayor, six members of the council, five members of the board of education, the city clerk and the city treasurer. No person shall be a candidate for more than one of said offices at any municipal election."

B. That Section 3 of Article VI of the Charter of the City of Torrance be amended to read in its entirety as follows:

Same Election, etc.

"Section 3. 1958 General municipal election. At the general municipal election held in April, 1958, all the offices enumerated in Section 1 of this Article VI, other than the members of the board of education, shall be filled except those offices filled in the general municipal election held in April, 1956. The mayor and the three members of the council receiving the highest number of votes for said office shall serve until the Tuesday next succeeding the day of the general municipal election held in April, 1962, and until their successors are elected and qualified. Those officers whose terms have not expired shall continue to serve until the expiration thereof. In the event the amendment to this charter providing for a mayor and six members of the council and making them elective officers of the city does not become effective until after

the Tuesday next succeeding the day of the general municipal election held in 1958, then the mayor and the additional member of the city council elected to office under the provisions of said amendment shall not take office until the first Tuesday next succeeding the day that said amendment becomes effective."

C. That Section 2 of Article IX of the Charter of the City of Torrance be amended to read in its entirety as follows:

Council meeting

"Section 2. Organization meeting The city council shall meet on the Tuesday next succeeding the date of the holding of any general municipal election "

D That Section 13 of Article IX of the Charter of the City of Torrance be amended to read in its entirety as follows:

Ordinances and resolutions: Adoption

"Section 13. Adoption of ordinances and resolutions No ordinance of any kind shall be passed by the city council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular or adjourned regular meeting. At the time that an ordinance or resolution is up for final passage, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by motion of the city council regularly made and approved by the unanimous vote of those present. In the event that any ordinance is materially altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than five days after the date upon which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence

Vote required

No resolution or any order for the payment of money shall have any validity or effect unless passed by the votes of at least four members of the city council, and no ordinance shall have any validity or effect unless passed by the votes of at least four members of the city council."

E. That Section 14 of Article IX of the Charter of the City of Torrance be amended to read in its entirety as follows:

Effective date

"Section 14 Ordinances, when effective. No ordinance shall become effective until thirty days from and after the date of its final passage, except an ordinance calling or otherwise relating to an election, or to a street improvement proceeding taken under some law, or ordinance determining the amount of money necessary to be raised by taxation, or fixing the rate of taxes to be levied, or an ordinance for the immediate preservation of the public peace, health or safety, which contains a declaration of facts constituting its urgency, and is passed by a five-sevenths vote of the city council. An ordinance for the immediate preservation of the public peace, health or safety which contains a declaration of the facts constituting its urgency and is passed as aforesaid, may be introduced and passed at one and the same meeting and the requirement that not less than five days shall intervene between the introduction and final passage shall not apply to such an ordinance."

F. That Section 7 of Article X of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Section 7. Contracts on public works. Every contract involving an expenditure of more than two thousand dollars ($2,000.00) for the construction or improvement, excluding maintenance and repair, of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds, and each separate purchase of materials or supplies for the same, where the expenditure required for such purchase shall exceed the sum of two thousand dollars ($2,000.00), shall be let to the lowest responsible bidder after notice by publication in the official newspaper by two or more insertions, the first of which shall be at least ten days before the time for opening bids; or if there is no newspaper, then by posting copies of such notice in at least three public places in said city. Public works' contracts

The city council may reject any and all bids presented and may readvertise in its discretion. After rejecting bids, or if no bids are received, the city council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the city with its own employees, or that the material or supplies may be purchased at a lower price in the open market, and after the adoption of a resolution to this effect by at least a five-sevenths vote, it may proceed to have said work done or such materials or supplies purchased in the manner stated, without further observance of the provisions of this section. Such contract may be let and such purchases made without advertising for bids, if such work, or the purchase of such materials or supplies shall be deemed by the city council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by at least a five-sevenths vote."

G. That Section 1 of Article XII of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Section 1. Rights, powers and duties. The mayor shall preside at the meetings of the city council, and in case of his absence or inability to act, the city council shall appoint a mayor pro tempore, who shall serve only until such time as the mayor returns and is able to act, and for such period shall have all the powers and duties of the mayor. The mayor shall be a member of the city council for all purposes and shall have all the rights, powers and duties of a member of the city council in addition to those powers and duties conferred upon him by virtue of his office as mayor. Unless otherwise expressly provided to the contrary, any provision in this charter which relates to the city council or to members of the city council shall be interpreted to include the mayor as a member of the city council. The mayor shall sign all warrants drawn on the city treasurer, and shall sign all written contracts and conveyances made up or entered into by said city. The mayor shall have the power to administer oaths and affirmations, to take affidavits and to testify the same under his hand. The Mayor Powers and duties

mayor is authorized to acknowledge the execution of all instruments executed by said city that are required to be acknowledged."

That we have compared the amendments as stated herein with the original proposals submitted to the electors of said city, and find and certify that they are full, true and correct copies thereof.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the seal of said City of Torrance to be affixed hereto this 2nd day of January, 1958.

[SEAL]

ALBERT ISEN
Mayor of the City of Torrance, California
A. H. BARTLETT
City Clerk of the City of Torrance, California

and

WHEREAS, The said proposed amendments as ratified as hereinbefore set forth, have been and now are 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 amendments to the charter of the City of Torrance as presented to, and adopted, and ratified by the electors of said city and as hereinbefore fully set forth, be and the same are hereby approved as a whole, without amendment or alteration, for and as amendments to and as part of the charter of said City of Torrance.

CHAPTER 10

Assembly Concurrent Resolution No. 2—Approving charter amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, ratified by the qualified electors of said city at a regular municipal election held therein on the fifth day of November, 1957.

[Filed with Secretary of State February 5, 1958.]

City of Sacramento: Charter amendments

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of certain amendments to the charter of the City of Sacramento, a municipal corporation of the County of Sacramento, 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 RATIFICATION BY ELECTORS OF THE CITY OF SACRAMENTO OF CERTAIN CHARTER AMENDMENTS

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO } ss.
CITY OF SACRAMENTO

Certificate

We, the undersigned, Clarence L. Azevedo, Mayor of the City of Sacramento, State of California, and Paul H. Manby, City Clerk of said City, do hereby certify and declare as follows:

That the City of Sacramento, a municipal corporation of the County of Sacramento, State of California, now is, and was, at all times herein mentioned, a City having a population of more than 50,000 inhabitants and has been ever since the year 1921, and now is organized, existing and acting under a Freeholder's Charter, adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which Charter was duly ratified by the majority of the qualified electors of said City at a Special Municipal Election held for that purpose on the 30th day of November, 1920, and approved by the Legislature of the State of California on the 24th day of January, 1921, (Statutes of 1921, Page 1919).

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, on its own motion, the City Council of the City of Sacramento being the legislative body thereof, duly and regularly submitted to the qualified electors of the City of Sacramento certain propositions for certain amendments to the Charter of the City of Sacramento at a regular municipal election held for that purpose in said City on the 5th day of November, 1957.

That such proposed amendments were published and advertised in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California, and the Charter of the City of Sacramento, on the 23rd day of September, 1957, in the "Sacramento Union," a daily newspaper of general circulation printed and published in the City of Sacramento, and the official newspaper of said City of Sacramento.

That copies of said proposed amendments were printed in convenient pamphlet form and in type not less than 10-point as required by law, and copies thereof were mailed to each of the qualified electors of said City of Sacramento within the time and manner required by law.

And until the date fixed for the election, November 5, 1957, as hereinafter set forth, there was published in said "Sacramento Union" an advertisement stating that copies of said

proposed charter amendments could be had, upon application therefor, at the office of the City Clerk of said City of Sacramento.

That copies of said pamphlet containing said proposed amendments could be had upon application therefor at the office of the City Clerk of said City at all times, to and including the 5th day of November, 1957, the date fixed for said election, all as required by said Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of the Charter of the City of Sacramento, and in the manner provided by law, the said regular municipal election was duly and regularly held in said City after due notice given and published, on the 5th day of November, 1957, 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 amendments in the "Sacramento Union" the official newspaper of said City of Sacramento.

That thereafter the Council of the City of Sacramento did, in the manner provided by law, duly and regularly canvass the returns of said regular municipal election, and did adopt its Resolution declaring the results of the canvass of the returns of said election and of the returns thereof; that the said Council of said City did, by said Resolution, find, determine and declare that certain proposed amendments to the Charter of the City of Sacramento, and hereinafter set forth, were ratified by a majority vote of the electors of said city voting thereon.

That as to said amendments to the Charter of Sacramento, 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 amendments to the Charter of the City of Sacramento so ratified by the electors of said City are as follows

That Article XI, Section 72 of the Charter of the City of Sacramento be amended to read as follows:

"MAYOR'S EXPENSE

Mayor's expense

Sec. 72. The Council shall appropriate annually to the Mayor, for the purposes of entertainment and sundry expense, the sum of Eighteen Hundred Dollars ($1,800.00) for which he need furnish no vouchers."

That Article XX, Sections 175.2, 175.14 and 175.18, relating to Retirement-Miscellaneous Officers and Employees, be amended to read as follows:

Definitions

"Sec. 175.2 The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning:

'Retirement allowance,' or 'allowance,' shall mean equal monthly payments, beginning to accrue upon the date of re-

tirement, and continuing for life unless a different term of payment is definitely provided by the context

'Compensation,' as distinguished from benefits under the workmen's compensation laws of the State of California, shall mean all remuneration whether in cash or by other allowances made by the City for service qualifying for credit under this section, but excluding remuneration paid for overtime. For the purposes of the retirement system, overtime is the aggregate service performed by a member in all categories of employment in excess of the hours of work considered normal for employees on a full-time basis and for which monetary compensation is paid.

'Compensation earnable' shall mean the compensation as determined by the Retirement Board, which would have been earned by the member had he worked, throughout the period under consideration, the average number of days ordinarily worked by persons in the same grade of class of positions as the positions held by him during such period and at the rate of pay attached to such positions. The computation for any absence of a member shall be based on the compensation earnable by him at the beginning of the absence, and that for time prior to entering the service of the City, shall be based on the compensation earnable by him in the position first held by him in such service.

'Benefit' shall include 'allowance,' 'Retirement allowance,' and 'death benefit.'

'Accumulated normal contributions' shall mean normal contributions plus interest.

'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.

For the purposes of the retirement system and of this section, the terms 'miscellaneous officer or employees,' or 'member,' as used in this section shall mean any officer or employee who is not a member of the fire or police departments as defined in the Charter for the purpose of the retirement system and is not a member of the Retirement System under Section 173 of the Charter.

'Retirement system' or 'system' shall mean Sacramento Employees' Retirement System as created in Section 167 of the Charter.

'Board' or 'retirement board' shall mean retirement board as created in Section 168 of the Charter.

'Council' shall mean the Council of the City of Sacramento.

'Charter' shall mean the Charter of the City of Sacramento.

Words used in the masculine gender shall include the feminine and neuter genders, and singular numbers shall include the plural and the plural the singular.

'Interest' shall mean interest at the rate adopted by the Retirement Board.

Same

Sec. 175.14. The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning:

'Retirement allowance,' 'death allowance' or 'allowance,' shall mean equal monthly payments, beginning to accrue upon the date of retirement or upon the day following the date of death, as the case may be, and continuing for life unless a different term of payment is definitely provided by the context.

'Compensation,' as distinguished from benefits under the Workmen's Compensation laws of the State of California, shall mean the remuneration payable in cash, by the City, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the Police or Fire Department, but excluding remuneration paid for overtime. For the purposes of the Retirement System, overtime is the aggregate service performed by a member in all categories of employment in excess of the hours of work considered normal for employees on a full-time basis and for which monetary compensation is paid.

'Compensation earnable' shall mean the compensation as determined by the Retirement Board, which would have been earned by the member had he worked throughout the average number of days ordinarily worked by persons in the same grade or class of positions as the positions held by him during such period, and at the rate of pay attached to such positions. The computation for any absence of a member shall be based on the compensation earnable by him at the beginning of the absence and that for time prior to entering the Fire or Police Department, shall be based on the compensation earnable by him in the position first held by him in such departments.

'Benefit' shall include 'allowance,' 'retirement allowance,' 'death allowance' and 'death benefit.'

'Accumulated normal contributions' shall mean normal contributions plus interest.

'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.

'Retirement system' or 'system' shall mean Sacramento City Employees' Retirement System as created in Section 167 of the Charter.

'Retirement board' shall mean 'retirement board' as created in Section 168 of the Charter.

'Council' shall mean the Council of the City of Sacramento.

'Charter' shall mean the Charter of the City of Sacramento.

Words used in the masculine gender shall include the feminine and neuter genders, and singular numbers shall include the plural and the plural the singular.

'Interest' shall mean interest at the rate adopted by the Retirement Board.

Retirement allowance for survivors

Sec. 175.18. Upon the death of a member after qualification for retirement for service by attaining an age of at least fifty-five years with at least twenty years of service, or after retirement for service or because of disability which resulted from injury received in, or illness caused by the performance of duty, one-half of the retirement allowance which he would have been entitled to if he had retired at the time of death, or one-half his retirement allowance, as the case may be, shall be continued throughout the life or until remarriage, to his surviving wife. If there be no surviving wife entitled to an allowance hereunder, or if she die or remarry before every child of such deceased member attains the age of eighteen years, then the allowance which the surviving wife would have received had she lived and not remarried shall be paid to his child or children under said age, collectively, to continue until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of eighteen years. Should said member leave no surviving wife and no children under the age of eighteen years, but leave a parent or parents dependent upon him for support, the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving wife otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving wife unless she was married to the member prior to the date of the injury or onset of the illness which was incurred in performance of duty and which results in death, or if death does not result from such injury or illness, unless she was married to the member at least one year prior to retirement."

And we further certify that we have compared the foregoing proposed and ratified amendments to the Charter of the City of Sacramento with the original proposals submitting the same to the electors of said City, and find that the foregoing is a full, true, and correct and exact copy of each thereof.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of said City of Sacramento to be affixed hereto this 31st day of December, 1957.

(SEAL)

CLARENCE L. AZEVEDO
Mayor of the City of Sacramento
PAUL H MANBY
City Clerk of the City of Sacramento

APPROVED AS TO FORM:
EVERETT M. GLENN
City Attorney of the City
of Sacramento

WHEREAS, The said proposed charter amendments as ratified as hereinabove set forth have been and now are duly presented and submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Approval

Resolved by the 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 of Sacramento, as proposed to and adopted and ratified by the electors of said city, as hereinbefore fully set forth, be and the same are hereby approved as a whole, without alteration or amendment, for and as amendments to and as part of the charter of said City of Sacramento.

CHAPTER 11

Assembly Concurrent Resolution No. 3—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general municipal election and consolidated special election held therein on the fifth day of November, 1957

[Filed with Secretary of State February 5, 1958.]

City and County of San Francisco Charter amendments

WHEREAS, The City and County of San Francisco, State of California, contains a population of over 500,000 inhabitants, and has been ever since the eighth day of January, in the year 1932, and is now organized and acting under a freeholders' charter adopted under and by virtue of Section 8 of Article

XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the twenty-sixth day of March, 1931, and approved by the Legislature of the State of California and filed in the Office of the Secretary of State on the fifth day of May, 1931 (Statutes of 1931, page 2973); and

WHEREAS, The legislative authority of said city and county, namely, the board of supervisors thereof, duly proposed to the qualified electors of the city and county twelve (12) amendments 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 twelve (12) 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 Examiner," 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 "San Francisco Examiner," 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 election to be held in the City and County of San Francisco on the fifth day of November, 1957, the said twelve (12) several proposals to amend the charter of the City and County of San Francisco; and

WHEREAS, Said general municipal election and consolidated special election was held in said City and County of San Francisco on the fifth day of November, 1957, 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 "San Francisco Examiner," 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-second day of November, 1957, duly certify to the board of supervisors the results of said general municipal election and consolidated special election as determined from the canvass of the returns thereof; and

WHEREAS, At said general municipal election and consolidated special election so held on the fifth day of November,

1957, eight (8) 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 B, D, E, F, G, H, I and K, and four (4) other charter amendments submitted at said general municipal election and consolidated special election, to wit, charter amendments designated as Propositions C, J, L and M, 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 B

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 34.2 thereto providing that the City Attorney and the Public Defender may each appoint a confidential secretary exempt from the civil service provisions of the Charter.

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 5, 1957, a proposal to amend the charter of said city and county by adding Section 34.2 thereto to read as follows:

Appointment of confidential secretaries

SECTION 34.2. Notwithstanding the provisions of section 34.1 of the charter and subject to the provisions of sections 20 and 34 of the charter governing the appointment and removal of non-civil service employees and without competitive examination, the city attorney and the public defender may each appoint a confidential secretary who shall serve at his pleasure. Before any appointment may be made to either of these positions they must be created by action of the board of supervisors upon the recommendation of the mayor in the annual budget, and annual or supplemental appropriation ordinance.

PROPOSITION D

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 7 thereof, relating to citizenship and residence qualifications for officers and employees.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 5, 1957, a proposal to amend the charter of said city and county

by amending Section 7 thereof, so that the same shall read as follows:

QUALIFICATIONS OF OFFICERS AND EMPLOYEES

Qualifications of officers and employees

Section 7. No person shall be a candidate for any elective office, nor shall be appointed as a member of any board or commission unless he shall have been a resident of the city and county for a period of at least five years and an elector thereof for at least one year immediately prior to the time of his taking office, unless otherwise specifically provided in this charter, and every elected officer and member of any board or commission shall continue to be a resident of the city and county during incumbency of office, and upon ceasing to be such resident, shall be removed from office.

Except for those offices and positions and officers and employees specifically provided for in this section and other sections of the charter, the residential qualifications and requirements for all officers and employees and all offices and positions in the city and county service shall be as provided by ordinance of the board of supervisors.

All officers and employees of the city and county shall be citizens of the United States.

PROPOSITION E

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 163 thereof to provide that retired city employees be eligible to serve the city and county as expert witnesses.

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 5, 1957, a proposal to amend the charter of said city and county by amending Section 163 thereof so that the same shall read as follows:

PENSIONS OF RETIRED PERSONS

Retired persons. Holding official positions

Section 163. (a) No person retired for service or disability and in receipt of a retirement allowance under the retirement system, including any person subject to section 165.2 (J) of the charter, shall serve in any elective or appointive position in the city and county service, including membership on boards and commissions, nor shall such persons receive any payment for service rendered to the city and county after retirement, provided that service as an election officer or juror or in the preparation for or the giving of testimony as an expert witness for or on behalf of the City and County of San Francisco before any court or legislative or administrative body shall not be affected by this section or by section 165.2 (J) of the charter.

Gainful occupation

(b) Should any retired person, except persons retired for service prior to January 8, 1932, and persons retired because of disability incurred in the performance of duty, engage in a gainful occupation prior to attaining the age of sixty-two, the retirement board shall reduce that part of his monthly pension or retirement allowance which is provided by contributions of the city and county, to an amount which, when added to the amount earned monthly by him in such occupation, shall not exceed the compensation on the basis of which his pension or retirement allowance was determined.

The provisions of paragraph (b) of this section shall be inoperative during the existing war between the United States and the Axis Powers and for six (6) months after the termination of said war.

PROPOSITION F

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 165.4 thereto, relating to credit on current contributions, for certain public reserves released by withdrawal or relinquishment by retiring or retired teachers.

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 5, 1957, a proposal to amend the charter of said city and county by adding Section 165.4 thereto, reading as follows:

CREDIT ON CURRENT CONTRIBUTIONS, FOR CERTAIN PUBLIC RESERVES RELEASED BY WITHDRAWAL OR RELINQUISHMENT BY RETIRING OR RETIRED TEACHERS.

Reduction of contribution to retirement system

Section 165.4. In the event that any teacher or other employee of the Board of Education resigns and withdraws during or after the fiscal year which will end June 30, 1957, his accumulated contributions from the San Francisco City and County Employees' Retirement System, and instead within 90 days after such withdrawal is in the status of a person retired under the State Teachers' Retirement System of California on an allowance based on the full allowance formulae under said State System, the contributions which the San Francisco Unified School District is required to make to said City and County Employees' Retirement System on account of service rendered by employees of such Unified School District as such members of such System, in accordance with the rate of contribution determined under paragraph (5), subdivision (H) of section 165.2 of the charter, shall be reduced by an amount equal to the actuarial equivalent as of the day next following the date of such withdrawal, of the portion of the allowance to which such person would have been entitled from said City and County Employees' Retirement System,

if he had not resigned, and which would have been based on his service as a member of such City and County Employees' Retirement System, minus the amount of his accumulated normal contributions withdrawn.

In the event that any person retired under the San Francisco City and County Employees' Retirement System from an employment status in which he was a member of the State Teachers' Retirement System, has elected or elects to relinquish his right to a retirement allowance from said City and County Employees' Retirement System, the contributions which the San Francisco Unified School District is required to make to the City and County Employees' Retirement System on account of service rendered by employees of such Unified School District as members of such system in accordance with the rate of contribution determined under paragraph (5), subdivision (H) of section 165.2 of the charter, shall be reduced by an amount equal to the actuarial equivalent as of the effective date of such relinquishment, and as determined in connection with such relinquishment, of the portion of the allowance to which said person would have been entitled had he not so elected, and which was based on his service as a member of the City and County Employees' Retirement System, minus the actuarial equivalent determined in connection with such relinquishment of the portion of the cancelled allowance which was provided by said person's accumulated normal contributions at the effective date of his retirement.

If the total of the actuarial equivalents, by which the contributions required of the San Francisco Unified School District in any year are to be reduced, exceeds such contributions, the amount of the excess shall be carried over to subsequent fiscal years and applied to reduce such contributions for such years in chronological order.

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 142 thereof, relating to part-time employees.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 5, 1957, a proposal to amend the charter of said city and county by amending Section 142 thereof so that the same shall read as follows:

POSITIONS

Section 142. All positions in all departments and offices of the city and county, including positions created by laws of the State of California, where the compensation is paid by the city and county, shall be included in the classified civil service of Employment

the city and county, and shall be filled from lists of eligibles prepared by the civil service commission, excepting (1) positions in which attorneys and physicians are employed in their professional capacity to perform only duties included in their professions, but exclusive of any administrative or executive positions for which such professional status constitutes only part of the qualifications therefor; (2) inmate help or student nurses, or part-time services, where the compensation including the value of any allowances in addition thereto is less than one hundred twenty five dollars ($125) per month, provided that any occupant of a part-time position on the effective date of this amendment who is occupying such position under certification from the appropriate list of civil service eligibles shall be continued in such position subject to the conditions of his current appointment; and (3) persons employed in positions outside the city and county upon construction work being performed by the city and county when such positions are exempted from said classified civil service by an order of the civil service commission; and (4) persons employed in positions in any department for expert professional temporary services, and when such positions are exempted from said classified civil service for a specified period of said temporary service, by order of the civil service commission; and (5) such positions as, by other provisions in this charter, are specifically exempted from, or where the appointment is designated as exclusive of, the civil service provisions of this charter.

The civil service rights, acquired by persons under the provisions of the charter superseded by this charter, shall continue under this charter.

Where existing positions that have heretofore been exempt from civil service examinations are now made subject to examination by this charter, the incumbents of such positions who have held such positions for a period of one year continuously next preceding the time that this charter shall go into effect, shall be continued in their positions as if appointed thereto after examination and certification from a list of eligibles and shall be governed thereafter by the provisions of this charter, provided, however, the provisions of this paragraph shall not apply to positions heretofore defined and classified by the civil service commission as "institutional help."

Any person holding a salaried office under the city and county whether by election or appointment, who shall, during his term of office, hold or retain any other salaried office under the government of the United States, or of this State, or who shall hold any other salaried office connected with the government of the city and county, or who shall become a member of the legislature, shall be deemed to have thereby vacated the office held by him under the city and county.

Proposition H

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 117 thereof, relating to appeals to the Board of Supervisors from decisions of the City Planning Commission on applications for changes in the classification of the use to which property in the city and county may be put.

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 5, 1957, a proposal to amend the charter of said city and county by amending Section 117 thereof, so that the same shall read as follows:

ZONING—PRESENT PROVISIONS TO APPLY PENDING ORDINANCE REVISION

Section 117. Until such time as the board of supervisors Zoning shall have enacted a new comprehensive zoning ordinance for the city and county based on a land use plan and providing for variances, and until the effective date of such ordinance, this section of the charter shall continue in force, and until such time, sections 117.1, 117.2, and 117.3, shall be inoperative. Upon the enactment and effective date of such an ordinance this section of the charter shall become inoperative for any purpose, and sections 117.1, 117.2, and 117.3, shall become operative.

ZONE CHANGES

The city planning commission, from time to time, shall consider and hold hearings on proposed changes in the classification of the use to which property in the city and county may be put, and the establishment or changing of building set-back lines, in either case, on its own motion or on the application of an interested property owner.

HEARINGS, ETC.

The board of supervisors, by ordinance, shall establish procedure for action on such matters, which ordinance must provide, among other things, that the commission shall give notice of time, place and date of hearing by posting throughout the area and by publication not less than twenty days prior thereto; that the commission shall notify, in writing, not less than ten days prior to said hearing, applicants for proposed changes, and all persons whose names and addresses are shown on the assessment roll as owners of property within three hundred feet of all exterior boundaries of the area affected by the proposed changes of the time and place of hearing, which names, addresses and other information shall be furnished by the applicant in the form required by the commission; that the commission, after hearing shall, by resolution, approve or disapprove the proposed change which, if approved, shall not

become effective for thirty days; that appeal may be taken from the ruling of the commission by filing written protest with the board of supervisors, and if such protest is subscribed by the owners of twenty per cent of the property affected, the supervisors shall fix a time and a place for hearing such objections which shall be not less than ten nor more than thirty days after such filing, and must decide thereon within ten days of the start of such hearing, provided that, if the full membership of the board is not present on the last day on which said objections are set or continued for hearing within said period, the board may postpone said hearing and decision thereon until, but not later than, the full membership of the board is present; provided, further, that the latest date to which said hearing and decision may be postponed on such account shall not be more than ninety (90) days from the date of filing of such protest; that the supervisors, by not less than two-thirds vote, may disapprove the action of the commission, provided, however, that any change in zoning, classification or building set-back lines made by the commission on its own motion shall require approval of the supervisors by a two-thirds vote; that in case of disapproval by the commission or by the supervisors on appeal of a proposed change, such proposed change may not be resubmitted to or reconsidered by the commission for at least one year.

In determining whether an appeal to the board of supervisors from a decision of the planning commission contains the requisite 20 per cent of signatures of owners of property affected as in this section provided, the board of supervisors shall have the power to exclude property owned by the City and County of San Francisco and by the State and Federal Governments, and any agency thereof, in making such computation

LEGISLATIVE REFERRAL

No ordinance shall be considered by the supervisors, the purpose or intent of which is the classification, regulation or control of the height, area, bulk, location or use of any building or buildings, or premise or premises, and classifying any property into any district or zone for such purposes, or establishing a set-back line or lines along any street or portion thereof in the city and county without being first submitted to the city planning commission for report and recommendation. If the commission disapproves any such ordinance, the supervisors may adopt the same only by an affirmative vote of at least two-thirds of its entire membership. The failure of the commission to act within sixty days from and after the date of official submission of any proposed zoning classification or set-back line by the board of supervisors shall be deemed to be approval of such classification or proposed set-back line by the commission.

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 35.5 thereof, and adding Section 35.5.2 thereto, relating to pay of members of the Police Department.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said city and county at an election to be held therein on November 5, 1957, a proposal to amend the charter of said city and county by amending Section 35 5 thereof and adding Section 35 5.2 thereto, so that the same shall read as follows:

Police force

Section 35.5. The police force of the city and county shall not exceed one police officer for each five hundred inhabitants thereof. The several ranks in the department shall be as follows: chief of police, deputy chief of police, director of traffic, chief of inspectors, supervising captain of districts, department secretary, captain of inspectors, captain of traffic, director of bureau of personnel, director of bureau of criminal information, captains, criminologist, lieutenants, director of bureau of special services, inspectors, sergeants, photographer, police surgeon, police officers, police patrol drivers and women protective officers. The compensation for these ranks shall be determined as provided in section 35.5 1 and section 35.5.2 of this charter.

In determining years of service necessary for a police officer, woman protective officer and police patrol driver to receive the annual compensations as provided for herein, service rendered prior to the effective date of this amendment shall be given full credit and allowed.

The absence of any police officer, woman protective officer, or police patrol driver on military leave, as defined by section 153 of this charter, shall be reckoned a part of his service under the city and county, for the purpose of computing years of service in gaining added compensation as provided for herein.

Police officers additional pay

Section 35 5 2. Not later than the fifteenth day of February of each year the civil service commission shall survey, and certify to the board of supervisors, any additional rate of pay paid to members assigned to two-wheel motorcycle traffic duty in the respective police departments of all cities of 100,000 population or over in the State of California, based upon the latest decennial census.

Not later than the first day of April of each year the board of supervisors shall have power, and it shall be its duty by ordinance to fix the additional rate of pay for the members of the police department who are assigned to two-wheel motorcycle traffic duty, at a rate of pay not to exceed the highest rate of compensation paid to members assigned to two-wheel motorcycle traffic duty in the cities included in the certified report of the civil service commission.

Not later than the second Monday of July of each year the civil service commission shall survey and certify to the board of supervisors any additional rate of pay paid to members assigned to two-wheel motorcycle traffic duty on the first day of July of that year in the cities hereinbefore referred to.

The board of supervisors shall thereupon have the power by ordinance to revise the additional rate of pay as in the section provided. Said revised rates shall be effective from the first day of July of the then current fiscal year.

If the board of supervisors revises said additional rate of pay then, it shall, not later than the 25th day of July of the then current fiscal year, have the power, and it shall be its duty, subject to the fiscal provisions of the charter, but without reference or amendment to the annual budget, to amend the annual salary ordinance and the annual appropriation ordinance to include the provisions necessary for paying the additional rate of pay for members assigned to two-wheel motorcycle traffic duty fixed by the board of supervisors as in this section provided for the then current fiscal year.

On ratification of this section the civil service commission shall immediately survey and certify to the board of supervisors the additional rate of pay paid to members assigned to two-wheel motorcycle traffic duty on the first day of January, 1958, in the cities referred to hereinbefore. The board of supervisors shall thereupon have power, and it shall be its duty by ordinance to adjust the rates of compensation for the fiscal year 1957-1958 for members assigned to two-wheel motorcycle traffic duty, based upon said certified report and as in this section provided; and, notwithstanding any other provision of this charter it shall have power, and it shall be its duty, but without reference or amendment to the annual budget, to amend the annual appropriation ordinance and the annual salary ordinance for the fiscal year 1957-1958 to include the provisions necessary for paying said additional rate of pay from January 1, 1958; provided, however, that if additional funds are required then provisions shall be made for such payment out of such funds as the controller certifies are available for the purpose. Such funds as are made available shall first be applied to the payment of compensations for the period from the effective date of this section to June 30, 1958, and thereafter to the payment of the additional rate for the period from the effective date of this section to January 1, 1958, and shall only apply to those persons who are members of the department on and after the effective date of this section.

Said additional rate of pay shall be in addition to the rate of compensation provided for in section 35.5.1 of this charter.

In no event shall the additional rate so fixed be less than $15.00 per month.

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 amending Section 172.1 thereof and adding Sections 172.1.1, 172.1.2, 172.1.3, 172.1.4, 172.1.5, 172.1.6, 172.1.7, 172.1.8, 172.1.9 172.1.10, 172.1.11, 172.1.12, 172.1.13, 172.1.14, and 172.1.15 thereto relating to the health service system.

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 5, 1957, a proposal to amend the charter of said city and county by amending Section 172 1 thereof and adding Sections 172.1.1, 172.1.2, 172.1.3, 172.1.4, 172.1.5, 172.1.6, 172.1.7, 172.1.8, 172.1.9, 172.1.10, 172.1.11, 172.1.12, 172.1.13, 172.1.14, and 172.1.15 thereto so that the same shall read as follows:

Health service system.

Section 172.1. A health service system is hereby established as a department of the city and county government, and shall be subject to section 172.1 and sections 172.1.1, 172.1.2, 172.1.3, 172.1.4, 172.1.5, 172.1.6, 172.1.7, 172.1.8, 172.1 9, 172.1.10, 172.1.11, 172.1.12, 172.1.13, 172.1.14, and 172.1.15. Said system shall be administered by a board to be known as the health service board. The members of the system shall consist of all employees, which shall include officers, of the city and county and of the San Francisco Unified School District who are members of the retirement system. Any employee who adheres to the faith or teachings of any recognized religious sect, denomination or organization and, in accordance with its creed, tenets or principles, depends for healing upon prayer in the practice of religion shall be exempt from the system upon filing annually with the health service board an affidavit stating such adherence and dependence and disclaiming any benefits under the system. The health service board shall have the power to exempt any person whose annual compensation exceeds six thousand dollars ($6,000) and any person who has otherwise provided for adequate medical care.

Board

Section 172.1 1. The health service board on the effective date hereof shall consist of seven members as follows: the chairman of the finance committee of the board of supervisors, the city attorney, two members appointed by the mayor one of whom shall be a resident official of an insurance company and the other a doctor of medicine, and three members elected by the members of the system from among their number. The city attorney may designate, by written document filed with the board, an assistant city attorney to attend board meetings and to act for him in his place. The terms of office of the members, other than the two ex-officio members, shall be five years, one term expiring on May 15 of each year; provided, however, that the first three elective members shall be selected by lot from the health service board members whose terms under the law as it existed prior to this amendment would not have expired on May 14, 1958, by classifying themselves so that one of the members whose terms would have expired in 1959 shall serve until May 15, 1959; and two of the members whose terms

would have expired in 1960 shall serve, one until May 15, 1961, and the other until May 15, 1963; and provided further that of the first two members appointed by the mayor, one shall serve until May 15, 1960, and the other until May 15, 1962. The terms of each of the members holding office under the law as it existed prior to this amendment and not so selected shall expire upon the effective date hereof. Each member of the health service board shall give bond in the sum of ten thousand dollars ($10,000), the premium on which shall be paid out of the funds of the system A vacancy in the offices appointive by the mayor shall be filled by appointment by the mayor for the unexpired term. A vacancy in an elective office shall be filled by a special election to be completed within sixty days after the vacancy occurs unless a regular election is to be held and completed within six months after such occurrence. Candidates for elective membership on the health service board shall be nominated by a written nomination of twenty members filed with the registrar of voters not earlier than April 1st nor later than April 15th of 1959 and each year thereafter in which a vacancy occurs The registrar of voters shall prepare ballots and shall furnish the same to all members of the system between April 15th and April 25th and shall receive the ballots between April 25th and May 7th and canvass and certify the results on May 8th. The registrar of voters shall have power to make such regulations respecting the form, distribution and canvassing of the ballots as may be necessary to secure secrecy of the ballots and prevent fraud. The persons equal in number to the number to be elected who receive the greatest number of votes shall be declared elected. Not more than one employee of any one department or office may be a member of the health service board

Medical care plans: Continuation

Section 172.1.2 The medical care plans in effect upon the effective date hereof shall continue in force and effect until rescinded or superseded by a new plan or plans adopted by the health service board and approved by ordinance of the board of supervisors, adopted by three-fourths of its members.

Adoption

Section 172 1.3. The board shall have power and it shall be its duty by a two-thirds vote of the entire membership of the health service board to adopt a plan or plans for rendering medical care to members of the system, or for the indemnification of the cost of said care, or for obtaining and carrying insurance against such costs or for such care.

Such plan or plans as may be adopted, shall not become effective until approved by ordinance of the board of supervisors, adopted by three-fourths of its members.

The board of supervisors shall secure an actuarial report of the costs and effect of any proposed change in the benefits of the health service system or rates of contribution before enacting an ordinance or before voting to submit any proposed charter amendment providing for such change.

Review

Section 172.1.4. In January of each year, or more often if it deems necessary, at public hearings, the health service board shall review and determine the adequacy of medical care pro-

vided for members of the system and the adequacy of fee schedules and the compensation paid for all services rendered and it may make such revisions therein as it deems equitable but such revisions shall not become effective until approved by ordinance of the board of supervisors adopted by three-fourths of its members.

Specification required

Section 172 1 5. Each plan shall make detailed and specific provision for the benefits to be provided thereunder and for the rates of contribution required to support the plan.

Participation in benefits

Section 172 1 6. Each plan may make provision for the participation in the benefits of the system by the dependents of members, retired city and county employees, temporary city and county employees, such other dependents of deceased and retired city and county employees as the board of supervisors may authorize by ordinance, teachers and other employees of the San Francisco Unified School District retired under the San Francisco City and County Employees' Retirement System, and resigned employees of the city and county and resigned teachers and employees of the school district whose resignations occur after June 15, 1955, and within thirty days immediately prior to the date on which, but for their resignations, they would have become retired members of the said retirement system, or whose relinquishment of retirement allowances as permitted by the charter occurs after such date, and resigned employees of the San Francisco Unified School District not otherwise included. A resigned employee or teacher is one whose employment has terminated other than by retirement, discharge or death or who has relinquished retirement allowances. The purpose of empowering the health service board to make provision for the participation in the benefits of the system to the aforementioned resigned teachers and employees of the San Francisco Unified School District is to enable them, subject to the health service board's exercise of its power, to participate in the benefits of the system after transferring to the State Teacher's Retirement System from the San Francisco City and County Employees' Retirement System. The purpose of empowering the health service board to make provision for participation in the benefits of the system by the aforementioned resigned employees of the city and county and other resigned employees of the San Francisco Unified School District is to permit the health service board to have power to treat them the same as it treats resigned teachers and employees of the San Francisco Unified School District.

Services and medical supplies

Section 172.1.7 No member of the system shall be required to accept the services or medical supplies of any physician (physician includes physicians and surgeons, optometrists, dentists, chiropodists and osteopathic and chiropractic practitioners licensed by California State Law and within the scope of their practice as defined by California State Law), person licensed to treat human diseases without the use of drugs, nurse, pharmacist or hospital selected by the health service board, but, subject to rules and regulations of that board,

every member shall have the right to select, of his own choice, any duly licensed physician, as defined herein, person licensed to treat human diseases without the use of drugs, nurse, pharmacist, hospital or other agency of medical care as herein defined, who or which will render the required services pursuant to said rules and regulations, and the health service board shall make provision for the exercise of such choice; and is hereby expressly prohibited from entering into any exclusive contract for the rendering of said services.

Any duly licensed physician, as defined herein, person licensed to treat human diseases without the use of drugs, nurse, pharmacist, hospital or other agency of medical care shall have the right to furnish such services or medical supplies at uniform rates of compensation to be fixed by the health service board.

Such rates of compensation and any and all proposed contracts respecting the rendering of such services shall be reviewed by the retirement board of the city and county and shall not become effective unless and until approved by the retirement board. The retirement board may approve, refer to the health service board for further consideration, or disapprove any matter or proposal which is within its jurisdiction under the provisions of this section, and it shall act within sixty (60) days after any matter has been submitted to it, and failure of the retirement board to approve, refer or disapprove the same within said period shall constitute an approval.

Powers and duties of board

Section 172.1.8. The health service board shall have power and it shall be its duty:

(a) To establish and maintain detailed historical costs for medical care, hospital care.

(b) To review such costs annually.

(c) To apply benefits without special favor or privilege.

(d) To put said plans into effect and through its medical director to conduct and administer the same and, for all or any of said purposes, to contract therefor and use the funds of the system.

(e) To make rules and regulations for the transaction of its business, the granting of exemptions and the admission to the system of persons who are hereby made members thereof and such other officers and employees as may voluntarily become members of the system with the approval of the health service board.

(f) To receive, consider and, within sixty (60) days after receipt, act upon any matter pertaining to the administration, operation or conduct of the health service system submitted to it in writing by any member of the system or any person who has contracted to render medical care to the members of the system.

Administration: Medical director, etc

Section 172.1.9. The health service board shall appoint a full time medical director who shall be a doctor of medicine with experience in administering health plans or in comparable work. He shall hold office at its pleasure. The medical director

shall have all of the powers and responsibilities of an appointing officer, a department head, and a chief executive under the provisions of the charter. The health service board shall administer the system through the medical director. The medical director shall be responsible to the health service board as a board, but not to any individual member or committee thereof. Instead of a full-time medical director, the board may appoint a full-time executive officer who is not a doctor of medicine, but with experience in administering health plans or in comparable work, and a part-time medical advisor who shall be a doctor of medicine with such experience, and both of whom shall hold office at its pleasure. If an executive officer is appointed, the provisions of this and other sections which would apply otherwise to the medical director shall apply equally and instead to the executive officer. The health service board and each committee of the board shall confine its activities to policy matters and to matters coming before it as an appeal board. The health service board shall prepare its plans, rules and regulations so that they are clear, definite and complete and so that they can be readily administered by the medical director and his staff.

Application of charter, etc.

Section 172.1.10. Except as otherwise specifically provided herein, all provisions of the charter shall be fully applicable to the health service board, the health service system and its medical director and employees in the same manner that they apply to other boards, commissions, and departments of the city and county. All employees of the health service system who are actually employed, or on authorized leave of absence from employment on the effective date of this amendment shall be continued in their respective positions as if appointed thereto after examination and certification from a civil service list of eligibles and thereafter shall be governed by and subject to the civil service provisions of this charter. Each such employee shall, for purposes of civil service seniority, be deemed to have been appointed to such position by the city and county upon the date of commencement of his occupancy thereof and shall also retain all other civil service rights and privileges held immediately prior to the effective date of this amendment.

Fund

Section 172.1.11. There is hereby created a health service system fund. The costs of the health service system shall be borne by the members of the system and retired persons, the City and County of San Francisco because of its members and retired persons and the San Francisco Unified School District because of its members and retired persons. A retired person as used in this paragraph means a former member of the health service system retired under the San Francisco City and County Employees' Retirement System.

The city and county and the school district shall each contribute to the health service system fund an amount equal to the amounts contributed thereto by its members and retired persons of the system; provided, however, that for the fiscal year commencing July 1, 1958, such contributions by the city

and county and the school district shall be one-fifth ($\frac{1}{5}$th) of the amount contributed thereto by the members of the system; and that for the fiscal year commencing July 1, 1959, such contributions by the city and county and the school district shall be one-half ($\frac{1}{2}$) of the amount contributed thereto by the members of the system; and that for the fiscal year commencing July 1, 1960, and for each fiscal year thereafter, the contributions by the city and county and the school district shall be equal to the amounts contributed thereto by the members of the system; provided, however, that the total amount contributed by the city and county and the school district to the health service system fund in each fiscal year shall not exceed an amount equal to the tax yield that can be produced in each fiscal year by six cents in the tax rate on each one hundred dollars ($100.00) valuation of the real and tangible personal property assessed in and subject to taxation by the city and county and the school district.

Commencing with the fiscal year beginning July 1, 1958, and each fiscal year thereafter the monthly contribution required from retired persons participating in the system shall be equal to the monthly contribution required from members thereof.

The city and county and the San Francisco Unified School District shall not contribute to the health service system fund any sums, including administrative expenses, on account of participation in the benefits of the system by members' dependents, retired persons' dependents, persons who retired and elected not to receive benefits from San Francisco City and County Employees' Retirement System and resigned employees and teachers defined in section 172.1.6.

It shall be the duty of the board of supervisors and of the board of education annually to appropriate to the health service system fund such amounts as are necessary to cover the obligation of the city and county and of the San Francisco Unified School District hereby imposed. Contributions to the health service system fund of the city and county and of the school district shall be charged against the general fund or the school, utility, bond or other special fund concerned. The controller shall transfer to the health service system fund all sums in any other fund now standing to the credit of the health service system.

Same

Section 172.1.12. The health service board shall determine and certify to the controller the amount to be paid monthly by the members of the system to the health service system fund for the purposes of the system hereby created. The controller shall deduct said sums from the compensation of the members and shall deposit the same with the treasurer of the city and county to the credit of the health service system fund.

Such deductions shall not be deemed to be a reduction of compensation under any provision of this charter.

The health service board shall have control of the administration and investment of the health service system fund,

provided that all investments shall be of the character legal for insurance companies in California. Disbursements from the fund shall be made only upon audit by the controller and the controller shall have and exercise the accounting and auditing powers over the health service system fund which are vested in him by this charter with respect to all other municipal boards, officers and commissions.

Definition of "medical care," etc

Section 172.1.13. The term "medical care" shall be defined by the health service board.

All acts performed and services rendered under the provisions of this section shall be performed in accordance with the provisions as to professional conduct prescribed by the statutes of the State of California regulating such professional conduct and services.

Medical care, as defined by the health service board, shall not be furnished or supplied to any member of the system by or in any of the public health and hospital facilities of the city and county, except that emergency medical and hospital care may be rendered to any member of the system in the usual course of emergency health service.

Limitation of claims, etc.

Section 172.1.14. Except as herein provided members of the system shall have and possess no claim or recourse against any of the funds of the municipality by virtue of the adoption or operation of any plan for rendering medical care, indemnifying costs of said care or carrying insurance against such costs, but except as herein provided, the claim and recourse of any such member shall be limited solely to the funds of the system. All expenses of the system shall be paid exclusively from the health service system fund, and, except as herein provided, the city and county and the San Francisco Unified School District shall not appropriate or contribute funds in any manner for the purposes of the system hereby established and provided.

Ordinances

Section 172.1.15. The board of supervisors is authorized to enact by a vote of three-fourths of its members, any and all ordinances necessary to carry out the provisions of sections 172.1 to and including 172.1.14.

Fund Surplus or deficit

Any surplus or deficit existing in the health service fund on the effective date hereof shall belong to or be the obligation of members, as the case may be, and the city and county and the San Francisco Unified School District shall neither receive payment nor credit nor shall it contribute to such fund on account of medical care rendered prior to such date.

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

Certificate

This is to certify that we, John J. Ferdon, President of the Board of Supervisors of the City and County of San Francisco, and Robert J. Dolan, Acting 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 election held on Tuesday, the fifth day of November, One Thousand Nine Hundred Fifty-Seven; and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said Charter are true.

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 ninth day of December, One Thousand Nine Hundred and Fifty-Seven.

(SEAL)

JOHN J. FERDON
President of the Board of Supervisors of the City and County of San Francisco
ROBERT J. DOLAN
Acting 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 12

Assembly Concurrent Resolution No. 4—Relative to adjournment of the Legislature for the constitutional recess and to reassembling of the Legislature after said recess, fixing the date for said adjournment and said reassembling.

[Filed with Secretary of State February 5, 1958]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the 1958 Regular Session of the Legislature of the State of California shall adjourn for the recess authorized by Section 2 of Article IV of the Constitution at 5 o'clock p.m. on the fourth day of February, 1958, and shall reassemble at 10 o'clock a.m. on March 3, 1958.

CHAPTER 13

Assembly Concurrent Resolution No. 5—Relative to the death of Harry Francis Morrison.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Members of the Legislature have with profound sorrow received the news of the untimely passing at Mills Memorial Hospital in San Mateo of the Honorable Harry Francis Morrison, distinguished former Assemblyman from the Twenty-ninth District; and

WHEREAS, Mr. Morrison was 77 years of age, a native son of the San Francisco he served so well, born there February 8, 1882; and

WHEREAS, Educated in the public schools of his city, he went on to operate a tavern in the Mission which was a colorful gathering spot, maintained a real estate and insurance business in the Loew Building, was president and later business agent of the Bartenders and Culinary Workers Union, Local 340 of San Mateo; and

WHEREAS, His long and useful service in the Assembly, to which he was elected in 1914 and re-elected in 1916, 1918, 1920, 1922, 1924, 1926, 1928 and 1930, was marked by his courageous championship of labor bills, sometimes against almost unanimous opposition; and

WHEREAS, He also led San Francisco's fight for the right to control her waterfront; and

WHEREAS, He sponsored California's boxing law permitting up to 15 rounds for championships, setting up the State Athletic Commission and assigning a share of fight proceeds to veterans' hospitals; and

WHEREAS, He was a member of the Native Sons and of the Druids, and will be sorely missed by the many friends he leaves upon the many paths of life he cut across; 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 regret and sorrow upon the death of Harry F. Morrison and their condolences to his family; and be it further

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

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to his son, Harry Francis Morrison, Jr., and his nephew, William Boyce.

CHAPTER 14

Assembly Concurrent Resolution No. 6—Relative to passing of Harry J. Johnson.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, On August 1, 1957, Harry J. Johnson, State Assemblyman from Tulare and Kings Counties in 1946-1948, passed away at the age of 71; and

WHEREAS, One of the most respected and beloved citizens of Porterville, Mr. Johnson had served his community for 25 years as a leader of many civic and service groups, including the city council; and

WHEREAS, Mr. Johnson brought his experience as a real estate broker to the Porterville Civic Development Association, which, under his direction as president, was instrumental in bringing the recently opened Rockwell plant to Porterville; and

WHEREAS, He contributed significantly to the growth of Porterville by making many additional homes available to its citizens through subdivision development; and

WHEREAS, Mr. Johnson a great-grandfather, holds a special place in the hearts of his family, friends, and former colleagues in the California Legislature; 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 sorrow occasioned by the passing of Harry J. Johnson and extend their sympathies to his surviving family; and be it further

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

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Mr. Johnson's widow, Lucille.

CHAPTER 15

Assembly Concurrent Resolution No. 7—Relative to the death of Charles W. Stream.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Members of the Legislature of the State of California have learned with profound sorrow of the death of California's distinguished public servant and former Member of the Assembly from the Eightieth District, in San Diego County, the Honorable Charles W. Stream; and

WHEREAS, It is fitting and proper that the California Legislature take this means of commemorating his achievements; and

WHEREAS, Mr. Stream was born in Iowa, where his parents were engaged in farming, and spent his boyhood in the Middle West area of the United States; and

WHEREAS, He was a resident of the South Bay area since 1926; and

WHEREAS, He served with distinction for 31 years as an employee of the International Harvester Company; and

WHEREAS, He ably served his district and the people of the State of California by devoting 14 years of his life to dedicated service as a Member of the California Legislature, serving as Chairman of the Assembly Committee on Conservation and Planning as well as in several other distinguished capacities; and

WHEREAS, He was successively re-elected by the voters of his district for all of the years from 1932 until his retirement from the Legislature in 1947, receiving the endorsement of both major parties of his district for most of these years; and

WHEREAS, He was a member of many distinguished fraternal societies, including the Masons, the Scottish Rite, the Knights Templar, the Shrine, and the Eagles; and

WHEREAS, Charles W. Stream was a devoted husband and a friend to people in all walks of life; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature deeply mourn the passing of Charles W. Stream, outstanding public servant and Californian, who devoted much of his life to the service of his friends, his State, and his Country; and be it further

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

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to present a suitably prepared copy of this resolution to his niece, Mrs. Mary Rogers.

CHAPTER 16

Assembly Concurrent Resolution No. 8—Relative to the death of G. Aubrey Davidson.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Members of the Legislature have learned with deep regret of the death of G. Aubrey Davidson, noted civic leader, pioneer banker, and real estate developer of San Diego; and

WHEREAS, Mr. Davidson came to San Diego from Nova Scotia in 1886 at the age of 18, and in 1907 organized the Southern Trust and Savings Bank, a forerunner of the Bank of America, which he served as vice president until he retired, and he also organized the company which completed and operated the U. S. Grant Hotel; and

WHEREAS, For over 50 years Mr. Davidson devoted much of his time and effort to the development of San Diego into the great metropolis which it is today; and

WHEREAS, Although his contributions to the city were legion, he will probably be most often remembered and honored as the man who brought the Navy to San Diego; and

WHEREAS, As president of the Chamber of Commerce, he led the campaign which culminated in the Panama-California Exposition of 1915-16, which exposition was visited by Col. Joseph Pendleton whose efforts, combined with the work of Mr. Davidson, resulted in establishment of the Marine Recruit Depot; and

WHEREAS, The success of the 1915-16 exposition led to his selection as Chairman of the California-Pacific Exposition of 1935-36; and

WHEREAS, Mr. Davidson led the campaign for funds to buy the 150 acres of land as a site for the naval training station and was the leader of the campaign for land for the 1,000-bed naval hospital in Balboa Park; and

WHEREAS, He was instrumental in establishing the Armed Services Young Men's Christian Association and served as a director of that organization for 23 years, and also served as Chairman of the Y. M. C. A.; and

WHEREAS, He worked to build the First Presbyterian Church and was its oldest member and trustee; and

WHEREAS, He also served as president and trustee of Fredericka Home for the Aged; and

WHEREAS, In his later years, he was honored as "First Citizen of San Diego" at a community banquet, and last year he received the Navy's highest civilian honor, the Distinguished Public Service Award; and

WHEREAS, His contribution to the development of San Diego included varied activities, civic, business and social; he was a member of the Elks, Rotary, University, and Cuyamaca Clubs, the Point Loma Golf Club, the Rowing Club, and the Advertising and Sales Club; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature do hereby express their deepest regret at the passing of G. Aubrey Davidson and convey their heartfelt sympathy to the bereaved members of his family; 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 his son, Gilbert A. Davidson, Jr., and his grandsons, Gilbert A. Davidson III and William Singleton.

CHAPTER 17

Assembly Concurrent Resolution No. 9—Relative to memorializing the passing of Admiral Frederick Carl Sherman.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Members of the Legislature are saddened to learn of the passing of Admiral Frederick Carl Sherman, United States Navy, Retired, and acutely feel the loss thereby of one of California's leading citizens and one of the Nation's most brilliant naval leaders; and

WHEREAS, Admiral Sherman commenced his distinguished career in the Navy in 1906 when he entered the United States Naval Academy at Annapolis, Maryland, in the same class with our esteemed colleague, Captain Frank Luckel; and

WHEREAS, During World War I, while wearing the dolphins of the Submarine Service, Admiral Sherman won a Navy Cross for heroic achievement in the Atlantic Ocean; and

WHEREAS, The distinguished service of Admiral Sherman continued during the years leading up to the holocaust of World War II, during which years he not only developed his

skill as a seaman and commander of surface fighting units, but also as a naval aviator, having won his Navy wings of gold after flight training at the Naval Air Station, Pensacola, Florida; and

WHEREAS, Admiral Sherman's record during the war in the Pacific, in which he fought from the Battle of the Coral Sea as captain of the glorious U. S. S. Lexington to the strikes against the Japanese homeland which he directed as a carrier task force commander, earned him the reputation as a combat officer worthy to rank with the greatest heroes of the United States Navy, the Nation, and the Allied Forces which fought the war to victory, in recognition of which he received, in addition to many other decorations, a second Navy Cross and the Order of Honorary Commander of the Order of the British Empire; and

WHEREAS, After retiring from active duty in the Navy after 41 years of devoted professional labor, Admiral Sherman continued to give generously to the public the benefit of his experience and good example, achieving note as an author, civic and cultural leader and civil defense co-ordinator in his long-time home in San Diego County; now, therefore, be it

Resolved, by the Assembly, the Senate thereof concurring, That the Legislature of the State of California wishes to memorialize the passing of Admiral Frederick Carl Sherman, United States Navy, Retired, whose life stands out as a model and inspiration to those whom he leaves behind; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Admiral Sherman's widow, Fanny Jessop Sherman, and his son, John J. Sherman.

CHAPTER 18

Assembly Concurrent Resolution No. 12—Relative to the death of Alfred W. Robertson.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Members of the Assembly have learned with sorrow of the passing of former State Assemblyman Alfred W. Robertson on January 19, 1958; and

WHEREAS, Mr. Robertson was born in Gilmanton, New Hampshire, June 29, 1891, and moved with his family to California in 1908; and

WHEREAS, Following his education at Dartmouth, Occidental College, and Stanford University, he entered the practice of law in 1914 at Santa Barbara, which remained his home throughout his lifetime; and

WHEREAS, First elected to the State Assembly in 1934, he proved to be a capable and conscientious representative of the people, who recognized his outstanding ability and leadership by returning him to the Legislature for six additional terms; and

WHEREAS, He also earned the well-deserved respect and friendship of his colleagues in the Assembly, serving for many years as Democratic minority floor leader, and as State Chairman of the Democratic Party from 1942 to 1946; and

WHEREAS, It is fitting that this man who dedicated so much of his life to the ideals of public service be honored by those who follow in his footsteps; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members hereby express their deep regret at the passing of former State Assemblyman Alfred W. Robertson, and extend their profound sympathy to the bereaved members of his family; and be it further

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

Resolved, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to his widow, Mrs. Marilyn Robertson, his son, Richard W. Robertson, and his stepsons, Robert H. Waterman and Douglas A. Waterman.

CHAPTER 19

Assembly Concurrent Resolution No. 13—Relative to the death of William B. Hornblower.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, August 8, 1957, marked the death of William B. Hornblower, a veteran California legislator and one of the most colorful of the State's political figures in the twenties and early thirties; and

WHEREAS, William Hornblower was born in San Francisco December 23, 1893, and following his education in the schools of that city was admitted to the practice of law in 1918; and

WHEREAS, Three years later, having been elected to the State Legislature by San Francisco's old Twenty-fifth District, he embarked on his long legislative career, serving continuously thereafter for nine consecutive sessions; and

WHEREAS, Always an advocate of individual freedom, he was an outspoken battler against prohibition, and a leading opponent of unlawful search and seizure practices of prohibition agents; and

WHEREAS, Mr. Hornblower played an outstanding part in enactment of the State's first old age pension law, and was a leader in the movement to increase the inadequate compensation received by injured workmen; and

WHEREAS, He was perhaps best known for his cosponorship of the California Pari-Mutuel Act passed by the Legislature in 1933 which brought back thoroughbred racing to the State the following year; and

WHEREAS, He was also active in fraternal affairs, having served as national president of the Fraternal Order of Eagles in 1950 and 1951, and as Supreme Ranger of the National Order of Foresters; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members hereby express their deep regret at the passing of former Assemblyman William B. Hornblower, and convey their heartfelt condolences to the members of his family and his myriad of friends; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Grace Hornblower; his daughter, Mrs. Thor C. Gjerdrum; and his brother, Fred A. Hornblower.

CHAPTER 20

Assembly Concurrent Resolution No. 14—Relative to the death of Dr. Frank M. Wright.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Members of the Legislature have learned with deep regret of the passing of Dr. Frank M. Wright on November 27, 1957; and

WHEREAS, Dr. Wright, a man of exceptional leadership, filled so ably during the last 10 years of his life the position of Associate Superintendent of Public Instruction and Chief of the Division of Public School Administration in the California State Department of Education; and

WHEREAS, Dr. Wright, who moved to California as a child with his parents and attended elementary and high schools in the Imperial Valley, received his bachelor of arts degree from Whittier College in 1916, and was subsequently awarded the degrees of master of arts and doctor of education by the University of Southern California; and

WHEREAS, He entered his chosen career in the field of education as a teacher at Santa Paula High School in Ventura County and later transferred to the El Monte High School, where his outstanding teaching and administrative abilities won for him election as District Superintendent of the El Monte School District; and

WHEREAS, He served as district superintendent from 1925 to 1947 when he was appointed Associate Superintendent of Public Instruction which position he held for the remainder of his life; and

WHEREAS, During his career he held office in numerous professional educational organizations, serving as President of the Los Angeles County School Administrators Association, President of the Association of California School Superintendents, and chairman for many years of the Finance Committee of the State Council of Education; and

WHEREAS, In addition to his vocational activities he was an active participant in both civic and fraternal organizations, having served at various times as President of the Chamber of Commerce and the Lions Club in El Monte, and Past Master of the Masonic Order; and

WHEREAS, The State has suffered a severe loss in the death of this man whose wide experience and thorough knowledge of school administration problems made him an invaluable officer of the Public School System; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members hereby pay tribute to Dr. Frank M. Wright for his many years of devoted service to the State, and express their sincere sympathy to the members of his family on their bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Frank M. Wright.

CHAPTER 21

Assembly Concurrent Resolution No. 15—Relative to the potato industry and honoring Mr. J. Wilson Newman, President of Dun & Bradstreet.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The Kern County Potato Growers Association will hold its 14th annual convention in Bakersfield on March 16, 17, and 18, 1958; and

WHEREAS, This annual convention, which originally was designed to promote the growth and prosperity of the potato industry in Kern County, is attended by persons from all parts of the United States interested in all phases of the industry; and

WHEREAS, The convention this year is to be marked by the presence of Mr. J. Wilson Newman, President of Dun & Bradstreet, who will deliver a major address before the association on March 18th, stressing the inseparable partnership of agriculture and other industry in our Nation's economy; and

WHEREAS, In honor of the visit of Mr. J. Wilson Newman and the potato industry, the Bakersfield City Council and the Kern County Board of Supervisors have designated March 18th "Potato Day"; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby extends a most cordial welcome to Mr. J. Wilson Newman, President of Dun & Bradstreet, commends the Kern County Potato Growers Association for its invaluable contributions to the development of more efficient potato production, marketing and utilization, and proclaims Tuesday, March 18, 1958, as "California Potato Day"; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. J. Wilson Newman and to the Kern County Potato Growers Association.

CHAPTER 22

Assembly Concurrent Resolution No. 16—Relating to congratulating Harvey West on his civic spirit and generosity.

[Filed with Secretary of State February 5, 1958.]

WHEREAS, The extraordinary generosity and civic spirit of Harvey West toward the City of Santa Cruz has been brought to the attention of the Legislature of the State of California; and

WHEREAS, This outstanding citizen and public benefactor has recently donated to the City of Santa Cruz the beautiful Wagner Grove picnic grounds located near the south boundary line of Harvey West Municipal Park; and

WHEREAS, Wagner Grove has in the past been one of the finest recreational areas in or about the city and will, through the generosity and assistance of Harvey West, be an even more beautiful and useful place for the citizens of the community and visitors; and

WHEREAS, This wonderful gesture is but one of the many outstanding services to the community which Harvey West has rendered in the past and proposes to render in the future; and

WHEREAS, Harvey West has, in connection with the donation of Wagner Grove, agreed further to underwrite the costs of hiring architects to draw up a master plan for all of the Harvey West Park area, which will include development of Wagner Grove, establishment of a community swimming pool, the building of scenic roads, and the installation of many other complementing facilities; 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 extend its heartfelt thanks to Harvey West and its commendations for the outstanding service he has rendered to the City of Santa Cruz; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to have a suitable copy of this resolution prepared for presentation to Harvey West.

CHAPTER 23

Assembly Concurrent Resolution No. 18—Relative to augmenting the funds of the Joint Interim Committee on Water Resources Development Problems.

[Filed with Secretary of State February 5, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000), 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 Interim Committee on Water Resources Development Problems (created by Assembly

Concurrent Resolution No. 211, 1957 Regular Session) 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 24

Senate Concurrent Resolution No. 11—Relative to the observance of "Save Your Vision Week."

[Filed with Secretary of State March 6, 1958.]

WHEREAS, The thirtieth annual "Save Your Vision Week" will be observed from March 2d to March 8th of this year; and

WHEREAS, During this time the California Optometric Association, which sponsors "Save Your Vision Week," furnishes vital information on visual training, eye care, and facts pertinent to improving vision; and

WHEREAS, It is essential that attention be drawn to the need and desirability for saving and preserving a person's eyesight, one of the most valuable and useful faculties of man; and

WHEREAS, The existence of proper vision is beneficial not only to the individual but also to the community in that it promotes increased interest in governmental, economic, and social activities; and

WHEREAS, In connection with the observance of this week the Honorable Goodwin J. Knight, Governor of the State of California, has so adequately stated:

"Proper vision is essential to the welfare of the individual and promotes added interest in governmental, economic and social activities Two out of three of our adult citizens depend upon vision care to enjoy full lives. Members of the California Optometric Association command the means to provide proper lighting and periodic vision examinations for all persons who require this attention"; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That this Legislature does most heartily endorse the purposes of "Save Your Vision Week" and urges the people of the State of California to acquaint themselves more fully with the proper means available to them in order to safeguard their vision for a richer and better life; and be it further

Resolved, That the Secretary of the Senate transmit suitably prepared copies of this resolution to the President of the American Optometric Association, the President of the California Optometric Association, and the president of each local optometric society which is affiliated with the California Optometric Association.

CHAPTER 25

Assembly Joint Resolution No. 3—Relative to federal aid to schools.

[Filed with Secretary of State March 14, 1958]

WHEREAS, The enormous increase in school attendance that has resulted in certain areas of the Country in recent years from the establishment and operation of federal facilities has greatly overburdened public school systems in those areas; and

WHEREAS, The Congress of the United States, by Public Law 815 enacted September 23, 1950, and Public Law 874 enacted September 30, 1950, authorized a program to provide financial assistance in the construction of school facilities in such areas, and to reimburse partially school districts for the expense of educating pupils who live on, or whose parents work on, federal property; and

WHEREAS, These laws are evidence of the acceptance by the Federal Government of its responsibilities to local school districts where a federal impact exists; and

WHEREAS, The situation continues to be of grave concern in many areas throughout the United States, and can be expected to become even more acute in localities where federal activities are scheduled to be accelerated; 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 continue undiminished its program of financial assistance to school districts experiencing excessive growth due to federal activities as provided in Public Law 815 and Public Law 874 of the Eighty-first Congress; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairmen of the appropriate congressional committees, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 26

Assembly Concurrent Resolution No. 10—Relative to the establishment of a medical school and dental college in San Diego.

[Filed with Secretary of State March 14, 1958.]

WHEREAS, The County of San Diego has found that it will soon be necessary to replace its County Hospital Administrative Building which has been declared "structurally unsafe"; and

WHEREAS, The new hospital will have approximately 600 beds, and will be capable of expansion to 1,000 beds; and

WHEREAS, The physicians of the community, the county offi-

cials, and the county medical society are all of the opinion that a medical school should be established in the San Diego area; and

WHEREAS, The County Hospital Committee, the Council of the County Medical Society, and the county board of supervisors believe that the proposed county hospital should ultimately be an integral part of the plans for development of a San Diego medical school; and

WHEREAS, They further believe that joint participation in this project by the University of California and the County of San Diego would result in material benefits as well as decreased costs to both; and

WHEREAS, It is also deemed advisable to include within this project provisions for a dental school; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Board of Regents of the University of California is respectfully requested to give serious consideration to the ultimate establishment of a medical school and a dental school in the San Diego area and to arrange for the operation of such schools in connection with the San Diego County Hospital; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President of the University of California and to the Board of Regents thereof.

CHAPTER 27

Senate Concurrent Resolution No. 8—Congratulating Cyrille O. Faure, Outstanding Young California Farmer of the Year.

[Filed with Secretary of State March 14, 1958]

WHEREAS, Cyrille O. Faure of Porterville, Tulare County, California, was named the Outstanding Young California Farmer of the Year by the California Junior Chamber of Commerce at Anaheim, on February 13, 1958; and

WHEREAS, This great honor was awarded Cyrille O. Faure on the basis of his achievements in 27 years of farming, beginning with the raising of a lamb when he was eight years old and ranging through the present operation of a modern feed lot with a 1,400-head capacity, and running a herd of some 150 registered polled Herefords, during the course of which career he won many awards and prizes, including the California Governor's Trophy for outstanding livestock project work, and his showing of the junior division champion fat steer at the Great Western Livestock Show in Los Angeles December 7, 1941; and

WHEREAS, The award was also based upon the progress demonstrated by Cyrille O. Faure in farming methods, superior soil conservation practices, and participation in community activities in which he serves as chairman of the Hope Water District, chairman of the Porterville Memorial District Board,

secretary-treasurer of the California Polled Hereford Association, and is active in veterans' organizations, county and state cattlemen's associations, the Tulare County Farm Bureau, church and other community activities; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of this Legislature congratulate Cyrille O. Faure upon being named Outstanding Farmer of the Year in California, and upon his achievements in his chosen field illustrating as they do the full and rewarding life agriculture offers those who accept its varied challenge as a career, and commend him upon the fine example of young American manhood which his life presents to the youth of this Nation; and extend to him sincere good wishes for success later this year when awards are made naming the Outstanding Young Farmer of the Year nationally; and be it further

Resolved, That the Secretary of the Senate transmit to Cyrille O. Faure a suitably prepared copy of this resolution.

CHAPTER 28

Senate Concurrent Resolution No. 9—Relative to the death of Earl J. Fenston.

[Filed with Secretary of State March 14, 1958.]

WHEREAS, It is with sincere regret that the Members of the Legislature have learned of the passing of one of California's leading citizens, Earl J. Fenston, on January 31, 1958; and

WHEREAS, Mr. Fenston was a highly respected Fresno attorney, prominent in civic affairs and a proud champion of his adopted State of California; and

WHEREAS, In the latter years of his life he was the owner and publisher of the Hanford Sentinel and the Santa Maria Times, and owned radio station KNGS in Hanford, Kings County; and

WHEREAS, He had been a member of the Board of Regents of the University of California since 1948, serving at the time of his death as chairman of the finance committee, and member of the agriculture, atomic energy and medical and health sciences committees; and

WHEREAS, He found time despite his busy career to actively participate in many organizations, including the Masons, the Bohemian, Press, and Union League Clubs of San Francisco, the Sequoia, Sunnyside, and Rotary Clubs in Fresno, and the Petroleum Club in Los Angeles; and

WHEREAS, Earl Fenston was known as a man of high principles, generous nature and a friendly disposition, which attributes earned for him the esteem and lasting affection of all who knew him; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members express their sorrow

at the loss of this conscientious and public-spirited citizen, and convey their heartfelt sympathies to his bereaved family and friends; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to Mrs. Emma Fenston, the widow of Earl J. Fenston, and to his two sons, Dr. Earl B. Fenston of San Francisco, and James T. Fenston of Fresno.

CHAPTER 29

Senate Concurrent Resolution No. 13—Relative to Harriett R. Buhler.

[Filed with Secretary of State March 14, 1958]

WHEREAS, On December 12, 1957, Harriett R. Buhler, a senior deputy in the Office of Legislative Counsel, passed away following a long illness; and

WHEREAS, Mrs. Buhler had served as Deputy Legislative Counsel since May 11, 1936, and in the intervening years achieved a well-deserved reputation among the Legislators as a conscientious and exceptionally capable attorney; and

WHEREAS, Following her graduation from the University of California at Berkeley in 1924, she continued on at the University receiving a master of arts degree in 1926, and a doctor of jurisprudence degree in 1930, and being further honored with an appointment as editor of the California Law Review; and

WHEREAS, A careful and painstaking lawyer, Mrs. Buhler was the draftsman of the California Corporations Code and the California Welfare and Institutions Code, was a coauthor of California Corporation Laws by Ballantine and Sterling, and wrote a number of law review articles in the field of corporation law; and

WHEREAS, She played a large part in drafting the State's prison reorganization statutes in 1944, and was a recognized expert on welfare legislation and retirement and pension systems; and

WHEREAS, Her keen mind, sound judgment, and superior professional skill will be sorely missed by the many legislators who sought her legal assistance on crucial matters of the State; 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 tribute to Harriett R. Buhler for the many years that she spent in devoted service to the State of California. and express their sincere regret at her passing; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to Mr. and Mrs. George F. Ryan, her aunt and uncle.

CHAPTER 30

Assembly Concurrent Resolution No. 19—Relative to the retirement of William V. Hill.

[Filed with Secretary of State March 17, 1958.]

WHEREAS, The Members of the Legislature have learned that William V. Hill is retiring as legislative advocate for the California Transit Association after 42 years of continuous service; and

WHEREAS, Since 1916, when he entered this field of work, he has represented only one interest, the transit industry, during the terms of nine different governors beginning with the late Hiram Johnson; and

WHEREAS, The profession of legislative advocate, as practiced by its reputable members, fills the vital role of supplying accurate information to the Legislature on current problems of industry and government; and

WHEREAS, Bill, as he has been affectionately known to the legislators over his many years of service, has personified all the qualities desirable in a legislative advocate, representing his industry honestly, capably and effectively, yet giving just and equitable consideration to those who opposed his views; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature commend William V. Hill for his long and honorable career and express their sincere appreciation for his loyal, dependable services; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to William V. Hill.

CHAPTER 31

Assembly Concurrent Resolution No. 22—Relative to the retirement of Dr. Robert Gordon Sproul.

[Filed with Secretary of State March 17, 1958.]

WHEREAS, Dr. Robert Gordon Sproul, beloved President of the University of California, will retire from the University on July 1, 1958; and

WHEREAS, Dr. Sproul was born and raised in San Francisco and was graduated from the University in 1913; and

WHEREAS, In 1914 he became cashier of the University and thereafter served his alma mater in various other capacities until his elevation to the presidency thereof in 1930; and

WHEREAS, Under his able and dynamic leadership the University's reputation as one of the world's foremost educational institutions has strengthened and grown; and

WHEREAS, Despite the heavy burden of his duties as the University's chief administrator, he has found time to engage in numerous civic and philanthropic activities; and

WHEREAS, In recognition of his services to the University and to mankind generally, France, Romania, Italy, Norway, and Sweden have seen fit to bestow upon him their highest decorations; and

WHEREAS, During his long tenure with the University he has won the love, respect, admiration, and gratitude of his students, his faculty and the people of this State generally; 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 thanks and appreciation to Robert Gordon Sproul for his many years of outstanding and distinguished service to the University of California, and hope that in all the days to come he will continue to enjoy that "abundant and full life" which has always heretofore been his; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Robert Gordon Sproul.

CHAPTER 32

Assembly Concurrent Resolution No. 26—Relative to commending the Welcome Wagon Hostesses.

[Filed with Secretary of State March 17, 1958.]

WHEREAS, Welcome Wagon, Inc., was founded in August, 1929, in Memphis, Tennessee, by Mr. Thomas W. Briggs, the president of the organization; and

WHEREAS, Welcome Wagon, Inc., in 1929 had only eight hostesses operating in eight cities with approximately 80 sponsors, and in 1958 has almost 6,000 hostesses representing about 60,000 sponsors in 2,000 cities throughout the United States, Hawaii, and Canada; and

WHEREAS, Welcome Wagon Hostesses are outstanding, civic-minded women representing all religious faiths, social and welfare organizations in their communities, and call upon newcomers in each neighborhood bearing baskets of attractive gifts, civic information, and letters of welcome from local sponsors; and

WHEREAS, The gracious hospitality of these charming ladies is characteristic of the State of California in welcoming its new citizens; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California State Legislature commends the Welcome Wagon Hostesses for their patriotic service to the State; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolu-

tion to Mr. Thomas W. Briggs, of New York City; Mrs. Mamie Rabb, of San Francisco, Regional Director for the Eleven Western States; Mrs. Doris Shepard, of El Segundo; Mrs. Margaret Bliss, of Manhattan Beach; Mrs. Doris Gasnier, of Hermosa Beach; Mrs. Pat Rogers, of Redondo Beach; Mrs. Dorothy Stoeckle and Mrs. Lois Ferry, of the Hollywood Riviera section of Torrance; Mrs. Bettyruth Thompson and Mrs. Patti Nowell, of Palos Verdes Estates; and Mrs. Nancy Irons, of Palos Verdes Estates, area supervisor.

CHAPTER 33

Assembly Concurrent Resolution No. 30—Relative to the centennial celebration of the admission of Minnesota to the Union.

[Filed with Secretary of State March 17, 1958.]

WHEREAS, The State of Minnesota, having been admitted to the Union on May 11, 1858, will this year embark upon a centennial celebration; and

WHEREAS, The State of California wishes to join with her sister states in this centennial year in congratulating the State of Minnesota, and to declare her confidence that "The Star of the North" will continue to blaze gloriously and grow in magnitude in the hundreds of years to come; 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 salutes the State of Minnesota upon the 100th anniversary of her admission to the Union, and sends sincere felicitations to the elected officers and citizens of that glorious state; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Honorable Orville L. Freeman, Governor of Minnesota, and to the President of the Senate and Speaker of the House of the Minnesota Legislature.

CHAPTER 34

Assembly Concurrent Resolution No. 32—Relative to the congratulating of Brodie E. Ahlport on his appointment as a judge of the superior court.

[Filed with Secretary of State March 17, 1958.]

WHEREAS, It has come to the attention of the Legislature that Brodie E. Ahlport was appointed a judge of the Los Angeles County Superior Court in September, 1957, by Governor Goodwin J. Knight; and

WHEREAS, Mr. Ahlport is eminently qualified for this position, having been a practicing attorney in many fields of the law for the past 30 years, and a member and vice chairman of the California Code Commission from 1940 to 1945; and

WHEREAS, He was also a member of the Board of Regents of the University of California from May of 1941 to August of 1957, during which time he served ably on various committees of the regents, including the Committees on Agriculture, Atomic Energy Commission Projects, Audits, Finance and Business Management, Grounds and Buildings, and chairman of the Medical and Health Sciences Committee; and

WHEREAS, He brings to the bench the wisdom and experience gained from his many years of practice in the courts, to be used now in the meting of impartial justice to those who appear before him; 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 extend their heartiest congratulations to Brodie E. Ahlport upon his appointment as a superior court judge; 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 Brodie E. Ahlport.

CHAPTER 35

Assembly Concurrent Resolution No. 43—Assemblyman Samuel R. Geddes-Senator Luther E. Gibson Resolution relative to commending the Benicia State Capitol Restoration Committee.

[Filed with Secretary of State March 18, 1958.]

WHEREAS, The Legislature meeting this date, March 15, 1958, in the former State Capitol Building in Benicia, notes that that building was conveyed to the State as a historical monument; and

WHEREAS, The building has been restored to its original condition in authentic detail by the Department of Public Works, Division of Architecture, with a fund of $250,000 appropriated by the Legislature; and

WHEREAS, The rededication of the old State House has occurred this date in ceremonies impressively conducted by the Native Sons of the Golden West and simultaneously the building was formally accepted as a state historical monument by the Honorable Joseph R. Knowland, Chairman of the State Park Commission, to be managed in the future by the Department of Natural Resources, Division of Beaches and Parks; and

WHEREAS, This rededication has been made the occasion of a three day celebration in Benicia, including on Friday, March 14, 1958, a grand parade; band concerts; a special meeting of E Clampus Vitus—a society dating back to the Gold Rush whose present purpose is the preservation of our history; an oldtime torchlight parade in the costumes of the 1850's, and street dances; and

WHEREAS, The program on Saturday, March 15, includes the rededication ceremony; the convening of the 1958 Legislature in the Old State Capitol Building with Governor Goodwin J. Knight addressing the Legislature in joint session; a civic luncheon at the Clock Tower Building, originally constructed as a fort in 1857, in the U. S. Army Benicia Arsenal; the Governor's Ball in the Assembly Chamber; and the Senator's Ball; and

WHEREAS, The program on Sunday, March 16, 1958, includes tours of historic buildings and sites which were in existence in the era in which the capital was situated there; and

WHEREAS, The specific arrangements for the 1958 Legislative Session at Benicia were made by the Joint Investigating Committee on a Legislative Session in the Old State Capitol at Benicia, comprised of Senators Luther E. Gibson, Swift Berry, Harold T. Johnson, George Miller, Jr., Robert I. McCarthy, A. A. Erhart, and Assemblymen Samuel R. Geddes, Donald D. Doyle, Carlos Bee, Richard H. McCollister, Don Mulford, Gordon H. Winton, Jr.; and

WHEREAS, The Benicia State Capitol Restoration Committee very generously assumed the task of planning, promoting, and financing these ceremonies and events; and

WHEREAS, The members of the 1958 Legislature recognizes that the successful accomplishment of the celebration is in a large measure due to the efforts of the public-spirited citizens of the committee; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members take this means of expressing their appreciation to the Benicia State Capitol Restoration Committee, and the Departments and other committees named herein, for their fine work in the preparation of and participation in this celebration; and be it further

Resolved, That the Chief Clerk of the Assembly transmit illuminated copies of this resolution to the Benicia State Capitol Restoration Committee, and to the Monument Supervisor of the Benicia State Capitol Historical Monument, the latter's copy to be appropriately displayed in the Benicia State Capitol Building.

CHAPTER 36

Assembly Concurrent Resolution No. 21—Approving amendments to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal and consolidated special general obligation bond election and special charter amendment election held therein on Tuesday, October 8, 1957.

[Filed with Secretary of State March 18, 1958.]

City of Stockton. Charter amendments

WHEREAS, The City of Stockton in the County of San Joaquin, State of California, contains a population of over 85,000 as ascertained by the last preceding census taken under the

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

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

CERTIFICATE OF THE ADOPTION BY THE QUALIFIED ELECTORS OF THE CITY OF STOCKTON AT A GENERAL MUNCIPAL AND CONSOLIDATED SPECIAL GENERAL OBLIGATION BOND ELECTION AND SPECIAL CHARTER AMENDMENT ELECTION HELD THEREIN ON THE 8TH DAY OF OCTOBER, 1957, OF CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF STOCKTON, STATE OF CALIFORNIA.

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

Certificate

We, Harvey M. Stull, mayor of the city of Stockton and B. L. Trahern, city clerk of the City of Stockton, do hereby certify as follows:

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

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

That pursuant to section 8 of article XI of the constitution of the state of California, the legislative body of said city, i.e., the city council of said city, did on its own motion and pursuant to the provisions of said article and section of the constitution of the state of California duly propose to the electors of the city of Stockton a certain proposal for the amendment of the charter of said city to be voted upon by said qualified electors at a certain general municipal and consolidated special general obligation bond election and special charter amendment election held on October 8th, 1957, which said proposal was designated as Proposed Charter Amendment numbered 1; and

That pursuant to and in accordance with the provisions of Section 8, Article XI of the constitution of the state of California, there was filed with the city clerk of said city of Stockton on the 5th day of August, 1957, a petition for the submission of one proposal for amending the charter of said city of Stockton by amending section 27 of article XXXII, and requiring the submission of such proposal to the electors of said city at a certain general municipal and consolidated special general obligation bond election and special charter amendment election held on October 8th, 1957, which said proposal was designated as Proposed Charter Amendment numbered 2; and

That within the time required by section 8, Article XI of the constitution of the State of California, the signatures attached to said petition were duly verified and the certificate of the officer having charge of the registration records was attached thereto showing the sufficiency of said petition and certifying that the same was signed by fifteen per cent of the registered electors of said city, and the city clerk thereafter presented the same to the legislative body of the city of Stockton, to-wit: The city council of said city; and

That said proposed charter amendment No. 1 was, on the 19th day of August, 1957, and charter amendment No. 2 was, on the 23d day of August, 1957, duly published in each issue of the Stockton Daily Record, a daily newspaper published and circulated in the city of Stockton and the official newspaper of said city, said paper having been designated for said purpose by the said city council; and

That said city council did, by Resolution No. 20,614, adopted on August 5, 1957, and Ordinance No. 9-C.S., adopted on final passage on August 12, 1957, fix October 8, 1957, the date of the general municipal and consolidated special general obligation bond election and special charter amendment election in Stockton, as the date of the election on said proposed charter amendments; and

That said proposed charter amendments were printed in convenient pamphlet form and in type of not less than ten-point, and that the clerk of the city of Stockton caused copies of said proposed charter amendments to be mailed, postage

prepaid, to each of the qualified electors of the city of Stockton, as required by law.

That the city clerk of the city of Stockton did, commencing August 19th, 1957, and continuing through October 8th, 1957, the date of the election, advertise in the Stockton Daily Record, a newspaper of general circulation in said city, and the official newspaper for said city, a notice that copies of said proposed charter amendments might be had upon application at the office of the said city clerk.

That said general municipal and consolidated special general obligation bond election and special charter amendment election was held in the said city of Stockton on the eighth day of October, 1957, which said day was not less than forty, nor more than sixty days after the completion of the advertising of said proposed charter amendments in the Stockton Daily Record, the official newspaper of the city of Stockton, as hereinabove stated;

That at such general municipal and consolidated special general obligation bond election and special charter amendment election held as aforesaid on said eighth day of October, 1957, a majority of the qualified voters of said city of Stockton voting thereon voted in favor of two proposed amendments to the charter of the city of Stockton and duly ratified the same;

That said proposed amendments to the charter of the city of Stockton as aforesaid were and are amendments numbered 1 and 2.

That the city council of said city of Stockton after duly and regularly canvassing the returns of said municipal election at the time and in the manner and form prescribed by law duly found, determined and declared that a majority of the qualified voters of the city of Stockton voting thereon had voted for and ratified the proposed amendments to the charter of the city of Stockton numbered 1 and 2;

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

Charter Amendment No. 1

That the Charter of the City of Stockton be amended by adding a new article thereto, to be designated Article III A, comprising Sections 1 to 11, both inclusive, to read as follows:

ARTICLE III A
Off-Street Vehicular Parking

Definitions

Section 1. Definitions: The following terms whenever used or referred to in this Article, or any ordinance of issue, shall have the following meanings, respectively, unless a different meaning appears from the context.

"Bonds"

Section 1.1. 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.

"Project" Section 1.2. Project: The term "project" means any one or more off-street vehicular parking facilities referred to in Section 2 and designated by the City as a project in an ordinance of issue.

"Existing off-street parking facilities" Section 1.3. 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 an ordinance of issue and not theretofore designated by the City as a project in an ordinance 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.

"Revenues" Section 1.4. 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 (a) net revenues from on-street parking meters within the City now owned or controlled or hereafter acquired or controlled by the City and (b) 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 an ordinance of issue.

"Net revenues" Section 1.5. Net Revenues: The term "net revenues" when used with reference to on-street parking meters within the City means and includes eighty-five per cent (85%) of the gross revenues collected by the City during any fiscal year from the establishment and operation of such on-street parking meters. 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.

"Ordinance of issue" Section 1.6. Ordinance of Issue: The term "ordinance of issue" means any agreement entered into by the Council, including any ordinance adopted by the Council, pursuant to which revenue bonds are issued, and includes any agreement entered into or ordinance adopted by the Council amending,

modifying or supplementing an ordinance of issue irrespective of the form thereof.

Powers

Section 2. General: The City of Stockton, in addition to all other powers elsewhere enumerated in this Charter or granted to it by the Constitution or laws of the State of California, 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 Stockton, 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 the cost 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.

Same

Section 3. Grant of Power: Without limiting the generality of Section 2, the Council of the City of Stockton shall have the powers set fourth in Sections 3.1 to 3.10, inclusive, for any of the purposes of this Article.

Acquisition and disposition of property

Section 3.1. 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.

Acquisition for ingress and egress

Section 3.2. Acquisition for Project Ingress and Egress: To acquire, by any of the means specified in the foregoing Section 3.1, 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.

Improvements

Section 3.3. Improvements: To improve any lands so acquired by the construction thereon of garages or other buildings or improvements necessary or convenient for any project;

Control

Section 3.4. Control of Project: To construct, establish, improve, extend, maintain, operate, administer, lease and sublease any project;

Rates, etc.

Section 3.5. 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 be entered into by the City with respect to the fixing of such rates, fees or charges; and, by an ordinance 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 an ordinance of issue. All rates, fees and charges shall be paid only in such coin or cur-

rency 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;

Issuance of bonds

Section 3.6. Issuance of Revenue Bonds: 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;

Agreements and leases

Section 3.7. Agreements and Leases: 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, 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;

Incidental lease of space

Section 3.8. Incidental Lease of Space: To rent or lease temporarily for any purposes space in any project which is solely incidental to the use thereof for off-street parking purposes, or which in the opinion of the Council is not and will not be required for off-street vehicular parking facilities pending the completion of the project, provided that the aggregate of all such space so rented or 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 rental or lease shall not exceed a period of five (5) years from its date and that the area so leased is not then readily usable for parking purposes but will be used and applied to such purposes upon the completion of the project.

Rules and regulations

Section 3.9. 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; and

Miscellaneous

Section 3.10. 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 ordinance of issue adopted pursuant to the authority conferred by this Article; provided that nothing in Sections 3 to 3.10, both inclusive, 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.

Net revenues

Section 4. 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 (a) on-street parking meters within the City now owned or controlled or hereafter acquired or controlled by the City, and (b) 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.

Bonds: Issues

Section 5. Issues of Bonds; Series and Divisions: The Council may provide for one or several 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. 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 ordinance of issue at the time of or prior to the issue thereof.

Authorization

Section 5.1. Authorization of Revenue Bonds: Each issue of revenue bonds shall be authorized by the Council by an ordinance of issue adopted in accordance with Article IV and which shall be subject to the referendum provisions set forth in Article XXVII. Ordinances of issue shall provide for the aggregate principal amount, date or dates, maturities, maximum 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.

Same: Provisions applicable

Section 5.2. Provisions Relating to Bonds: The provisions of Sections 5.3 to 5.18, both inclusive, shall govern and apply to (a) all revenue bonds issued pursuant to this Article and (b) each ordinance of issue relating to the bonds thereby authorized.

Date

Section 5.3. Date of Bonds: Bonds shall bear dates prescribed by the ordinance of issue.

Maturity

Section 5.4. Maturity: Bonds may be serial bonds or sinking fund bonds with such maturities as shall be provided in the ordinance 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.

Interest

Section 5.5. Interest: Bonds shall bear interest at a rate of not to exceed seven per cent (7%) per annum, payable annually or semi-annually, or in part annually and in part semi-annually.

Coupon or registered bonds

Section 5.6. Coupon or Registered Bonds: Bonds may be issued as coupon bonds or as registered bonds. An ordinance 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 ordinance of issue shall prescribe.

Redemption

Section 5.7. Redemption: Bonds may be callable upon such terms and conditions and upon such notice as the ordinance of issue shall prescribe and upon payment of such premium (not exceeding seven per cent (7%) of the par value of such bonds), if any, as may be fixed in the ordinance 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.

Source of payment

Section 5.8. Source of Payment: All revenue bonds shall be payable exclusively from revenues.

Reference to ordinance of issue

Section 5.9. Reference on Bonds to Ordinance of Issue: Reference on the face of a revenue bond to the ordinance 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 bonds, shall have recourse to all of the provisions of the ordinance of issue and of this Article and shall be bound thereby.

Recital

Section 5.10. 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 Stockton, except as provided in this Article.

Place and manner of payment

Section 5.11. 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 ordinance of issue.

Execution and authentication

Section 5.12. Execution and Authentication of Bonds; Validity of Signatures and Countersignatures: Bonds may be executed 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, all as may be provided in the ordinance of issue. If any of the officers whose signatures or countersignatures appear on the bonds or coupons 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.

Temporary bonds

Section 5.13. Issuance of Temporary Bonds: Pending the actual 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 may 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.

Replacement

Section 5.14. Replacement of Lost, Destroyed, Mutilated or Stolen Bonds: Lost, destroyed, mutilated or stolen bonds or coupons may be replaced as provided in the ordinance of issue.

Security

Section 5.15. Security: 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 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 ordinance 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 an ordinance 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, an amount 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, may be apportioned from revenues, but only to the extent specified in the ordinance of issue; provided, further, and subject to any limiting covenants specified in the ordinance of issue, the remaining surplus may be used for any lawful purpose of the City.

Priority of security

Section 5.16. 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 in any series shall, to the extent and in the manner prescribed in the ordinance 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 ordinance of issue.

Refunding

Section 5.17. 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 ordinance 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

Section 5.18. Validity of Bonds not Affected by Actions of City Relative to Project: The validity of the authorization and issue 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 of bonds

Section 6. 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 for bids 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 seven per cent (7%) per annum, payable semi-annually, to the respective maturity dates of said bonds.

Disposition of proceeds

Section 7. 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 ordinance of issue, may be paid out of the proceeds of sale of the bonds.

Ordinance of issue Provisions applicable

Section 8. Provisions Relating to Ordinances of Issue: The provisions of Sections 8.1 to 8.15, both inclusive, shall govern and apply to each ordinance of issue adopted by the Council.

Construction fund

Section 8.1. Construction Fund; Investment: An ordinance 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 ordinance of issue for the object and purpose of 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 7 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 ordinance of issue. An ordinance 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 ordinance of issue.

Operation of project

Section 8.2. Continuous Operation of Project; Repair; Renewals and Replacements: An ordinance of issue may provide that, so long as any bonds thereby authorized shall be outstanding, the City shall operate the project designated in the ordinance 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

Rates, etc.

Section 8.3. Rates, Fees and Other Charges: An ordinance of issue may provide that the Council will 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 the bonds issued pursuant to such ordinance of issue, (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. An ordinance 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 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. An ordinance 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 ordinance of issue.

Holding and application of revenues

Section 8.4. Holding and Application of Revenues: An ordinance 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 ordinance 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 ordinance of issue.

Preservation and protection of security

Section 8.5. Preservation and Protection of Security of Bonds: An ordinance 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. An ordinance 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. An ordinance 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.

Proceeds of project taken by eminent domain

Section 8.6. Proceeds of Project Taken by Eminent Domain: An ordinance 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 ordinance of issue, or as otherwise set forth in said ordinance of issue.

Insurance

Section 8.7. Insurance: An ordinance 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 ordinance of issue), and provide for the payment of the premiums thereon, and specify the use and disposition of proceeds of any such insurance thereafter collected

Books, records and accounts

Section 8.8. Books, Records and Accounts: An ordinance 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 ordinance 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 ordinance of issue.

Trustee, fiscal and paying agents

Section 8.9. Trustee; Fiscal Agent; Paying Agents: An ordinance 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 ordinance 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. An ordinance 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. An ordinance 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. An ordinance 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 ordinance of issue as security for the bonds.

Competitive projects

Section 8.10. Competitive Projects: An ordinance 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. An ordinance of issue may define the word "compete" as used in the preceding sentence and in such ordinance of issue. An ordinance 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.

Limitation on additional indebtedness

Section 8.11. Limitation on Additional Indebtedness: An ordinance 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 ordinance of issue.

Default

Section 8.12 Events of Default: An ordinance 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.

Amendment or modification

Section 8.13. Amendment or Modification of Ordinance of Issue: An ordinance 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 consent of the holders of a specified principal amount or proportion of the bonds issued and outstanding, including provisions for meetings with bondholders and the manner in which the consents of the bondholders may be given. An ordinance 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. If desired, an ordinance 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.

Surplus moneys

Section 8.14. Use of Surplus: After all of the revenue bonds issued pursuant to an ordinance of issue shall have been fully paid or discharged, or provision for their payment and discharge irrevocably made, any surplus moneys in any con-

struction fund or other fund provided for the security or further protection of the bonds shall become and be the property of the City and shall be used by the City for any lawful purpose. Nothing herein contained shall limit the authority granted by Section 5.15.

Additional covenants and agreements

Section 8.15. Additional Covenants and Agreements: An ordinance 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.

Rights of bondholders

Section 9. Rights of Bondholders: Except as provided otherwise in any ordinance 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 or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this Article.

Powers and authorities

Section 10. Article Confers Complete Authority; Provisions of Article Alternative: 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 of Stockton and no other procedure, or proceedings, consents, approvals, orders or permission from any municipal officer or board of the City of Stockton, 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. 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 Stockton. 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 Stockton may, in its discretion, acquire any properties for off-street vehicular parking facilities and issue general obligation bonds of the City of Stockton therefor, subject, however, to the condition that the City of Stockton 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 an ordinance of issue pursuant to the provisions of Section 8.10 of this Article,

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

Exclusion from bonded indebtedness

Section 11. 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 Stockton 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.

Charter Amendment No. 2

That Section 27 of Article XXXII be amended to read as follows:

Fire Department Work time

Sec. 27. Except in cases of conflagration, flood or similar emergency the basic working time required of any member of the Fire Department, excepting the Chief of the Fire Department, is hereby fixed as follows:

Commencing January 1, 1959, sixty (60) hours per week averaged over a four-week period;

Commencing January 1, 1960 and continuing thereafter, fifty-six (56) hours per week averaged over a twelve-week period.

All working shifts to commence at 8:00 o'clock A.M. of each day.

We further certify that we have compared the text of the foregoing amendments with the original proposals submitting the same to the electors of said city and find that the foregoing are full, true, correct, complete and exact copies thereof, and of each of them.

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

IN WITNESS WHEREOF, Harvey M. Stull, mayor of the city of Stockton, and B. L. Trahern, city clerk, as aforesaid, have hereunto set their hands and caused the corporate seal of the city of Stockton to be thereunto affixed on this 2d day of December, 1957.

HARVEY M. STULL
Mayor of the City of Stockton

(SEAL)

B. L. TRAHERN
City Clerk of the City of Stockton

WHEREAS, Said proposed amendments to the charter of the City of Stockton ratified by the electors of said city, as aforesaid, have been, and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole without alteration or amendment in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Approval

Resolved by the Assembly of the State of California, the Senate concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said

amendments to the charter of the City of Stockton, after being presented to, adopted and ratified by the qualified electors of said City of Stockton as hereinbefore fully set forth, be and the same are hereby approved as a whole without amendment or alteration as amendments to and a part of the charter of the City of Stockton.

CHAPTER 37

Assembly Concurrent Resolution No. 29—Relative to the visit of Prince Bertil of Sweden.

[Filed with Secretary of State March 18, 1958]

WHEREAS, Pioneers from Sweden, and their descendants, have played an important part in the cultural, financial, and industrial development of the State of California; and

WHEREAS, A distinguished member of the Swedish Royal Family, His Royal Highness Prince Bertil, is planning to visit the United States of America in the month of May, 1958, in connection with the celebration of the centennial of the admission of our sister State of Minnesota to the Union; and

WHEREAS, The people of the State of California desire to acknowledge the contributions of such Swedish pioneers and their descendants, and to extend to His Royal Highness a hearty welcome to the State of California, if his time permits; 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 desires to acknowledge the lasting and significant contributions which pioneers from Sweden and their descendants have made in the cultural, financial, and industrial development of the State of California; and be it further

Resolved, That the Legislature of the State of California hereby extends a most cordial and warm invitation to His Royal Highness, Prince Bertil, to visit the State of California during his forthcoming visit to the United States of America; and be it further

Resolved, That the Chief Clerk of the Assembly prepare a suitable copy of this resolution and transmit it to the Ambassador of Sweden, His Excellency, Erik Boheman, Washington, D. C.

CHAPTER 38

Assembly Concurrent Resolution No. 35—Relating to the retirement of Henry Finch Burmester as editor of the Long Beach Press-Telegram.

[Filed with Secretary of State March 18, 1958]

WHEREAS, Saturday, March 1, 1958, saw the retirement from the newspaper profession of Henry Finch Burmester, since 1952 the editor of the Long Beach Press-Telegram; and

WHEREAS, Except for a year or two as manager of the new business department of the old California First National Bank, his life in the City of Long Beach, some 35 years, has been devoted to professional journalism, as he served as telegraph editor for W. F. Prisk's Long Beach Press, and as financial and business editor and executive editor of the Press-Telegram prior to his appointment as editor; and

WHEREAS, This professional journalist had served with many newspapers prior to his arrival in Long Beach, including the Salt Lake Herald where he served as cub police reporter in 1904, the Salt Lake Tribune, the Butte Miner, the San Francisco Chronicle and the Examiner, the Seattle Times and the Post-Intelligencer, the Calgary Alberton, the Denver Rocky Mountain News, the Portland Telegram, the Los Angeles Times and the Examiner, the Santa Barbara Press, and his own daily in Flagstaff, Arizona; and

WHEREAS, Henry Finch Burmester was a mule skinner for the LeRoy-Bear River Cut-Off Railroad at the age of 12, played football for the University of Utah where he earned the nickname of "Happy Hank," and served with Damon Runyon and Gene Fowler while with the Denver Rocky Mountain News; and

WHEREAS, In 1931 Hank was married to Betty Lenore Hale, a San Jose girl, who will guide him through at least one stage of his retirement plans, gardening; and

WHEREAS, Damon Runyon paid tribute to this top newspaperman in a syndicated column in 1941 by speaking of him as "one of a large flock of western newspapermen who migrated with the seasons like the waterfowl" before dropping anchor in Long Beach, and as the "last of the western roamers"; and

WHEREAS, Hank, during his years in Long Beach, has been active in civic affairs, having served as President of Rotary and the Chamber of Commerce and as chairman of a special committee that resulted in a state college being opened at Long Beach, and having been instrumental in the bringing of Douglas Aircraft Company to Long Beach, in the creation of the Recreation Park golf course, and in the naming of the City of Lakewood; and

WHEREAS, In addition to the events which Hank has participated in, throughout his life he has exhibited, retained, and become known for a deep and abiding sense of compassion for his fellow man; 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 extends its congratulations to Henry Finch Burmester upon the occasion of his retirement and its highest commendation for his career of civic service, together with best wishes for a continued active and happy life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit a copy of this resolution to Henry Finch Burmester.

CHAPTER 39

Assembly Concurrent Resolution No. 20—Memorializing Rear Admiral Wilhelm Lee Friedell, United States Navy, Retired.

[Filed with Secretary of State March 19, 1958.]

WHEREAS, The Members of the Legislature of the State of California have been deeply grieved to learn of the death, on January 27, 1958, of Rear Admiral Wilhelm Lee Friedell, United States Navy, Retired; and

WHEREAS, Admiral Friedell, throughout almost one-half a century of service in the United States Navy, was a pillar of strength; a man whose great courage, rare ability, outstanding leadership, and sincere devotion to duty made him indispensable in the defense of our Country during both world wars; and

WHEREAS, It was because of his foresightness, during the years 1939 and 1940, in keeping our submarines ready for the demands of war despite peacetime shortages in men and material, that he was given credit for the success of our underseas forces following the attack on Pearl Harbor; and

WHEREAS, As the commandant of Mare Island Navy Yard at Vallejo, California, through most of World War II, he gave his untiring efforts to the task of keeping our Country supplied with the ships she so vitally needed to win the war in the Pacific; and

WHEREAS, He was possessed of a sterling character, an understanding and friendly personality and an ability to command, which attributes won for him the respect and devotion of all those with whom he served; and

WHEREAS, To mourn his passing and to receive the heartfelt sympathy of all, he leaves his widow, Mrs. Lucie Friedell; a daughter, Mrs. Vincent L. Denunzio; and a grandchild, all of Colorado; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature, by this resolution, pay tribute to the memory of a great American, Wilhelm Lee Friedell, and convey to his bereaved widow and family their most sincere condolences; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the widow and family of Admiral Friedell.

CHAPTER 40

Assembly Concurrent Resolution No. 24—Commending and congratulating Major General John B. Medaris, Chief of the Army Ballistic Missile Agency, Huntsville, Alabama, and the United States Army, upon the successful launching of the first American earth satellite.

[Filed with Secretary of State March 19, 1958.]

WHEREAS, The great technological and scientific advances of our time have brought modern civilization to the threshold of the age of space travel; and

WHEREAS, Spectacular developments recently achieved have made it increasingly apparent that it is imperative that the United States exert every reasonable effort to gain knowledge about interplanetary and interstellar space; and

WHEREAS, The development and construction of equipment and vehicles for the conquest of these regions of the universe, so that dangers to our military security can be averted and this new exploration can be directed toward peaceful purposes and the benefit of mankind, are urgent and crucially important matters to our American democracy; and

WHEREAS, On January 31st of this year of 1958, the United States Ballistic Missile Agency at Huntsville, Alabama, under the command of Major General John B. Medaris dramatically advanced the military security of the United States and the cause of the exploration of outer space for the benefit of all the people of the world, by accomplishing the launching from Cape Canaveral, Florida, of the first American earth satellite into orbit; and

WHEREAS, This dramatic event is of particular pride and interest to the State of California, inasmuch as the project was conducted jointly with the Jet Propulsion Laboratory of the California Institute of Technology and because of the participation in that event of scientists from the California Institute of Technology, and Dr. William H. Pickering, Director of the Jet Propulsion Laboratory; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature extends its wholehearted congratulations and commendation to Major General John B. Medaris and those under his command for successfully accomplishing the launching and orbiting of the first American artificial earth satellite; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Major General John B. Medaris and Dr. William H. Pickering, Director of the Jet Propulsion Laboratory of the California Institute of Technology.

CHAPTER 41

Assembly Concurrent Resolution No. 31—Relative to the tenth anniversary of the State of Israel.

[Filed with Secretary of State March 19, 1958.]

WHEREAS, This year of 1958 marks the tenth anniversary of the establishment of the State of Israel; and

WHEREAS, In this short span of time, Israel, through the untiring efforts of its aggressive and forward-looking citizens, has made tremendous strides in its cultural, industrial, and scientific life; and

WHEREAS, This nation brought water to the thirsty land, made the desert bloom and the cities vibrate with economic activity, blessed its people with freedom, and opened up fresh vistas of hope and prosperity for the entire Middle East; and

WHEREAS, This republic has set a sterling example for the other nations of the world by giving comfort and solace to the thousands of homeless victims of war and persecution who have sought a haven within its borders; and

WHEREAS, Israel has maintained itself against overwhelming odds as the bulwark of democracy in the Middle East and as a staunch ally of the United States and the Free World; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature extend congratulations to the State of Israel on the occasion of its tenth anniversary among the family of nations, and take this opportunity to compliment the brave and liberty-loving people of this young country who, in spite of grave and almost insurmountable difficulties, carved a home for themselves and their children and in the process established a nation dedicated to the principles of democracy; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Los Angeles Jewish Community Council, the Israelian Consul General in Los Angeles, the Israelian Consul General in San Francisco, and the Israelian Ambassador in Washington, D. C.

CHAPTER 42

Senate Concurrent Resolution No. 10—Relative to the passing of Judge Thomas R. Thomson.

[Filed with Secretary of State March 19, 1958.]

WHEREAS, February 9, 1958, marked the passing of one of California's foremost citizens, former Superior Court Judge Thomas R. Thomson; and

WHEREAS, Judge Thomson began life in Paterson, New Jersey, and became self-supporting at the age of 11; and

WHEREAS, Judge Thomson was able to finance his education while working in a weaving mill; and

WHEREAS, In 1904 he came to California where he attended the University of California in Berkeley and received his degree in law; and

WHEREAS, Judge Thomson was eminently successful in the practice of law in Fresno, California, and also served as a federal referee in bankruptcy; and

WHEREAS, He was appointed a superior court judge in 1929 and served in that capacity until he retired in 1949; and

WHEREAS, He served his community and fellow citizens as president of the Fresno County Bar Association, as chairman of the Fresno County Chapter of the American Red Cross, as a member of the board of directors of the Fresno County Tuberculosis Association and as a leader in the Kiwanis Club, the Boy Scouts and other civic organizations; and

WHEREAS, Judge Thomson had a particular interest in problems involving juveniles and was a member of a state committee named by the California Conference of Judges to study a youth authority plan created by the Legislature; and

WHEREAS, The Members of this Legislature wish to pay tribute to Judge Thomas R. Thomson's life of civic service and to express their grief at his passing; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of this Legislature do hereby desire to express extreme sorrow at the loss of so devoted a public servant; and be it further

Resolved, That the Secretary of the Senate is directed to transmit suitably prepared copies of this resolution to Mrs. Ada Mae Thomson, widow of the late Thomas R. Thomson.

CHAPTER 43

Senate Concurrent Resolution No. 16—Relative to the death of Ross Graham Marshall.

[Filed with Secretary of State March 19, 1958.]

WHEREAS, The Members of the Legislature have learned with deep regret of the passing of Ross Graham Marshall; and

WHEREAS, Ross Marshall was born in Boston on April 2, 1896, and graduated from Brown University and La Salle Law School before deciding on his career in the field of journalism; and

WHEREAS, He began his work in the newspaper field as a carrier boy and during his 40 years as an honorable member of his profession, served with distinction on various newspapers in the East and later in California as a reporter, city editor and political editor; and

WHEREAS, Ross Marshall joined the old Los Angeles Evening Express in 1925, becoming political editor, which post he retained when the Express merged with the Herald to become

the Los Angeles Evening Herald and Express and after seven years of service in that capacity, he was appointed public relations director and legislative counsel of that newspaper, served as assistant to David W. Hearst, publisher of the Herald and Express; and

WHEREAS, He was a popular and respected member of many organizations, both professional and social, including the Jonathan Club and Advertising Club of Los Angeles, the California Newspaper Publishers Association, the San Francisco Press and Union League Club, the Sutter Club of Sacramento, the Veterans of Foreign Wars, the American Legion, Sigma Delta Chi national journalistic fraternity, the Masonic Order; and

WHEREAS, He served in the Navy in World War I and was cited for bravery; and received numerous civic and professional honors and citations; 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 tribute to the memory of Ross Graham Marshall, and offer their sincere condolences to the members of his family; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit suitably prepared copies of this resolution to Martha McVey Marshall, his widow; Patricia Ann Marshall, his daughter; Robert Marshall, his son; and to the Los Angeles Herald and Express.

CHAPTER 44

Senate Concurrent Resolution No. 25—Commending the Division of Architecture and the Division of Beaches and Parks on the restoration of the Old State Capitol at Benicia.

[Filed with Secretary of State March 19, 1958]

WHEREAS, The Old State Capitol Building at Benicia, used as a meeting place of the Legislature in 1853 and 1854, has been rededicated on this day as a state historical monument; and

WHEREAS, The historical research to determine the details of the usage and form of the building and the fixtures and furnishings for it have been painstakingly accomplished by personnel of the Department of Public Works, Division of Architecture, and the Department of Natural Resources, Division of Beaches and Parks; and

WHEREAS, The planning and reconstruction work of these two divisions have resulted in a remarkably authentic restoration of the building to the minutest detail and the furnishings have been reproduced in a manner to achieve an accurate and realistic impression of the State Capitol in 1853; and

WHEREAS, The people of Benicia have been of great aid to the state agencies in furnishing information and materials to assist in this restoration; and

WHEREAS, This building, following the meeting of the Legislature here today, will be available for viewing by the people of California as a valued adjunct to the study of the history of this State; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members thereof extend commendation to the Department of Public Works, Division of Architecture, and the Department of Natural Resources, Division of Beaches and Parks, on the excellence of workmanship and the authentic detail in the restoration of the Old State Capitol at Benicia, and its furnishings, and be it further

Resolved, That the Secretary of the Senate, transmit illuminated copies of this resolution to the State Architect and the Chief of the Division of Beaches and Parks.

CHAPTER 45

Senate Joint Resolution No. 8—Relative to harbors of refuge for small craft.

[Filed with Secretary of State March 20, 1958.]

WHEREAS, There is an urgent demand for harbors of refuge for fishing boats and other small craft along the Pacific Coast; and

WHEREAS, The improvement and development of such harbors of refuge will be useful in augmenting the Nation's food supply by facilitating the further exploration of the food resources of the ocean by small craft, as well as providing harbor facilities and safe havens of refuge from storms for fishing fleets and other small craft; and

WHEREAS, Such harbors of refuge will fill an urgent need of the United States Coast Guard in air and sea rescue endeavors, as well as providing harbor facilities for use of the armed forces in the event of hostilities; and

WHEREAS, In 1945 and 1946 the Congress of the United States authorized preliminary examinations and surveys with the view to the establishment of such harbors, which surveys were recommended by the United States Army Corps of Engineers; and

WHEREAS, There are great stretches of the California coast which are at present devoid of harbors of refuge but along which coast are situated places adapted by nature to ready development at cost to benefit ratios amply justifying congressional authorization and appropriation; and

WHEREAS, Pursuant to the Report of the Chief of Engineers, United States Army, dated at Washington, D. C., March 22, 1948 (embodied in House of Representatives, Eightieth Congress, 2d Session, Document No. 644), the project known as "Pillar Point Breakwater on Half Moon Bay," San Mateo County, California, by action of the Eightieth Congress became, and ever since has been, an "authorized" project; and

WHEREAS, The San Francisco District Engineer, having been furnished funds therefor, completed further studies and engineering data on said breakwater project, made his recommendation to the South Pacific Division Engineer of the United States Army Corps of Engineers for the General Design Memorandum about the month of January, 1957, and which General Design Memorandum was thereafter approved by the Chief of Engineers in Washington in July, 1957; and

WHEREAS, The Small Craft Harbors Commission, in the Department of Natural Resources of the State of California, at its meeting held in Redwood City, San Mateo County, California, on the twenty-ninth day of October, 1957, after careful examination and study of the various reports and engineering data pertaining to the project, and after viewing the site, became convinced, and by resolution unanimously adopted, that the Pillar Point Breakwater was of such "authorized" status and importance that it be given first priority—a classification for construction and completion as the first harbor of refuge south of San Francisco Bay, and thereby and therein urged the active support of Vice President Nixon, United States Senators Knowland and Kuchel and each California Representative in Congress to have included by the Bureau of the Budget an item of appropriation sufficient in amount to permit bids and letting of contracts for the construction of said project; and

WHEREAS, The Members of the California Legislature have been informed that the Bureau of the Budget failed to include an item of appropriation for construction of the Pillar Point Breakwater; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of California respectfully memorializes the Congress of the United States to take appropriate action to augment or supplement the budget for the ensuing fiscal year by adding thereto an item of appropriation for construction of said Pillar Point Breakwater; and be it further

Resolved, That the Legislature of California respectfully memorializes the Congress of the United States to authorize the United States Army Corps of Engineers to proceed forthwith and complete the preliminary examinations and surveys of other sites for harbors of refuge along the California coast, at intervals deemed adequate for the safety and protection of fishing fleets and other small craft; 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, the Secretary of Defense, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 46

Senate Concurrent Resolution No. 24—The Senator Luther E. Gibson-Assemblyman Samuel R. Geddes Resolution congratulating the people of the State of California and of Benicia on the restoration of the Old State Capitol Building.

[Filed with Secretary of State March 20, 1958]

WHEREAS, The Legislature on this day, March 15, 1958, is convening in the historical building in Benicia which served as the California State Capitol in 1853 and 1854; and

WHEREAS, This building which originally was the city hall of Benicia and was offered by its citizens for the use of the Legislature to a young state seeking a capital, is the only structure remaining of those which in the early days housed the Legislature prior to its permanent move to Sacramento; and

WHEREAS, The City of Benicia was founded in 1847 by Dr. Robert Semple (who later presided over the Constitutional Convention at Monterey) and Thomas O. Larkin, on land deeded from General Mariano Guadalupe de Vallejo, and was the home of the Benicia Arsenal (established in 1844 as the Benicia Barracks); and

WHEREAS, The Legislature first met in the State Capitol Building in Benicia on February 11, 1853; and

WHEREAS, The Honorable John Bigler, the third Governor of California, was inaugurated for his second term in that building; and

WHEREAS, The Legislature adjourned for the last time in Benicia on February 25, 1854, after the adoption that same day of a concurrent resolution by a vote of 39 ayes and 35 nays in the Assembly and 13 ayes and 11 nays in the Senate; and

WHEREAS, In the century since then, this former State House has had a varied history, seeing use again as a city hall, as a county courthouse and a grammar school, and at other times housing the fire department and public library; and

WHEREAS, It has now been conveyed to the State to be preserved as an historical monument for the enjoyment of all of the people of California; and

WHEREAS, The Division of Architecture in the State Department of Public Works, and the Division of Beaches and Parks in the Department of Natural Resources, are to be commended on their authentic restoration of the old building as it appeared when it was the seat of government of the newly formed State; and

WHEREAS, The Members of this 1958 Regular Session of the Legislature, composed of the following Senators and Assemblymen:

Senatorial districts	Counties represented	Senator
1	Modoc, Lassen, Plumas	Stanley Arnold
2	Del Norte, Siskiyou	Randolph Collier
3	Humboldt	Carl L. Christensen, Jr.
4	Mendocino, Lake	James E. Busch
5	Shasta, Trinity	Edwin J. Regan
6	Butte	Paul L. Byrne
7	Nevada, Sierra, Placer	Harold T. Johnson
8	Colusa, Glenn, Tehama	Louis G. Sutton
9	Amador, El Dorado	Swift Berry
10	Yuba, Sutter	Ed. C. Johnson
11	Napa, Yolo	Nathan F. Coombs
12	Sonoma	F. Presley Abshire
13	Marin	John F. McCarthy
14	San Francisco	Robert I. McCarthy
15	Solano	Luther E. Gibson
16	Alameda	Arthur H. Breed, Jr.
17	Contra Costa	George Miller, Jr.
18	Santa Clara	John F. Thompson
19	Sacramento	Earl D. Desmond
20	San Joaquin	Alan Short
21	San Mateo	Richard J. Dolwig
22	Stanislaus	Hugh P. Donnelly
23	Santa Cruz, San Benito	Donald L. Grunsky
24	Merced, Madera	James A. Cobey
25	Monterey	Fred S. Farr
26	Calaveras, Tuolumne, Mariposa	Stephen P. Teale
27	Kings	Robert I. Montgomery
28	Alpine, Mono, Inyo	Charles Brown
29	San Luis Obispo	A. A. Erhart
30	Fresno	Hugh M. Burns
31	Santa Barbara	John J. Hollister, Jr.
32	Tulare	J. Howard Williams
33	Ventura	James J. McBride
34	Kern	Jess R. Dorsey
35	Orange	John A. Murdy, Jr.
36	San Bernardino	Raymond H. Gregory
37	Riverside	Nelson S. Dilworth
38	Los Angeles	Richard Richards
39	Imperial	John William Beard
40	San Diego	Fred H. Kraft

Assembly districts	Counties represented	Assemblyman
1	Del Norte, Humboldt, Mendocino	Frank P. Belotti
2	Siskiyou, Modoc, Trinity, Shasta, Lassen, Plumas, Sierra	Pauline L. Davis

Assembly districts	Counties represented	Assemblyman
3	Tehama, Glenn, Lake, Colusa, Yolo	Lloyd W. Lowrey
4	Butte, Yuba, Sutter	Harold T. Sedgwick
5	Napa, Solano	Samuel R. Geddes
6	Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Inyo, Mono	Francis C. Lindsay
7	Sonoma, Marin	Richard H. McCollister
8–9	Sacramento	Thomas J. McBride
		Roy J. Nielsen
10–11	Contra Costa	Donald D. Doyle
		S C. Masterson
12	San Joaquin	William Biddick, Jr.
13–18	Alameda	Carlos Bee
		Robert W. Crown
		L. H. Lincoln
		Walter I. Dahl
		William B Rumford
		Don Mulford
19–24	San Francisco	Charles W. Meyers
		Phillip Burton
		Caspar W Weinberger
		John A. Busterud
		John A. O'Connell
		Edward A. Gaffney
25–26	San Mateo	Louis Francis
		Carl A. Britschgi
27	San Benito, Santa Cruz	Glenn E. Coolidge
28–29	Santa Clara	Clark L. Bradley
		Bruce F. Allen
30	Stanislaus	Ralph M. Brown
31	Merced, Madera	Gordon H. Winton, Jr.
32–33	Fresno	Wallace D. Henderson
		William W. Hansen
34	Monterey	Alan G. Pattee
35	Kings, Tulare	Myron H. Frew
36	San Luis Obispo, Santa Barbara	James L. Holmes
37	Ventura	Rex M. Cunningham
38–39	Kern	Dorothy M. Donahoe
		H. W. (Pat) Kelly
40–70	Los Angeles	Edward E. Elliott
		Allen Miller
		Wm. F. (Bill) Marsh
		Howard J. Thelin
		Herbert R. Klocksiem
		Don Anderson
		Charles Edward Chapel
		Albert I. Stewart

Assembly districts	Counties represented	Assemblyman
		Frank Lanterman
		Ernest R. Geddes
		Thomas M. Erwin
		William A. Munnell
		Frank G. Bonelli
		Montivel A. Burke
		John L. E. Collier
		Vernon Kilpatrick
		Seth J. Johnson
		Charles J. Conrad
		Joseph C. Shell
		Thomas M. Rees
		Harold K. Levering
		Lester A. McMillan
		Augustus F. Hawkins
		Don A. Allen, Sr.
		Lou Cusanovich
		Jesse M. Unruh
		Charles H. Wilson
		Clayton A. Dills
		Vincent Thomas
		Carley V. Porter
		W. S. (Bill) Grant
71	Riverside	L. M. (Lee) Backstrand
72–73	San Bernardino	Eugene G. Nisbet
		Jack A. Beaver
74–75	Orange	Bruce Sumner
		Richard T. Hanna
76	Imperial	Leverette D. House
77–80	San Diego	Sheridan N. Hegland
		Frank Luckel
		George G. Crawford
		Jack Schrade

wish to commemorate the historic event occurring here today in the City of Benicia; now, therefore, be it

Resolved by the Senate of the State of California, The Assembly thereof concurring, That the Members hereby congratulate the citizens of California and of Benicia on this occasion of the rededication of the former State Capitol; and be it further

Resolved, That the Secretary of the Senate transmit illuminated copies of this resolution to the City Council of the City of Benicia, and to the Monument Supervisor of the Benicia State Capitol Historical Monument, the latter's copy to be appropriately displayed in the Benicia State Capitol Building.

CHAPTER 47

Assembly Concurrent Resolution No. 27—Relative to the selection of the Legislative Counsel of California.

[Filed with Secretary of State March 20, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That pursuant to Section 10201 of the Government Code, Ralph N. Kleps is selected Legislative Counsel of California.

CHAPTER 48

Assembly Concurrent Resolution No. 34—Relative to adding Rule No. 34.2 to the Joint Rules of the Senate and Assembly, with respect to memorial resolutions.

[Filed with Secretary of State March 20, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Rule No. 34.2 be added to the Joint Rules of the Senate and Assembly, to read:

Memorial Resolutions Regarding Members and Former Members of the Legislature

34.2. Whenever the death of a Member of the Legislature occurs during his term of office, or whenever the death of a former member who had served in both houses of the Legislature occurs, a concurrent resolution may be used as a memorial resolution in respect thereto. In all other instances a Senate Resolution or a House Resolution, or both, shall be used as memorial resolutions with respect to the deaths of former Members of the Legislature.

CHAPTER 49

Senate Concurrent Resolution No. 29—Relative to the purchase of avocados by state institutions.

[Filed with Secretary of State March 21, 1958.]

WHEREAS, Avocados constitute one of the important agricultural products of this State and is a principal agricultural product in some of the counties of this State; and

WHEREAS, A large supply of avocados is now available at very low prices, and, therefore, in view of its great food value, avocados constitute one of the greatest available bargains in food products at the present time; now, therefore, be it

Resolved by Senate of the State of California, the Assembly thereof concurring, That state agencies responsible for the purchase of food supplies for state institutions be asked to con-

sider purchasing avocados for consumption in such state institutions; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Governor, the Director of Finance, the Department of Mental Hygiene, the Department of Corrections, and the Youth Authority.

CHAPTER 50

Assembly Joint Resolution No. 6—Relative to establishment of a new and separate federal judicial district for the Southern District of California.

[Filed with Secretary of State March 24, 1958]

WHEREAS, The City of San Diego is the center of a metropolitan area with an estimated population in excess of 700,000 and is one of the most rapidly growing in the Nation; and

WHEREAS, This metropolitan area is detached and geographically separated from the Greater Los Angeles metropolitan area; and

WHEREAS, San Diego and Imperial Counties have come to constitute a third distinct area of population concentration in California; and

WHEREAS, These counties are now included in the judicial district for the Southern District of California; and

WHEREAS, That district, one of only two into which California is now divided, encompasses an area with a population well in excess of 8,000,000; and

WHEREAS, Based upon the criterion of area, population, or volume of litigation, California, with only two districts, in comparison with other states such as Texas with four districts, New York with four districts, Illinois with three districts, and Pennsylvania with three districts, should comprise three or more districts; and

WHEREAS, Representatives Wilson, Utt, and Hillings have introduced in the House of Representatives, H. R. 229, a bill "To provide that Imperial and San Diego Counties in the State of California shall constitute a new and separate judicial district to be known as the Southern District of California, and to redesignate the present Southern District as the Middle District of California" and a similar measure has been introduced in the Senate by Senators Knowland and Kuchel; and

WHEREAS, Enactment of this legislation is essential to the administration of the federal district courts in California and to accommodation of the volume of litigation that comes before those courts; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact H R. 229 or similar legislation; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Speaker and Chairman of the Committee on the Judiciary of the House of Representatives, to the President pro Tempore and Chairman of the Committee on the Judiciary of the Senate, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 51

Assembly Joint Resolution No. 9—Relative to increased benefits for retired members of the armed forces and for survivors of armed forces personnel.

[Filed with Secretary of State March 24, 1958]

WHEREAS, There is now pending before the Congress of the United States legislation, including H. R. 9979, concerning an increase in the basic and other pay of armed forces personnel; and

WHEREAS, H. R. 9979 would also increase in proportionate amount the benefit payments to survivors of armed forces personnel under the Servicemen's and Veterans' Survivor Benefits Act; and

WHEREAS, H. R. 9979 specifically excludes from any benefit increase based on the proposed increase in basic pay persons who are presently entitled to or receiving retirement pay for past honorable service, except certain persons who retired prior to the effective date of the act, served on continuous active duty for at least one year, and retire after the effective date of the act; and

WHEREAS, Retired members of the Armed Forces of the United States reside in every portion of our Country, however, the State of California is privileged to have great numbers of such retired personnel who have served their Country faithfully and with distinction; and

WHEREAS, There appears to be no basis for this gross discrimination against retired personnel, who by reason of past meritorious services are equally entitled to benefits granted active duty members of the armed forces and survivors of military personnel; and

WHEREAS, The circumstances of retirement should not penalize these honorable members of our society, who must meet the present increased cost of living the same as active duty personnel and survivors; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to amend H. R. 9979, or any similar legislation, to include presently retired members of the armed forces within the provisions increasing the basic pay of members of the armed forces, so that their retirement benefits will be increased

accordingly, and to enact this legislation in such amended form; and be it further

Resolved, That the Legislature of the State of California commends the inclusion of survivors of armed forces personnel under the Servicemen's and Veterans' Survivor Benefits Act within the provisions of such legislation so that their benefits will be increased proportionately; 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 52

Assembly Concurrent Resolution No. 41—Relating to the 100th anniversary of the official newspaper of the Archdiocese of San Francisco, the Monitor.

[Filed with Secretary of State March 24, 1958.]

WHEREAS, The first issue of the Monitor was circulated in San Francisco on March 6, 1858, when the Vigilance Committee was law and just 11 years after the sleepy pueblo of Yerba Buena had become the City of San Francisco; and

WHEREAS, This paper, established by James Hamill, James Macks, and Patrick J. Thomas, and bearing the motto "Unity in essentials, freedom in things debatable, charity in all things" was described by contemporary journals as an "organ of the Catholic and Irish interests in California" and "it is finely printed and contains a great variety of reading matter"; and

WHEREAS, The Monitor has continued to maintain the highest standard of professional journalism from the early days of its publication when the news arriving by clipper ships, pony express, stagecoach, and eventually by telegraph and train, was printed and distributed to the residents of San Francisco; and

WHEREAS, On at least two occasions in the past, including the disastrous San Francisco earthquake and resulting fire of 1906, the office and equipment of the Monitor was completely destroyed, and yet the Monitor resumed and continued publication to this day; and

WHEREAS, On April 1, 1877, this newspaper was chosen by Archbishop Alemany to be, and has been to the present day, the official newspaper of the Archdiocese of San Francisco; and

WHEREAS, During the past century a distinguished group of editors coming from all walks of life, including priests, miners, architects, and professors, have contributed to the fine character and professional excellence which the Monitor has achieved; 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 extends its heartiest congratulations to the Monitor, its publication editor, and staff upon the 100th anniversary of its founding; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Most Reverend John J. Mitty, D.D., Archbishop of San Francisco and Publisher, the Most Reverend Hugh A. Donahue, Auxiliary Bishop of San Francisco and past Editor, and Monsignor Walter J. Tappe, Editor.

CHAPTER 53

Senate Joint Resolution No. 10—Relative to federal accounting practices.

[Filed with Secretary of State March 24, 1958]

WHEREAS, Under the present federal accounting system, agencies receiving lump sum appropriations for projects running over a period of years are not required to report on the cost of the programs or their progress from year to year; and

WHEREAS, This antiquated procedure results in an enormous waste of money to the taxpayers annually; and

WHEREAS, The Hoover Commission, which estimates such "carryover" funds at 70 billion dollars, almost a year's total budget, has recommended that federal budgeting be placed on an annual accrued expenditures basis to stop this wasteful practice; and

WHEREAS, The proposal, as embodied in H. R. 8002, would provide for Congress to retain control over such expenditures by appropriating them on a yearly basis and checking them by yearly review; and

WHEREAS, In the last session of Congress this bill was passed by the Senate unanimously, and was one of the chief recommendations in President Eisenhower's recent budget message; 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 enact into law H. R. 8002 placing federal budgeting on an annual accrued expenditures basis; and be it further

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

CHAPTER 54

Senate Joint Resolution No. 17—Relative to National Guard Armories in California.

[Filed with Secretary of State March 24, 1958]

WHEREAS, The purpose of the National Defense Facilities Act of 1950 (Pub. Law 783, 81st Cong., as amended) is to provide for construction and expansion of facilities necessary for the proper development, training, operation, and maintenance of the reserve components of the armed forces; and

WHEREAS, It is the intention of that act that federal funds be made available to the states for construction of armories when the states have made available sites and matching funds for such armories; and

WHEREAS, The State of California now has available sites and funds for the construction of approximately 25 such projects; and

WHEREAS, Construction of such armories would serve the dual purpose of providing adequate housing and facilities for the National Guard pursuant to the intent and purpose of the National Defense Facilities Act of 1950 and of providing additional employment for the citizens of California in the current period of economic recession; 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 make available to the State of California funds for the construction of armories pursuant to the provisions of the National Defense Facilities Act of 1950; 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, to each Senator and Representative from California in the Congress of the United States, to the Secretary of Defense, to the Secretary of the Army, to the Joint Chiefs of Staff, to the chairman and members of the Armed Services Committee of each house of the Congress, and to the Adjutant General of California.

CHAPTER 55

Senate Joint Resolution No. 4—Relative to the location of a sea water conversion plant in Southern California.

[Filed with Secretary of State March 24, 1958]

WHEREAS, Senator Clinton P. Anderson, of New Mexico, has recently made a request in Congress for an appropriation of $10,000,000 for the construction of a full-scale demonstration plant for the production from sea water of water suitable for

agricultural, industrial, municipal, and other beneficial consumptive uses through the utilization of the ionic-membrane process or one of the three most promising saline-water conversion processes currently under study in the Department of the Interior; and

WHEREAS, The County of Los Angeles has transmitted to Senator Anderson a request that Southern California be chosen as the site of the proposed demonstration plant; and

WHEREAS, Southern California is probably the most logical place in the Country for the location of such a plant in view of its coastal location and its urgent need for water to supplement its supply from other sources; 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 the necessary steps to make Southern California the site of the proposed $10,000,000 sea water conversion test plant; and be it further

Resolved, That the Secretary of the Senate be 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 56

Assembly Concurrent Resolution No. 38—Relative to science in the California schools.

[Filed with Secretary of State March 27, 1958]

WHEREAS, It has been disclosed that California public high school graduates are largely responsible for the development of America's first satellite; and

WHEREAS, Official army records show that 15 of the 16 key scientists who produced the satellite at the California Institute of Technology Jet Propulsion Laboratory are graduates of American public high schools, and of these, 10 received their high school education in this State; and

WHEREAS, These men, of whom California may be justly proud, are: Jack E. Froehlich, Burbank High School, Burbank, California Institute of Technology, project director; Henry L. Richter, Jr., Narbonne High School, Lomita, California Institute of Technology, co-ordinator for International Geophysical Year experiments; Robert J. Parks, Newport Harbor Union High School, Newport Beach, California Institute of Technology, supervisor of environmental laboratory work, testing equipment to design components to stand launching shocks and rigors of space; Eberhardt Rechtin, Redondo Union High School, Redondo Beach, California Institute of Technology, consultant; Manfred Eimer, Dorsey High School, Los Angeles, California Institute of Technology, assistant su-

pervisor of satellite observation; John C. Porter, 24th Street School, Los Angeles, Pasadena Junior College, California Institute of Technology, supervisor of data analysis section; Allen E. Wolfe, University High School, Oakland, California Institute of Technology, supervisor of electric circuitry in missile operations; Robertson Stevens, Herbert Hoover High School, San Diego, United States Naval Academy, University of California, in charge of development of satellite and microlock antenna; John G. Small, San Rafael High School, California Institute of Technology, in charge of missile operations, supervising mechanics, design and field preparations; and Karl W. Linnes, Francis Polytechnic High School, Los Angeles, University of California, supervisor of development of microlock tracking stations; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature congratulates the California Public School System for its part in training the American scientist of today; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Superintendent of Public Instruction.

CHAPTER 57

Assembly Concurrent Resolution No. 51—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 fourth day of March, 1958.

[Filed with Secretary of State March 27, 1958.]

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 4TH DAY OF MARCH, 1958, OF A CERTAIN AMENDMENT TO THE CHARTER OF THE CITY OF LONG BEACH, STATE OF CALIFORNIA.

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES, } ss.
CITY OF LONG BEACH.

Certificate

We, Raymond C. Kealer, 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 freeholders' charter adopted under the provisions of Section 8, Article XI, of the Constitution of the State of California, which charter was duly ratified by a majority of the electors of said City at a special election held therein on the 14th day of April, 1921, and approved by the Legislature of the State of California 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 4th day of March, 1958; and

That said proposed amendment was thereafter designated as Charter Amendment Proposition, and was on January 16, 1958, 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-3817, order the holding of a Special Municipal Election in said City of Long Beach on the 4th day of March, 1958, 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 February 19, February 20 and February 21, 1958, 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 4th day of March, 1958, 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 11th day of March, 1958, 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:

CHARTER AMENDMENT PROPOSITION

That the Charter of the City of Long Beach be amended by amending subdivision (f) of Section 229x, and by amending subdivision (b) of Section 298.5 to read, respectively, as follows:

Board of Harbor Commissioners' Powers

(f) Notwithstanding the proviso contained in the last paragraph in subdivision (a) of this section or the limitation as to term contained in subparagraph (aa) of paragraph (3) of subdivision (b) of this section, the Board of Harbor Commissioners may enter into cooperative or unit agreements with respect to the lands or any interest in the lands referred to in subdivision (a) of this section as more particularly hereinafter provided.

Whenever said Board may determine it is in the interest of safeguarding life, health, welfare or property, or that the subsidence or sinking of any of said lands or abutting lands may possibly be arrested or ameliorated thereby, or that it is in the interest of increasing the ultimate recovery of oil or gas from such lands or of the protection of the oil or gas in said lands from unreasonable waste, provision may be made in any lease, contract, or other agreement so as to provide, and any existing lease, contract or other agreement may be amended so as to provide, that any such lands may, at the direction of said Board, be included in a cooperative or unit agreement with other lands belonging to the City, or with other lands not be-

longing to the City, for the purpose of bringing about the cooperative development or operation of all or a part or parts of the oil and gas field in which such lands are located, or for the purpose of bringing about the development or operation of all or a part or parts of such field as a unit, or for the purpose of fixing the time, location, and manner of drilling and operating of wells for the production of oil or gas, or providing for the return or injection of gas, water or other substances into the subsurface of the earth. In the event said Board determines that any such lands, including lands not subject to any lease, contract or other agreement, should be included in such a cooperative or unit agreement, said Board shall have the power to negotiate and execute all agreements necessary to effectuate, implement or modify such arrangement, including the power to bind and commit any such lands to a cooperative or unit agreement for the full term thereof and irrespective of the termination date of any lease, contract or other agreement then in effect as to such lands. The term of any such cooperative or unit agreement may be for such period or periods, including indefinite periods, as said Board shall determine, and the competitive bidding provisions in this charter prescribed shall not apply to the making, implementation or modification of any such cooperative or unit agreement. The provisions of any existing lease, contract or other agreement between said Board and any other person, firm, corporation or association relating to the drilling for, developing, extracting, processing, taking, removing or disposition of oil or gas derived from the lands which are subject to such agreement may be amended, by negotiation and without resort to competitive bidding, to the extent said Board shall determine is necessary or desirable in order to institute or effectuate such a cooperative or unit agreement; provided, however, no such amendment and no such cooperative or unit agreement, nor any subsequent modification or amendment thereof, shall ever be construed as having the effect, either directly or indirectly, of extending the term of any lease, contract or other agreement then in effect as to such lands beyond the termination date therein expressly provided, but the foregoing shall not prevent said Board from extending the term of any such lease, contract or other agreement as permitted by this charter or applicable law.

Before any tidelands or submerged lands, whether filled or unfilled, may be included in or committed to any cooperative or unit agreement, or before any modification or amendment of any cooperative or unit agreement which includes such lands may be made:

1. Said Board shall first determine, by resolution, that the surface of such lands, or that portion of the surface intended to be utilized, is not required, and with reasonable certainty will not be required during the term of the proposed cooperative or unit agreement for the promotion or development of commerce, navigation or fishery; and

2. The State Lands Commission shall approve of any such agreement or any amendments thereto; and

3. The consent of the City Council, by resolution, to any such agreement or any amendments thereto shall be obtained.

Notwithstanding any other provision in this charter, the power of said Board to enter into unit or cooperative agreements as hereinabove granted shall include the power to do such acts or things and to incur such commitments and obligations as are customary in unit or cooperative agreements. Without limiting the generality of the foregoing, said Board shall have the right and power, anything to the contrary in section 254 of this charter notwithstanding, to give customary indemnities, liens on production, and other rights to the operator and other parties to the cooperative or unit agreement, and to share in the expenses of any such cooperative or unit agreement.

Except as hereinabove provided in this subdivision (f) of this section in connection with unit or cooperative agreements, and except as hereinafter provided in subdivision (g) of this section, any lease, contract or other agreement authorizing or empowering any person, firm, corporation or association, to drill for, develop, extract, take or remove, or dispose of oil, gas or other hydrocarbon substances from such lands shall be made and entered into with the highest responsible bidder upon competitive bidding in the manner and form as shall be approved by said Board, after publication of notice calling for bids in the official newspaper of the City; provided, however, said Board may exercise said powers by including lands referred to in subdivision (a) of this section, other than tidelands and submerged lands granted to the City by the State of California, in a community lease embracing adjoining lands not belonging to the City without such competitive bidding. All specifications and forms for the purpose of inviting bids covering tidelands and submerged land areas shall be approved in accordance with the requirements of the applicable laws of the State of California.

City council: Powers

(b) Notwithstanding the provisions contained in subdivision (a) of this section, the City Council may enter into cooperative or unit agreements with respect to the lands or any interest in lands referred to in subdivision (a) of this section other than those referred to in sections 229x and 217 of this charter, all as more particularly hereinafter provided.

Whenever the City Council may determine it is in the interest of safeguarding life, health, welfare or property, or that the subsidence or sinking of any of said lands or abutting lands may possibly be arrested or ameliorated thereby, or that it is in the interest of increasing the ultimate recovery of oil or gas from such lands or of the protection of the oil or gas in said lands from unreasonable waste, provision may be made in any lease, contract, or other agreement so as to provide, and any existing lease, contract or other agreement may be amended so as to provide, that any such lands may, at the direction of the City Council, be included in a cooperative or unit agree-

ment with other lands belonging to the City, or with other lands not belonging to the City, for the purpose of bringing about the cooperative development or operation of all or a part or parts of the oil and gas field in which such lands are located, or for the purpose of bringing about the development or operation of all or a part or parts of such field as a unit, or for the purpose of fixing the time, location, and manner of drilling and operating of wells for the production of oil or gas, or providing for the return or injection of gas, water or other substances into the subsurface of the earth. In the event the City Council determines that any such lands, including lands not subject to any lease, contract or other agreement, should be included in such a cooperative or unit agreement, the City Council shall have the power to negotiate and execute all agreements necessary to effectuate, implement or modify such arrangement, including the power to bind and commit any such lands to a cooperative or unit agreement for the full term thereof and irrespective of the termination date of any lease, contract or other agreement then in effect as to such lands. The term of any such cooperative or unit agreement may be for such period or periods, including indefinite periods, as the City Council shall determine, and the competitive bidding provisions in this charter prescribed shall not apply to the making, implementation or modification of any such cooperative or unit agreement. The provisions of any existing lease, contract or other agreement between the City Council and any other person, firm, corporation or association relating to the drilling for, developing, extracting, processing, taking, removing or disposition of oil or gas derived from the lands which are subject to such agreement may be amended, by negotiation and without resort to competitive bidding, to the extent the City Council shall determine is necessary or desirable in order to institute or effectuate such a cooperative or unit agreement; provided, however, no such amendment and no such cooperative or unit agreement, nor any subsequent modification or amendment thereof, shall ever be construed as having the effect, either directly or indirectly, of extending the term of any lease, contract or other agreement then in effect as to such lands beyond the termination date therein expressly provided, but the foregoing shall not prevent the City Council from extending the term of any such lease, contract or other agreement as permitted by this charter or applicable law.

Before any tidelands or submerged lands, whether filled or unfilled, may be included in or committed to any cooperative or unit agreement, or before any modification or amendment of any cooperative or unit agreement which includes such lands may be made, the State Lands Commission shall approve thereof.

Notwithstanding any other subdivision or section in this charter, the power of the City Council to enter into unit or cooperative agreements as hereinabove granted shall include the power to do such acts or things and to incur such commit-

ments and obligations as are customary in unit or cooperative agreements. Without limiting the generality of the foregoing, the City Council shall have the right and power, anything to the contrary in section 254 of this charter notwithstanding, to give customary indemnities, liens on production, and other rights to the operator and other parties to the cooperative or unit agreement, and to share in the expenses of any such cooperative or unit agreement.

No agreement providing for a cooperative or unit development plan shall be authorized, the effect of which would permit the construction or installation of derricks, machinery or apparatus on the surface of any land for the purpose of drilling for, pumping or producing oil, gas or other hydrocarbon substances in any area of the City in which such operations shall then be prohibited by regulatory or initiative ordinance.

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, Raymond C. Kealer, 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 13th day of March, 1958.

RAYMOND C. KEALER
(SEAL) 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,

Approval

Be it resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendment to the charter of the City of Long Beach, as proposed to, adopted and ratified by the qualified electors of said City of Long Beach, as hereinabove fully set forth, be and the same is hereby approved as a whole without amendment or alteration, for and as an amendment to and as a part of the charter of the City of Long Beach.

CHAPTER 58

Assembly Concurrent Resolution No. 53—Relative to the fiftieth anniversary of the Christian Science Monitor.

[Filed with Secretary of State March 27, 1958]

WHEREAS, November 25, 1958, will mark the fiftieth anniversary of the publishing of the Christian Science Monitor; and

WHEREAS, During this past half century the Christian Science Monitor has furnished an example of dispassionate journalism dedicated to the furtherance of freedom through understanding; and

WHEREAS, Its impartiality has won the respect of people of all faiths throughout the world, and its business ethics, especially in truthful advertising, have won their confidence and appreciation; and

WHEREAS, In recognition of its integrity and high standards of journalism the Monitor has received 89 major awards including eight official honors from foreign countries; and

WHEREAS, Its thoughtful, objective reporting of newsworthy items, free from unnecessary embellishment or sensationalism, is an example which could be profitably followed by all journalists; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature extend their sincere congratulations to the publishers of the Christian Science Monitor on its fiftieth anniversary of publication, and express their best wishes for the Monitor's continuing growth and service to the world; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to the publishers of the Christian Science Monitor.

CHAPTER 59

Assembly Joint Resolution No. 2—Relative to imported tuna.

[Filed with Secretary of State March 27, 1958.]

WHEREAS, The tuna fishing industry and the tuna canning industry are major industries of the State of California and are the chief contributing factor in maintaining California's position as the leading fishery state in the Nation; and

WHEREAS, The tuna fishing industry has lost a large share of its market to the severe competition from imported tuna which is introduced into this State in many forms and which is produced under standards far lower than those rightfully employed by California fishermen; and

WHEREAS, The tuna fishing industry has been faced with a substantial decline in the number of boats operating and with a consequential loss of employment, earnings, and potential production; and

WHEREAS, The tuna canning industry is faced with a similar decline of potential production due to increased imports of canned tuna and discriminatory treatment by virtue of the ability of canners in other states to buy partially processed forms of tuna and the same opportunity is not afforded California canners; and

WHEREAS, Appropriate remedial legislation by the Congress or administrative relief by the Executive is necessary if the California tuna fishing and canning industries are to survive and prosper; and

WHEREAS, There are pending in Congress several bills the enactment of which will be helpful in relieving the problems of the California tuna fishing and tuna canning industries; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully memorializes the Congress of the United States to enact legislation fully appropriate to the needs of our California tuna industries and consistent with United States trade policies which will relieve the tuna fishing and the tuna canning industries of California of the difficulties imposed by the increasing imports of all forms of tuna; 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 60

Assembly Joint Resolution No. 7—Relative to federal aid to schools.

[Filed with Secretary of State March 27, 1958.]

WHEREAS, Public Law 874 of the Eighty-first Congress, which established a program of federal aid to school districts which have suffered financial burdens as the result of federal activities, is scheduled to expire on June 30, 1958; and

WHEREAS, This program assists districts in which local revenues for schools have been reduced due to the acquisition of real property by the United States, districts which provide education for children living on federal property or whose parents are employed on federal property, and districts experiencing a sudden and substantial increase in school attendance because of federal activities; and

WHEREAS, Public Law 874 has been of extreme importance to local school districts whose attendance has been greatly increased by the children of military personnel; and

WHEREAS, There are many areas in California, as well as in other parts of the Country, where an adequate school program

will be seriously jeopardized if Congress fails to extend the provisions of this law; 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 President and Congress of the United States to continue the vitally needed program of assistance to public education by extending Public Law 874 beyond the expiration date of June 30, 1958; and be it further

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

CHAPTER 61

Assembly Concurrent Resolution No. 23—Relative to approving a calendar of topics for study by the California Law Revision Commission.

[Filed with Secretary of State March 28, 1958.]

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 and carry forward studies; and

WHEREAS, The commission has submitted to the Governor and the Legislature its 1958 report, containing its selections for study as prescribed by law; 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 continue study of those topics heretofore authorized for study by the Legislature and upon which the commission has not yet made a report and to undertake a study of each of the following topics:

Topic 1. A study to determine whether California statutes relating to service of process by publication should be revised in light of recent decisions of the United States Supreme Court.

Topic 2. A study to determine whether Section 1974 of the Code of Civil Procedure should be repealed or revised.

Topic 3. A study to determine whether the doctrine of election of remedies should be abolished in cases where relief is sought against different defendants.

CHAPTER 62

Senate Joint Resolution No. 14—Relative to flood control works on the Sacramento River from Chico Landing to Red Bluff.

[Filed with Secretary of State March 28, 1958.]

WHEREAS, The storms in February of this year and the flood flows resulting therefrom (which flows were about equal to historical maximum flows and resulted in extensive damage

to locally built levees, soil erosion works, orchards, state and county highways, and other private and public property) prove conclusively that Shasta Dam cannot provide adequate flood control to protect the areas lying along the Sacramento River below the dam, because of the great quantities of runoff originating below the dam; and

WHEREAS, The presently authorized levee works for flood control on the Sacramento River and Tributaries do not extend upstream above Chico Landing; and

WHEREAS, There is presently before the House of Representatives for consideration, the current omnibus flood control authorization bill (S. 497), which includes therein authorization of bank revetment work (but no levee construction work) between Chico Landing and Red Bluff; and

WHEREAS, There is an urgent need for the early construction of the flood control works in this area which are at present authorized but not constructed, which works include the Iron Canyon Dam on the Sacramento River, Black Butte Reservoir on Stony Creek, improvement of levees along the west bank of the Sacramento River from Stony Creek south to the Colusa County line, and the construction of a levee on the east side of the Sacramento River from Chico Landing to connect with the present levee at the south boundary of the Parrott Grant; and

WHEREAS, A resolution has been suggested to California Senators and Representatives in Congress by certain groups in the northern Sacramento Valley for adoption by the respective Public Works Committees of the House of Representatives and the Senate, substantially as follows:

> "Resolved by the Public Works Committee of the Senate (or the House of Representatives) of the United States, That the Board of Engineers for Rivers and Harbors be, and is hereby, requested to review the report on Sacramento River and Tributaries, California, from Colinsville to Shasta Dam, submitted in House Document No. 649, Seventy-eighth Congress, Second Session, and other pertinent reports, with a view to determining if the plan of improvement for the Sacramento River and Butte Basin should be modified at this time, particularly with respect to the Table Mountain (Iron Canyon) Project on the Sacramento River, and possible supplementary storage on streams tributary to the Sacramento River between Shasta Dam and Red Bluff."

and

WHEREAS, The California Water Commission and the Department of Water Resources, as well as other groups in the northern Sacramento Valley, are supporting this proposed study; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly,

(1) That the Legislature of the State of California respectfully memorializes the President and the Congress of the

United States to enact the principles as set forth in S. 497 in order that the urgently needed bank revetment work between Chico Landing and Red Bluff authorized therein may be accomplished at the earliest possible time to provide added flood protection to this area of the State of California; and

(2) That the Legislature further respectfully memorializes the Senators and Representatives from California in the Congress of the United States to secure the early adoption of a Senate or House Public Works Committee resolution requesting a review report on the Sacramento River and Tributaries Flood Control Project, as indicated in this resolution, and including a study of levee requirements in the area above Chico Landing, together with a request that funds be made available immediately to the Corps of Engineers in order that it may proceed at once with such review; and

(3) That the review report shall include a complete study of the flood control and multiple use possibilities of reservoirs on Cottonwood Creek and other main tributary streams above Iron Canyon as urged by the California Water Commission; 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 63

Senate Concurrent Resolution No. 31—Relative to Vanguard I.

[Filed with Secretary of State March 28, 1958]

WHEREAS, In one of the most perfect flights ever seen at the Nation's missile test center at Cape Canaveral, Florida, the United States Navy has placed the satellite Vanguard I in orbit further out in space than any previous earth satellite; and

WHEREAS, Carried into space by a slender grey-green three-staged Vanguard rocket built by the Martin Company, the satellite is in an elliptical orbit which brings it within 400 miles of the ground at its nearest point and sends it out a possible 2,500 miles at its furthest point; and

WHEREAS, The orbit which was achieved was so ideal that it is predicted that the satellite will have a life expectancy of between 5 and 10 years; and

WHEREAS, As the satellite circles the earth at a speed of more than 18,000 miles an hour, its two radios even now are transmitting new knowledge to our scientists; and

WHEREAS, The people of California are particularly pleased by the Navy's success in placing the Vanguard I in orbit since the second stage liquid fuel rocket engine which helped power the satellite into orbit was produced by the Aerojet-General Corporation of Sacramento; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California does hereby express sincere congratulations to the United States Navy, to the Martin Company, and to the Aerojet-General Corporation upon the placing in orbit of the earth satellite Vanguard I; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President of the United States, to the Secretary of Defense, to the Secretary of the Navy, to the Martin Company, and to the Aerojet-General Corporation.

CHAPTER 64

Assembly Joint Resolution No. 5—Relative to issuance of a special postage stamp on traffic safety.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The number of deaths and injuries resulting from accidents on our streets and highways has steadily increased over the years and is now a serious national problem; and

WHEREAS, Under the Federal Highway Act of 1956, a great expansion of our highway system throughout the Nation will take place, thereby making the problem of traffic safety of national importance; and

WHEREAS, Many local, state, and national organizations are engaged in carrying out programs of traffic safety in an attempt to alleviate this problem; and

WHEREAS, Driver attitude and responsibility are recognized as the most important factors in promoting highway safety; and

WHEREAS, Studies indicate that an effective means of reaching the individual driver is through the issuance of a special postage stamp on traffic safety, since such a stamp would be a constant reminder to each citizen of the importance of traffic safety; and

WHEREAS, The issuance of such a stamp would greatly assist the many local, state, and national organizations in carrying out their vitally important programs of traffic safety; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California memorializes the Postmaster General of the United States to provide for the issuance of a special stamp on traffic safety; 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 Postmaster General 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 65

Assembly Joint Resolution No. 8—Relative to the recovery of government sniperscopes.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, During World War II and thereafter an illuminating device, which came to be known as the sniperscope, was developed and improved upon by various branches of the armed services of the United States to the point where it became of great assistance in the accomplishment of the missions of these branches; and

WHEREAS, The sniperscope is a nighttime illuminating device normally attached to a rifle or carbine and which, through the utilization of an infrared light source and an electronic telescope, enables the operator thereof to visually distinguish and locate objects during periods of darkness; and

WHEREAS, Numbers of these sniperscopes have since come into the possession of persons who are not members of the armed forces, thus creating not only a potential for crime during the hours of the day in which that potential is already very great, but also opening avenues of unlawful conduct not normally possible during nighttime hours; and

WHEREAS, The Assembly and the Senate of the State of California deem it desirable to remove this possible threat to the peace and welfare of the State of California; 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 President and Congress of the United States and the Secretary of Defense to take such steps as are necessary to recover all government sniperscopes, or parts thereof, whether assembled or disassembled, that are presently possessed by those private persons not members of the armed services; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to the 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, and to the Secretary of Defense.

CHAPTER 66

Assembly Concurrent Resolution No. 25—Relative to the continuation of state-operated community mental hygiene clinics.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The Legislative Counsel, in an opinion dated February 25, 1958, has stated that there is nothing in the language of the Short-Doyle Act to indicate that it was the

Legislature's intention in enacting the same to discontinue the operation of state community mental hygiene clinics; and

WHEREAS, Never during the course of the preceding six years when the Legislature has had before it proposals to establish programs designed to encourage the establishment of local mental hygiene clinics has the Legislature, in committee or otherwise, favored any proposal which would have resulted in the elimination of state clinics; and

WHEREAS, It is the belief of the Legislature that the continued operation of state clinics would not hamper the establishment of local clinics under the Short-Doyle Act in areas served by the state clinics, but rather would encourage local authorities to avail themselves of the act, as witnessed by the fact that of the six areas now served by state clinics the City of Fresno, the City of Los Angeles, and the County of Los Angeles have already filed applications for assistance under the Short-Doyle Act; and

WHEREAS, The discontinuance of state clinics would, in effect, make the provisions of the Short-Doyle Act mandatory by compelling those areas now served by state clinics to establish local clinics to carry on services now provided by the State, a result definitely not intended by the Legislature; and

WHEREAS, The Short-Doyle Act has actually been in operation for a very short period, entirely insufficient to determine whether local services established thereunder would compensate for the loss of state clinics, and this Legislature has no intention of binding future Legislatures, and prejudging the effectiveness of the act, by putting a termination date, express or implied, on the existing program of state services; and

WHEREAS, Statements made to the effect that state-operated clinics will soon be closed as a result of the Short-Doyle Act have been detrimental to the morale of personnel employed in those clinics, which in turn has had an adverse effect on persons now applying for or receiving aid at the state clinics; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature, in order to eliminate any misunderstanding or misinterpretation concerning its action in enacting the Short-Doyle Act, hereby declares that it was not its intention that state-operated clinics be discontinued, but rather that local clinics qualified for aid under the act should augment and expand the services now provided by state clinics.

CHAPTER 67

Assembly Concurrent Resolution No. 28—Relative to augmenting the funds of the Joint Legislative Committee for School Visitations.

[Filed with Secretary of State March 31, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the sum of three thousand two hundred fifty dollars ($3,250), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Assembly and the Senate for the expenses of the Joint Legislative Committee for School Visitations (continued by Senate Concurrent Resolution No. 20, 1957 Regular Session) 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 68

Assembly Concurrent Resolution No. 44—Relative to the Amateur Athletic Union's Seventieth Annual Track and Field Meet.

[Filed with Secretary of State March 31, 1958.]

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; and

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 co-operation 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 in competition with Russian athletes in the U. S. S. R., where athletes from the United States will doubtless prove 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 Seventieth Annual Track and Field Meet which will be held at the Bakersfield Memorial Stadium June 20th and 21st; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Metropolitan Bakersfield is to be congratulated that it has an organization such as the Greater Bakersfield Chamber of Commerce which has expressed on the behalf of the community that entity's wholesome and warmhearted hospitality by inviting the Country as a whole to enjoy in company with it the performance of many of the world's great athletes; and be it further

Resolved, That the Greater Bakersfield Chamber of Commerce and its committee on arrangements are to be commended for their untiring efforts to bring the National Athletic Union Championship Track and Field Meet to the State of California; and be it further

Resolved, That the Central Section of the Amateur Athletic Union is commended for its part in bringing this Seventieth Annual Amateur Athletic Union Track and Field Meet 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.

CHAPTER 69

Assembly Concurrent Resolution No. 46—Relative to congratulating Fred Arnold, political editor of the Los Angeles Evening Herald-Express, upon his retirement.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, It has come to the attention of the Legislature that Fred Arnold, political editor of the Los Angeles Evening Herald-Express, is planning to retire in the near future; and

WHEREAS, This professional journalist will have been engaged in the newspaper profession some 62 years as of June, 1958, having been with the Herald-Express for 30 years; and

WHEREAS, Since he began newspaper work at the age of 15, he has served with many newspapers throughout the Country, including the New Brunswick (New Jersey) Home News, the Long Beach Press, the Oakland Tribune, the New York American, the Brooklyn Standard Union, the Los Angeles Morning Tribune and Express, and the Illustrated Daily News; and

WHEREAS, During his many years as a journalist he has met Grover Cleveland, Theodore Roosevelt, William Howard Taft, Woodrow Wilson, Warren G. Harding, Calvin Coolidge and Herbert Hoover, and in addition has observed the careers of Franklin D. Roosevelt, Harry Truman and Dwight D. Eisenhower; and

WHEREAS, Fred Arnold, by virtue of political acumen honed through years of experience, has developed a penetrating analysis of the political scene, the accuracy and objectiveness of which has earned for him the respect of political figures of all rank; 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 extends its congratulations to Fred Arnold upon the occasion of his retirement and its highest commendation for his career as a political analyst, together with best wishes for a continued active and happy life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to submit a suitably prepared copy of this resolution to Fred Arnold.

CHAPTER 70

Assembly Concurrent Resolution No. 47—Relative to the Los Angeles "Dodgers" and San Francisco "Giants."

[Filed with Secretary of State March 31, 1958]

WHEREAS, As the cry of "play ball" once again resounds throughout the Nation, the people of California are, for the first time, represented in the majors; and

WHEREAS, It is a signal honor that the representatives are two of the most famous and outstanding teams in organized baseball, the "Dodgers" and the "Giants"; and

WHEREAS, The epic crosstown rivalry between these two teams, which has contributed some of the brightest moments in the glorious history and tradition of baseball, will now be continued in a spirit of friendly athletic rivalry between Los Angeles and San Francisco; and

WHEREAS, It is particularly fitting that opening day, April 15th, will find the "Dodgers" pitted against the "Giants" in San Francisco; and

WHEREAS, As the season progresses and these teams meet the other fine teams of the National League they will have the loyal support of every California; and

WHEREAS, The people of this State are deeply gratified and extremely proud that each of these teams has staked its future in California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legisla-

ture of California, in behalf of all the people of this great State, do hereby extend a most hearty welcome to the Los Angeles "Dodgers" and to the San Francisco "Giants" and express best wishes for success to each club in its new home; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to the managements of the Los Angeles "Dodgers" and the San Francisco "Giants," to Mayor Norris Poulson of the City of Los Angeles, and to Mayor George Christopher of the City and County of San Francisco.

CHAPTER 71

Assembly Concurrent Resolution No. 50—Relative to merit awards to state employees.

[Filed with Secretary of State March 31, 1958.]

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 Robert S. Mendoth, Department of Employment, for a suggestion that effects annual savings of two thousand eight hundred dollars ($2,800) by recommending a procedure that eliminated the use of 18,000 copies of form DE 1880, and a savings of 1,200 hours in personnel time in the processing of such forms; and

WHEREAS, An award of one hundred fifty dollars ($150) has already been made to Ted D. Johnston, San Francisco Port Authority, for a suggestion that resulted in a net increase in rentals of three thousand four hundred seventy-two dollars ($3,472) per year through his proposal that 7,000 square feet of the second floor of the Ferry Building be converted from display space to office space carrying a higher rental, through the installation of suitable office windows in the east wall of the Ferry Building; 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:

Robert S. Mendoth, one hundred thirty dollars ($130);

Ted D. Johnston, twenty-eight dollars ($28);

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 72

Assembly Concurrent Resolution No. 52—Relating to the Diamond Jubilee of the Young Men's Institute.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, There was a period in the history of the United States when great numbers of Irish immigrants arrived from Ireland and when various secular societies were forming and attracting new members; and

WHEREAS, It was determined by a certain group of young men who gathered together on the night of March 4, 1883, in the City of San Francisco that a fraternal organization should be formed that would provide not only mutual aid and benevolence, but also help the individual to improve the practice of his faith and become a better citizen, father, son, and American; and

WHEREAS, There was on that day formed the Young Men's Institute with membership growing from six to 10,300 in the years of its existence, with councils from coast to coast; and

WHEREAS, Members of that organization can look back to service bearing out its motto—Pro Deo, Pro Patria (For God and For Country)—through such activities as the providing for food and clothing for some 3,000 families during the business panic of 1894, the inauguration of the now nationwide reverent observation of Good Friday movement, its work in the establishment of a club for service personnel in 1941, and its program for guaranteeing a religious education through high school for children of deceased members; and

WHEREAS, The Young Men's Institute has seen the formation and continued growth of its sister organization, the Young Ladies' Institute; and

WHEREAS, The Young Men's Institute will hold its annual convention in San Francisco, the city of its founding, in July of this year; and

WHEREAS, This organization is celebrating its seventy-fifth anniversary, having already held the first of the Diamond Jubilee events in the form of a communion-breakfast at the Fairmont Hotel, and now preparing for the second event, a civic dinner to be attended by church, civic and state dignitaries on April 26, 1958, at the Mark Hopkins Hotel; 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 congratulates the Young Men's Institute on the occasion of its seventy-fifth anniversary; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Most Reverend John J. Mitty, D.D., Archbishop of San Francisco; Most Reverend Hugh A. Donahoe, D.D., Auxiliary Bishop of San Francisco; Daniel J. O'Hara, Jr., Grand President of the Young Men's Institute; Patricia F. McMillian,

Grand President of the Young Ladies' Institute; William Laughrey, President of the Young Men's Institute Board of Management; Marge Fusco Ray, President of the Young Ladies' Institute Board of Management; Reverend Joseph P. O'Reilly, Grand Chaplain, Young Men's Institute; and Monsignor William F. Reilly, Grand Chaplain, Young Ladies' Institute.

CHAPTER 73

Senate Joint Resolution No. 22—Relative to the University of California Band.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The University of California Marching Band has recently been honored to receive an invitation from the State Department to represent the United States at the World's Fair in Brussels, Belgium, this summer; and

WHEREAS, The band, famous for its precision marching as well as musical ability, has received final approval for the trip from the Board of Regents of the University; and

WHEREAS, A campaign is now in progress to raise money for the tour since the band must finance its own way; and

WHEREAS, The members of the group will leave San Francisco on June 17, and during their three-week stay in Europe will present several music and marching performances in major cities; 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 appropriate funds sufficient to pay the expenses of the University of California Marching Band on its forthcoming trip to Europe, or to pay the difference between the cost of the trip and the amount of funds received from voluntary donations; and be it further

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

CHAPTER 74

Senate Concurrent Resolution No. 12—Relative to an all-year route to the Mineral King sector of Sequoia National Forest.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, Existing highway access to the Mineral King area is of low standard and open to traffic only in those months that are free of snowfall; and

WHEREAS, The rapid growth of interest in winter sports in California has created increased demand for winter sports areas with dependable snow cover, particularly in regions reasonably within reach of Southern California residents; and

WHEREAS, The Mineral King sector of Sequoia National Forest is reputed to have potential for winter sports development second to no other winter sports area in the United States; and

WHEREAS, Development of adequate highway access is complicated by the fact that land areas which might be transversed by a suitable road to the Mineral King basin are administered in part by the National Park Service and the U. S. Forest Service; and

WHEREAS, The feasibility of an all-year, all-season access road into the Mineral King sector, from the viewpoints of engineering, routing and financing, is a matter 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 the Division of Highways, is requested to investigate in co-operation with the U. S. Bureau of Public Roads, the National Park Service, the U. S. Forest Service, and the County of Tulare, the feasibility of constructing an all-year, all-season road of adequate standard between one or more of several terminus points on roads in the San Joaquin Valley to provide all-year, all-season access to the Mineral King basin, and to report its findings to the Legislature not later than January 15, 1959; 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 75

Senate Concurrent Resolution No. 14—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

[Filed with Secretary of State March 31, 1958.]

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 four hundred twenty thousand dollars ($420,000) 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 76

Senate Concurrent Resolution No. 17—Relative to the support of the Red Cross drive for funds for disaster relief.

[Filed with Secretary of State March 31, 1958]

WHEREAS, The American Red Cross has established an outstanding record of public service in providing for disaster and rescue operations in times of national crisis; and

WHEREAS, Since the floods that swept the northern part of California in 1955 the American Red Cross has been confronted with an almost unbroken series of national disasters to which the organization and its members have responded gallantly and heroically; and

WHEREAS, The continued operation of the American Red Cross is jeopardized by a serious lack of funds to successfully meet more such disasters; and

WHEREAS, The President of the United States has opened the 1958 American Red Cross fund drive with a call to the American people for the generous support of the American Red Cross and with the hope that the goal of $95,000,000 will be exceeded; now, therefore, be it

Resolved, by the Senate of the State of California, the Assembly thereof concurring, That the members of the Legislature do hereby call upon the citizens of this State to open their hearts and give most generously so that the humanitarian work of the Red Cross may continue and so that that organization may respond to human need and suffering in the future; and be it further

Resolved, That the Secretary of the Senate be directed to transmit copies of this resolution to national and local headquarters of the American Red Cross.

CHAPTER 77

Senate Concurrent Resolution No. 19—Relative to the planning and location of highways which might affect bodies of water suitable for use as small boat harbors.

[Filed with Secretary of State March 31, 1958]

WHEREAS, The great increase in population which this State has enjoyed in recent years has placed an increasingly heavy burden upon the recreational areas of the State, particularly the beaches along the coast which are suitable for public recreation; and

WHEREAS, These beaches should be retained for public use and enjoyment and not destroyed by the construction of highways; and

WHEREAS, The Legislature of the State of California enacted Section 84 of the Streets and Highways Code at the 1957 Ses-

sion to require the Department of Public Works to submit to the Department of Natural Resources the plans of any proposed project for the construction of a highway, bridge, viaduct, conduit, pipe, trestle or other obstruction across any cove, bay or inlet of the ocean which might affect the use of such cove, bay or inlet as a small boat harbor and to submit such plans prior to the time construction is commenced; and

WHEREAS, In enacting Section 84 of the Streets and Highways Code it was the intention of the Legislature of this State, and it remains the intention of the Legislature of this State, to protect and preserve the natural beauties and recreational facilities which exist along the shorelines of this State for people of this State and of the Nation; and

WHEREAS, Full and complete interchange of information and advice is necessary and desirable during the time that such plans are being formulated; and

WHEREAS, The use of the term "construction" in Section 84 of the Streets and Highways Code was intended to include the necessary preliminary steps of construction such as the acquisition of rights-of-way and the preparation of plans other than preliminary surveys for the location of a highway; 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 directed to consult with the Division of Beaches and Parks of the Department of Natural Resources before locating any highway in such a manner as would interfere with any beach along the coast and to consult with the Department of Natural Resources whenever a proposed project may affect a bay, cove or inlet adaptable as a small boat harbor and to submit its plans to that department and to consider suggestions made by that department prior to the acquisition of rights-of-way and the preparation of plans; and be it further

Resolved, That the Department of Public Works, the Division of Beaches and Parks, and the Department of Natural Resources shall consult with each other as soon as sufficient information has been secured for intelligent discussion, and shall co-ordinate plans for state highways, state parks, and small boat harbors to the end that ocean beaches and bays, coves or inlets adaptable to use as state parks, state beaches, recreational areas, and small boat harbors shall be preserved and improved to the most practical extent for public use; and be it further

Resolved, That the Secretary of the Senate be directed to transmit copies of this resolution to the Governor, to the Department of Public Works, to the State Park Commission, to the Division of Beaches and Parks of the Department of Natural Resources, and to the Department of Natural Resources.

CHAPTER 78

Senate Concurrent Resolution No. 22—Relative to augmenting the funds of the Joint Interim Committee on Agriculture and Livestock Problems.

[Filed with Secretary of State March 31, 1958.]

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 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 Interim Committee on Agriculture and Livestock Problems (created by Senate Concurrent Resolution No. 123, 1957 Regular Session) 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 Treasury.

CHAPTER 79

Senate Concurrent Resolution No. 26—Relating to the observance of National Secretaries' Week.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The American secretary is resolved to maintain the highest professional and personal ethics in her increasingly vital role in the modern complexities of business, industry, government and education; and

WHEREAS, Secretarial work has attained the status of exacting and highly qualified career work; and

WHEREAS, The American secretary believes that her diligence should be directed to increased learning, efficiency, and loyalty in making ever more valuable her contribution to the office in which she is employed; and

WHEREAS, The last full week in April is set aside each year by the Secretary of Commerce to honor all American secretaries; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims the week of April 20th to April 26th to be National Secretaries' Week, and April 23d to be Secretaries' Day 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; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a suitably prepared copy of this resolution to the President of the California Division, National Secretaries' Association (International), Miss Dorine George; and to the President of the Sacramento Chapter, National Secretaries Association, Miss Helen Brown; and to the California Chairman of Secretaries' Week, for the National Secretaries' Association, Mrs. Ester Perry.

CHAPTER 80

Senate Concurrent Resolution No. 28—Relative to the death of William L. Hunter

[Filed with Secretary of State March 31, 1958]

WHEREAS, The Members of the Legislature have learned with deep regret of the passing of William L. Hunter, Chief of the Bureau of Field Crops, California Department of Agriculture, on March 16, 1958; and

WHEREAS, William L. Hunter was recognized throughout the Nation as an expert in the administration of laws relating to livestock feed control; and

WHEREAS, He had achieved a national reputation for his ability and contributions to agriculture through his services as past president of the Association of American Feed Control Officials, and had been named chairman of the association's important committee on medicated feed labeling; and

WHEREAS, Mr. Hunter had won the confidence, esteem and friendship of all who knew him, both officially and unofficially; and

WHEREAS, The State of California, particularly the California Department of Agriculture and its Bureau of Field Crops, has suffered a deep loss by reason of the sudden passing of William L. Hunter; and

WHEREAS, The Legislature of the State of California has taken due notice of the severe loss to the State Government and our agricultural industry occasioned by the passing of Mr. Hunter; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature by this resolution pay tribute to the memory of William L. Hunter, and express to his bereaved family and friends their deep sympathy and sincere condolence in the loss of this distinguished devoted employee of the State of California and loving husband, father, and brother; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to Mrs. Marion Hunter, his widow; Suzanne, his daughter; and Stephen, his son.

CHAPTER 81

Senate Concurrent Resolution No. 32—Relative to the fiftieth anniversary of the Christian Science Monitor.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, November 25, 1958 will mark the fiftieth anniversary of the publishing of the Christian Science Monitor; and

WHEREAS, During this past half century the Christian Science Monitor has furnished an example of dispassionate journalism dedicated to the furtherance of freedom through understanding; and

WHEREAS, Its impartiality has won the respect of people of all faiths throughout the world, and its business ethics, especially in truthful advertising, have won their confidence and appreciation; and

WHEREAS, In recognition of its integrity and high standards of journalism the Monitor has received 89 major awards including eight official honors from foreign countries; and

WHEREAS, Its thoughtful, objective reporting of newsworthy items, free from unnecessary embellishment or sensationalism, is an example which could be profitably followed by all journalists; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legislature extend their sincere congratulations to the publishers of the Christian Science Monitor on its fiftieth anniversary of publication, and express their best wishes for the Monitor's continuing growth and service to the world; and be it further

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to the publishers of the Christian Science Monitor.

CHAPTER 82

Senate Concurrent Resolution No. 18—Relative to augmenting the funds of the Joint Committee on Water Problems.

[Filed with Secretary of State March 31, 1958.]

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 thirty thousand dollars ($30,000), 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 Senate Concurrent Resolution No. 105, 1957 Regular Session) 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 83

Senate Concurrent Resolution No. 21—Relative to consideration by the California Highway Commission of the effect of freeway and highway routing upon agricultural economy.

[Filed with Secretary of State March 31, 1958]

WHEREAS, One impact of the growing urbanization of this State upon agriculture has been the routing of more and more freeways and highways through agricultural areas; and

WHEREAS, Such routing, if done without regard to its effect upon the economy of the area involved, can do great permanent economic damage to the economy of the area, to the State, and to the Nation; and

WHEREAS, Such permanent economic damage is done whenever good agricultural land is used permanently for nonagricultural freeway and highway purposes, and whenever the efficiency of carefully laid out agricultural production units is destroyed wholly or partially in perpetuity by freeways and highways cutting them up and therefore impeding and impairing the efficient movement within such units of men, materials, equipment, and water; and

WHEREAS, The payment of proper taking and severance damages to the landowners involved takes care of only the financial damage to such owners and does not diminish in any way whatsoever the aforementioned permanent economic damage; and

WHEREAS, The economic impact of this permanent reduction in the agricultural income available within a particular agricultural area is magnified several times by the normal turnover of such income within that area; and

WHEREAS, In this era of increasing urbanization of this State prime agricultural land, as a basic natural asset of the State, must be conserved for agricultural use and the efficiency of our agricultural production units must likewise be protected; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the California Highway Commission be requested, in making its decisions as to the selection of freeway and highway routes through the agricultural areas of this State, to give consideration, among other factors, to the effect the selection of any route will have upon the agricultural economy of the area, the State, and the Nation; and be it further

Resolved, That the Secretary of the Senate be directed to transmit copies of this resolution to the Governor, to the Director of Public Works, and to each member of the California Highway Commission.

CHAPTER 84

Senate Concurrent Resolution No. 23—Relative to the designation of State Highway 17 as the "Nimitz Freeway."

[Filed with Secretary of State March 31, 1958.]

WHEREAS, Fleet Admiral Chester W. Nimitz is one of California's most outstanding citizens, having served this State and the Nation as Commander in Chief of the Pacific Fleet during World War II, as Chief of Naval Operations, as Chairman of the Presidential Committee on Internal Security and Individual Rights, and as a Regent of the University of California; and

WHEREAS, That part of the State Highway Sign Route 17 connecting Oakland and San Jose will soon be opened to freeway standards; and

WHEREAS, No more befitting name could be bestowed upon this new freeway than that of Fleet Admiral Chester W. Nimitz; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That State Highway Sign Route 17, from the junction of U. S. Highways 40 and 50 at the San Francisco-Oakland Bay Bridge to the junction of Sign Route 17 with U. S. Highway 101 Bypass at San Jose, be officially designated and named the "Nimitz Freeway"; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to Fleet Admiral Chester W. Nimitz, the California Highway Commission and the Department of Public Works.

CHAPTER 85

Senate Concurrent Resolution No. 27—Relative to the death of William Caruthers.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The Members of the Legislature have learned with deep regret of the passing of William Caruthers on March 6, 1958; and

WHEREAS, Bill Caruthers early aspired to a career in journalism, becoming editor of a local weekly paper in his native Tennessee at the tender age of 16; and

WHEREAS, He entered the practice of law at 19, but though he showed promise of great success in that field, it held no interest for him and he soon returned to the field of writing; and

WHEREAS, Over the years he worked for various newspapers and magazines across the Country, reporting, editing, writing feature articles and fiction, and ghost-writing speeches of many important political figures; and

WHEREAS, When ill health forced him to cut his activities, he sought quiet and rest in the California-Nevada desert known as Death Valley, which had intrigued him since his early days as a reporter in Los Angeles; and

WHEREAS, His best-known work, "Loafing Along the Death Valley Trail," is an intimate account of the scores of local characters he encountered in his wanderings through the area; and

WHEREAS, The book preserves for posterity many tales of such colorful personalities as Dad Fairbanks, Shorty Harris, Death Valley Scotty, Indian George, and Charlie Brown, tales which otherwise would have been lost to California history; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members hereby pay tribute to the memory of Bill Caruthers and extend their sincere sympathy to his widow on her bereavement; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to Mrs. Mamie Caruthers, his widow.

CHAPTER 86

Senate Concurrent Resolution No. 30—Relative to commending and congratulating Mrs. Mildred L. Lillie on her appointment as Justice of the District Court of Appeal.

[Filed with Secretary of State March 31, 1958]

WHEREAS, The appointment of Superior Court Judge Mildred L. Lillie as Justice of the District Court of Appeal was recently announced by Governor Goodwin J. Knight; and

WHEREAS, Justice Lillie, although a native of Iowa, is a product of our California schools—receiving her A.B. degree from the University of California in 1935 and her LL.B. from Boalt Hall in 1938; and

WHEREAS, Her legal career began in the Alameda City Attorney's Office in 1938, and continued in the United States Attorney's Office until she entered private practice in 1946; and

WHEREAS, In 1947 at the age of 32, she was appointed Municipal Court Judge by Governor Earl Warren, and in 1949, she was elevated to the Superior Court bench in Los Angeles County; and

WHEREAS, Justice Lillie's present appointment ranks her among the highest placed women jurists in the United States; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That this Legislature does hereby commend and congratulate Justice Mildred L. Lillie for her appointment as Justice of the District Court of Appeal of the State of California; and be it further

Resolved, That the Secretary of the Senate is hereby directed to prepare and transmit suitably prepared copies of this resolution to Justice Mildred L. Lillie.

CHAPTER 87

Senate Concurrent Resolution No. 33—Relative to the death of Joseph Scott.

[Filed with Secretary of State March 31, 1958]

WHEREAS, The Members of the Legislature have learned with deep regret of the recent death of one of California's most distinguished citizens, often called "Los Angeles' First Citizen," Joseph Scott; and

WHEREAS, Mr. Scott was born in Penrith, England in 1867, and was educated at Ushaw College in Durham, England, and at London University before coming to the United States in 1889; and

WHEREAS, Over the years he received many degrees and honors in the educational field, including an A.M. degree in 1893 and the Gaudet Medal in 1928 from Saint Bonaventure College in Allegany, N. Y., a Ph.D. degree in 1907 from Santa Clara University, an LL.D. degree in 1915 and the Laetare Medal in 1918 from Notre Dame, and an LL.D. degree in 1936 from Georgetown University; and

WHEREAS, During his long years of residence in Los Angeles County, he achieved a highly impressive record of civic service, displaying deep devotion to his civic responsibilities, holding office as a member of the Los Angeles Board of Education for 10 years and president for five years, cofounder and president of the Los Angeles Chamber of Commerce for 11 years, president of the Los Angeles Community Chest for three years, and chairman of the Los Angeles County Relief Committee in 1931, and in that same year was awarded a gold watch by the Los Angeles Realty Board as Los Angeles' Most Useful Citizen; and

WHEREAS, Mr. Scott was a deeply religious man, and for his work as a cofounder of the Knights of Columbus in California in 1902, becoming that organization's first deputy in 1903, and making nationwide tours lecturing on behalf of the Supreme Board of the Knights of Columbus, and his other outstanding accomplishments as a Catholic layman, was decorated by Pope

Pius XI as Knight of St. Gregory, promoted by Pope Benedict XV to Knight Commander of St. Gregory, with diplomatic star, and was made Private Chamberlain with cape by Pope Pius XII; and

WHEREAS, His activities in the Irish cause extended over a period of 50 years, and he was the oldest living member of the Los Angeles Division No. 1 of the Ancient Order of Hibernians, of which he was president in 1911; and

WHEREAS, He served as chairman of the Los Angeles County Republican Central Committee, and his many years of service to the Republican Party was climaxed in 1932 with his speech nominating Herbert Hoover at the party convention in Chicago; and

WHEREAS, He was a member of the California Bar commencing in 1894, and belonged to the California Club, Newman Club, Uplifters, Los Angeles Athletic Club, Pasadena Club, and Sunset Club, serving as president of the latter group in 1923 and 1924; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the members express their sincere sorrow at the passing of Joseph Scott, a man whose great service to his community and Nation as lawyer, statesman, orator, and civic leader earned him the well deserved love and respect of all during his lifetime, and now extend their heartfelt condolences to his bereaved family; and be it further

Resolved, That the Secretary of the Senate is directed to transmit suitably prepared copies of this resolution to Mrs. Bertha Roth Scott, his widow, Judge A. A. Scott, Monsignor George M. Scott, and Cuthbert J. Scott, his sons, and Mary Ebbets, Josephine Jacqua, and Helen Ziemann, his daughters.

CHAPTER 88

Senate Joint Resolution No. 7—Relating to memorializing the Congress of the United States to grant tax deductions to parents of college students.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, Recent developments in all callings and fields of endeavor indicate that the maintenance of the Nation's military preparedness, its high standards of living, and its economic, political, and cultural progress, call for a high level of educational achievement on the part of all citizens; and

WHEREAS, It is essential that steps be taken to encourage families to undertake to send their children to the colleges and universities; and

WHEREAS, The easing of the financial burdens imposed upon families who propose to send their children to institutions of higher learning would be one of the most practical ways of encouraging the higher education of gifted youth; and

WHEREAS, A direct step toward easing these financial burdens could be accomplished by the Government of the United States in the form of substantial federal income tax relief to parents of college students, geared to the annual amounts expended by parents for such educational purposes; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Congress of the United States is memorialized to enact appropriate legislation to provide substantial income tax relief for parents who are bearing the costs of providing college education for their children; and be it further

Resolved, That the Secretary of the Senate is directed to prepare suitable copies of this resolution and transmit them 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 89

Senate Joint Resolution No. 9—Relative to the World Fair in Brussels.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, Plans are now well under way for the world's fair to be held in the near future in Brussels, Belgium; and

WHEREAS, Testimony before the Senate Foreign Affairs Committee has shown that the Soviet Union is planning a $60,000,000 exhibit at the fair to impress the visitors with Russia's progress in industry and the arts; and

WHEREAS, It is important to the citizens of the United States that this Country put on the best possible exhibition to the estimated 35,000,000 people who will attend the fair; and

WHEREAS, It is believed that the $15,000,000 requested by the administration for the American pavilion is a relatively small sum in terms of its effect in the worldwide battle for men's minds; 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 appropriate the full $15,000,000 requested for the American exhibit at the world's fair to be held in Brussels; and be it further

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

CHAPTER 90

Senate Joint Resolution No. 13—Relative to proposed changes in the National Anthem.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The Honorable Joel Broyhill, Representative in Congress from the State of Virginia, has introduced House Resolution No. 17 into the House of Representatives; and

WHEREAS, Said resolution proposes changes in the wording of our National Anthem from the historic words penned by the immortal American Patriot, Francis Scott Key, while a prisoner on board the invading fleet during its nightlong attack on the American forts where our flag was gallantly flying; and

WHEREAS, The resolution proposes to omit the third stanza entirely and to insert in the second stanza the words, "As it fitfully blows, half conceals, half discloses?" in place of the more definite historic words, "As it fitfully blows, now conceals, now discloses?"; and

WHEREAS, The resolution proposes to change the line in the last stanza, "Praise the Power that hath made and preserved us a nation!" by spelling "power" with a small "p" thereby eliminating the reference to Deity and leaving only a reference to earthly matters, clearly atheistic and contrary to the historic intent of the author and the accepted belief of our Nation; and

WHEREAS, The resolution proposes to omit the name of Francis Scott Key as author from the official version; and

WHEREAS, Certain organizations have proposed that the proper name of our Flag, the Star-Spangled Banner, be spelled without capital letters in the official version; now, therefore be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Members of the California Legislature oppose the said House Resolution No. 17 and ask that it not be passed; and be it further

Resolved, That the Congress of the United States is requested to preserve without change the historic words of our National Anthem born in the uncertainty of battle for our freedom; and be it further

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

CHAPTER 91

Senate Joint Resolution No. 18—Relative to revival of the gold mining industry of California.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The gold mining industry for many years was one of the major bulwarks of California's economy, as well as a major contributor to the Nation's solvency in times of economic crisis; and

WHEREAS, The gold is still there in the hills, but the mines are shut down because gold mining is the only industry in the Nation compelled to sell its product at a price set many years ago by the Federal Government and which has been rigidly maintained since then without regard to rising costs; and

WHEREAS, This discrimination against the gold mining industry is justified neither morally nor by financial need of the Federal Government; and

WHEREAS, This policy has resulted in economic disaster to many of the mountain areas of California with the consequent loss of thousands of jobs; and

WHEREAS, These mountain areas have few other resources apart from gold and minerals found in association with gold; and

WHEREAS, If the gold mining industry were permitted to sell its product in a free market, such as prevails elsewhere in the Free World where gold is mined, the industry would be revived immediately so that it would provide thousands of jobs for those now unemployed; and

WHEREAS, This result can be achieved without cost to the taxpayers of one cent in contrast to the many programs being offered and discussed in Washington which involve bureaucratic red tape and huge appropriations; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby strongly urges the President and the Congress of the United States to allow a free market for gold, so that an important segment of our economy can be restored to vigor with the consequent creation of thousands of jobs to alleviate unemployment; 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 92

Senate Joint Resolution No. 19—Relative to the repeal of the transportation excise taxes.

[Filed with Secretary of State March 31, 1958]

WHEREAS, An economic recession in certain major industrial areas is causing a substantial reduction in the use of the Nation's common carrier transport system; and

WHEREAS, This falling off is causing serious repercussions in all industry allied with or dependent upon the for-hire transportation industry; and

WHEREAS, In 1941 and 1942, as a wartime expediency, the Congress of the United States enacted as excise taxes a levy upon the transportation of persons and property; and

WHEREAS, One of the principal purposes of levying such tax upon the transportation of persons was to discourage unnecessary wartime travel; and

WHEREAS, Today, 13 years after the cessation of hostilities, there continues a 10 percent levy on the transportation of persons and a 3 percent levy on the transportation of property; and

WHEREAS, It is the opinion of the Legislature of the State of California that excise taxes should not impose an unfair burden on the long-distance shipper and the long-distance traveler as does the present tax on the transportation of property and persons; and

WHEREAS, It should be a principle of federal taxation to levy taxes in such a manner as to prevent them from falling as an unequal burden on citizens residing in different areas of the Country; and

WHEREAS, The distances to, from and within the West impose an unfair burden on the western traveler and shipper; and

WHEREAS, The present transportation tax on property is unfairly burdensome upon the State of California as it adds what is in effect an additional tariff on the goods shipped from California to the eastern markets; and

WHEREAS, The development and preservation of open markets leads to the efficient development and stimulation of the agricultural resources of the Nation; and

WHEREAS, The State of California is particularly interested in preserving the eastern market as an open market in which the agricultural products of California may compete freely without hindrance of artificial barriers such as the present transportation tax; and

WHEREAS, The State of California is particularly interested in protecting and developing its vacation and tourist travel on an equal basis with other vacation travel areas; and

WHEREAS, The transportation of both persons and property plays such a vital role in the economic life of this Country to

the extent that the costs of transportation should always be kept at the lowest possible level; and

WHEREAS, Transportation is in no sense a luxury but is a vital necessity and there is, therefore, sound reason for distinguishing between the transportation taxes and other excise taxes that are imposed upon luxury items; and

WHEREAS, It is the opinion of the Legislature of the State of California that the best interest of the Country and particularly the western states, who are now discriminated against by the present transportation taxes, would be served by a repeal of those taxes; and

WHEREAS, The testimony of rail, truck and airline presidents and other top transportation executives and experts presented before the United States Senate Subcommittee on Surface Transportation during the second session of the 85th Congress emphasized the need for immediate repeal of the transportation excise taxes; and

WHEREAS, It appears in the Congressional Record that 14 members of the Senate Committee on Interstate and Foreign Commerce assert that the immediate repeal of these taxes would be a tremendous stimulus to the currently depressed economy; and

WHEREAS, There is presently pending before the Congress of the United States legislation which would repeal the tax on transportation of property and which would repeal the tax on transportation of persons; 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 California Members of the Congress of the United States to urge upon the Speaker of the House, the Chairman of the House Committee on Ways and Means, and the Chairman of the Senate Finance Committee the immediate need to enact into law such legislation or any other bill or bills which would accomplish the same purpose; 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 93

Senate Joint Resolution No. 21—Relative to Auburn Dam on the American River.

[Filed with Secretary of State March 31, 1958]

WHEREAS, The number of unemployed people in the United States has been increasing at an alarming rate with a result that the State and Federal Governments are considering

worthwhile public works projects to stimulate a greater employment and provide new jobs; and

WHEREAS, There is general agreement that some public works program should be initiated in addition to any possible tax cuts which, of course, would not assist those persons soon enough who are without employment, and also it is agreed that any public works program should be one which would be as beneficial as possible to the long-range economy of the Nation; and

WHEREAS, It has been proven over a number of years that water development projects and reclamation projects generally are wealth-producing projects on which the bulk of the costs are repaid by the beneficiaries of the projects, while at the same time, they create more irrigated farms, more homes, and more job opportunities; and

WHEREAS, The Congress of the United States presently has pending legislation introduced by U. S. Senators William F. Knowland and Thomas H. Kuchel (S. 617) and also legislation introduced by Congressman Clair Engle (H. R. 2798) to authorize the multiple-purpose Auburn Dam on the American River above Folsom Lake for construction by the U. S. Bureau of Reclamation; and

WHEREAS, The multiple-purpose project will furnish additional water which can be used in the American River watershed, the Sacramento-San Joaquin delta, and areas to the south; and

WHEREAS, The project will produce additional power which can be employed to pump water to areas of deficiency; and

WHEREAS, The proposed Auburn Dam is a part of the California Water Plan and the project as outlined in the legislation would complement the State's efforts to meet the water requirements of California's rapidly expanding population; 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 approve as soon as possible the legislation now pending to authorize Auburn Dam; 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; to each Senator and Representative from California in the Congress of the United States; to W. A. Dexheimer, Commissioner of Reclamation; to Harvey O. Banks, Director of the Department of Water Resources of the State of California; and to B. W. Cassidy, Chairman, Auburn Dam Project Committee.

CHAPTER 94

Senate Concurrent Resolution No. 7—Relative to early completion of litigation to require a regulated flow in the Klamath River.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The Klamath River area is a recreational area of great scenic beauty and has unsurpassed facilities for sport fishing with the Klamath River and the tributaries thereof being a major salmon and steelhead spawning ground; and

WHEREAS, The operation of two dams, Copco 1 and 2, by the California-Oregon Power Company has been in such a manner as to cause daily fluctuations in the flow of the Klamath River so that it varies from less than 100 cubic feet of water per second to over 2,000 cubic feet of water per second, which has caused about 1,900,000 fish to die in the area affected and when the plants are placed in operation after a temporary shutdown the result is a wave front caused by the sudden release of water which is a danger and a menace to persons on the river, 14 persons having been drowned in an eight-year period in the area of these operations; and

WHEREAS, This dangerous condition has been recognized from at least as early as April 28, 1947, almost 11 years ago, when the condition was described in House Resolution No. 162 of the 1947 Session of the Legislature, and again on May 12, 1949, in Senate Resolution No. 98 of the 1949 Session of the Legislature; and

WHEREAS, Court proceedings to abate such operation of these dams by the California-Oregon Power Company have been in progress for more than seven years; and

WHEREAS, The contention of the power company that the State did not have jurisdiction to proceed with the abatement of this activity as a nuisance was denied by the Supreme Court of the State of California over two years ago on December 29, 1955 (California-Oregon Power Company v. Superior Court, Siskiyou County, 45 Cal. 2d 858); and

WHEREAS, This decision removed a primary obstacle to the vigorous prosecution of the litigation necessary to protect the lives of the ever-increasing number of persons using this area for recreation, and the runs of salmon and steelhead in this State which have depleted to the extent that a great industry and a tremendous recreational asset are in danger of being lost forever; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Attorney General of the State of California is requested to take all steps available to him to insure, so far as his office can, that no party to this litigation permit any further delay in the ultimate culmination of this litigation to abate the fluctuating operation of Copco

Dams 1 and 2, and that such action be taken immediately and without further delay; and be it further

Resolved, That the Secretary of the Senate is directed to submit a copy of this resolution to the Attorney General of the State of California.

CHAPTER 95

Senate Joint Resolution No. 16—Relative to an extension of Public Law 78.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, California leads the Nation in the number and value of its commercial crops; and

WHEREAS, Many of these crops are highly specialized and have a short and critical harvesting period; and

WHEREAS, Large numbers of farm workers are needed to handle, cultivate, and harvest these crops; and

WHEREAS, There are at times insufficient domestic farm workers in certain areas of California to perform these functions; and

WHEREAS, Mexican national farm laborers, admitted to this State under the provisions of Public Law 78 of the Eighty-second Congress, have met California emergency farm labor needs, thereby preventing losses to the State's basic industry and segments of the State's economy associated therewith; 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 extend Public Law 78; 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 96

Assembly Concurrent Resolution No. 33—Relative to investigation of reservoir sites on the upper Sacramento River and its tributaries between Shasta Dam and Red Bluff.

[Filed with Secretary of State April 2, 1958]

WHEREAS, The Budget Act of 1958 contains, as part of Item 257 thereof, an appropriation of one hundred thirty thousand seven hundred dollars ($130,700) from the Investment Fund for expenditure by the Department of Water Resources for a feasibility investigation for the development of the upper

Sacramento River and its tributaries between Shasta Dam and the southern boundary of Tehama County for both local and export purposes; and

WHEREAS, There is urgent need for immediate investigation and planning with respect to sites for the following reservoirs in this area in view of the present and immediate need for flood control in areas lying below these reservoirs and the need for water conservation and stream flow maintenance in these areas:

(1) Hulen Reservoir on the north fork of Cottonwood Creek.

(2) Fiddler Reservoir on the middle fork of Cottonwood Creek.

(3) Rosewood Reservoir on Dry Creek, a tributary of Cottonwood Creek.

(4) Dippingvat Reservoir on the south fork of Cottonwood Creek.

(5) Bella Vista Reservoir on Little Cow Creek.

(6) Millville Reservoir on South Cow Creek.

(7) Paskenta Reservoir on Thomas Creek; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Water Resources be requested to take immediate action, as soon as funds become available from the Budget Act of 1958 for this purpose, to make investigations with respect to reservoir sites for the reservoirs mentioned in this resolution and submit an interim report thereon to the Legislature by not later than the convening of the 1960 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Director of Water Resources.

CHAPTER 97

Assembly Concurrent Resolution No. 36—Relative to augmenting the funds of the Joint Legislative Audit Committee.

[Filed with Secretary of State April 2, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the unexpended balance of the money made available by Resolution Chapter 99, Statutes of 1957 (A. C. R. 71), and the sum of one hundred seventy-five thousand dollars ($175,000), or so much thereof as may be necessary, is hereby made available, without regard to fiscal years, from the Contingent Funds of the Senate and Assembly for the expenses of the Joint Legislative Audit Committee (created by Section 10501 of the Government Code) and its members and for any charges, expenses, or claims it may incur, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 98

Assembly Concurrent Resolution No. 37—Relating to the Joint Committee on Assessment Practices.

[Filed with Secretary of State April 2, 1958.]

Resolved by the Assembly of the State of California, the Senate concurring, That the Joint Committee on Assessment Practices created by Senate Concurrent Resolution 92 of the 1957 Regular Session is authorized, notwithstanding the provisions of that resolution to the contrary, to contract with a person now employed by the United States Government for the rendition of services to the committee as director of research.

CHAPTER 99

Assembly Concurrent Resolution No. 39—Relative to the construction of State Highway Route 23 between Soledad Junction and Palmdale as a four-lane freeway.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, State Highway Route 23, which extends from Los Angeles to U. S. Highway 50 near Lake Tahoe and which is included in the Federal Highway System as a portion of U. S. Highways 6 and 395, is an important link in both the State and Federal Highway Systems; and

WHEREAS, In addition to the extensive interstate traffic upon this highway, there is also, on the portion of this highway between Soledad Junction and Antelope Valley at Palmdale, a large amount of traffic thereon from State Highway Routes 23 and 59, plus local traffic and traffic for Edwards Air Force Base, the second largest air force base in the United States, testing aircraft, rockets and guided missiles, and traffic from Air Force Plant 42 at Palmdale where Lockheed, Convair, North American, Douglas, and Hughes assemble and test aircraft; and

WHEREAS, The Antelope Valley, in which Lancaster, Palmdale and Edwards are located, is a major United States aircraft, rocket and guided missile testing center and an aircraft assembly center, having an employment of 15,000 in these activities alone; and

WHEREAS, The Antelope Valley will experience an increasingly rapid growth in aircraft and related industries in the near future and will play an increasingly important part in national defense for aircraft, rocket and guided missile development; and

WHEREAS, In the event of an atomic attack, tremendous amounts of traffic will flow to this area using this highway since Antelope Valley, with 1,820 square miles of flat land, is

the only great natural dispersal area north of metropolitan Los Angeles; and

WHEREAS, It is essential in order for this portion of State Highway Route 23 to be adequate to support the present traffic, the additional traffic which may be expected within the next few years, and the traffic which will necessarily be imposed upon this highway in the event of atomic attack, that the design for this highway be immediately formulated, the acquisition of the necessary rights-of-way be commenced and that construction begin at the earliest possible date to provide a four-lane freeway on Highway Route 23 between Soledad Junction and Palmdale in Antelope Valley; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Public Works and the California Highway Commission are requested to include in the 1958-59 State Highway Budget the necessary allocations of money for the design, acquisition, and construction of rights-of-way for State Highway Route 23 between Soledad Junction and Palmdale as a four-lane freeway; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Honorable C. Max Gilliss, Director of Public Works.

CHAPTER 100

Assembly Concurrent Resolution No. 42—Relative to augmenting the funds of the Joint Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The Joint Committee on the Special Education and Rehabilitation of Handicapped Children and Adults, created by Assembly Concurrent Resolution No. 209 of the 1957 Regular Session, has found it necessary, in order to properly carry out the duties and accomplish the objectives prescribed for it by the creating resolution, to visit numerous institutions and make special studies of the mentally retarded and handicapped children in the schools to an extent far beyond the scope originally contemplated; and

WHEREAS, It has been necessary to establish subcommittees and to employ professional consultation services to properly conduct the required investigations and to compile essential data; and

WHEREAS, By virtue of the great amount of extra work and expense involved in carrying out the committee's duties the Legislature has deemed it essential, and has in fact taken the necessary action, to increase the committee's membership from six to ten members; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the sum of seven thousand five hundred dollars ($7,500), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Assembly and the Senate for the expenses of the Joint Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults (created by Assembly Concurrent Resolution No. 209, 1955 Regular Session) 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 101

Assembly Concurrent Resolution No. 48—Relative to music.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, Music has long been recognized as a universal language and a basic human need; and

WHEREAS, Creative efforts must find expression and competition in order to maintain incentive and achieve success; and

WHEREAS, There is substantial agreement that there is too little new melodious music of merit being performed for general listening; and

WHEREAS, Music has been recognized by law enforcement officials as a positive influence for good or bad; and

WHEREAS, Population, important industry, business and major baseball have moved westward, there is not a major publishing house on the Pacific Coast. This places western composers at a decided disadvantage; and

WHEREAS, The California Legislature is concerned with expanding economy, it, therefore, recognizes the economic importance of an expanded music business on the West Coast; and

WHEREAS, Propaganda is widespread that successful music must emanate from the East, and reports are numerous of eastern publishers who will not consider music by new composers, stating that they have their own composers; and

WHEREAS, Millions are spent for excellent public and private music instruction, that which reaches the public shows too little quality for the money and effort expended, in the opinion of many; and

WHEREAS, Many of the creative musical great throughout the ages have gained world renown, and their works became immortal because of the support and encouragement of their respective governments; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Governor of the State of

California is hereby requested to appoint a committee of five (5) charged with the duty of seeking the co-operation of radio, television, press, music publishers, music retailers, record companies, private and public music teachers and music associations for the purposes specified in the "whereas" clauses of this resolution, and to designate said committee as the Committee to Encourage Selection, Performance and Publication of Music of Merit by Western Composers; and be it further

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

CHAPTER 102

Assembly Concurrent Resolution No. 54—Relative to the death of Mike Todd.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The world has been profoundly shocked and saddened by the tragic and untimely passing of Mike Todd; and

WHEREAS, There have been but few men in any age endowed by their Creator with the magnificent and flamboyant showmanship which he possessed; and

WHEREAS, At the very zenith of a meteoric career, the 50-year-old producer was, at the time of his death, on his way to New York to receive the Friars' Club award as "Showman of the Year"; and

WHEREAS, Mike Todd, who was the product of a tough sink-or-swim school, got his first taste of show business at the Chicago World Fair when he staged a show called "Flame Dance"; and

WHEREAS, His Broadway successes included "The Hot Mikado," "Something for the Boys," "Up in Central Park," and "G. I. Hamlet"; and

WHEREAS, The Todd-AO screening process developed by Dr. Brian O'Brian of the University of Rochester with Todd's backing revolutionized the film industry and Todd's epic "Around the World in Eighty Days" has thrilled and delighted movie audiences in every corner of the globe; and

WHEREAS, To mourn his passing and receive the heartfelt sympathy of all he leaves his widow, Elizabeth Taylor, a son, Mike Todd, Jr., and a daughter, Elizabeth Frances Todd; 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 convey to the widow and family of Mike Todd the most sincere and profound condolences; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the widow and family of Mike Todd.

CHAPTER 103

Assembly Concurrent Resolution No. 56—Relative to congratulating Mr. Lowell North.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, Mr. Lowell North, who was raised in San Diego and learned to sail as a youngster at the San Diego Yacht Club, has brought great honor and prestige to himself, his community, his State and the Nation in international and national sailing competition; and

WHEREAS, Mr. Lowell North, with Mr. Jim Hill as crew, won the International World Star Class Championship at Havana, Cuba, placed second at Naples, Italy, third at Chicago, Illinois, won the First North American Championship in 1957, placed first for three years in the Pacific Coast Championships, and was declared Star of the Month in November, 1956, by the Brietbard Athletic Foundation; and

WHEREAS, In winning the International World Championship, Lowell North gave San Diego her fourth champion, and, as a consequence, more winners in that event than any other city in the world; and

WHEREAS, Lowell North, besides being a tremendous competitor, is also a refreshingly modest winner, a fine sportsman, and a devoted husband to his wife, Mrs. Kay Gillette North; 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 congratulates Mr. Lowell North on his outstanding achievements and wishes him every future success; 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. Lowell North.

CHAPTER 104

Assembly Concurrent Resolution No. 58—Relative to welcoming the International Association of Fire Chiefs and the Pacific Coast Intermountain Association of Fire Chiefs.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The Legislature has been immeasurably pleased to learn of the acceptance of the invitation which it extended at the 1957 Regular Session to the International Association of Fire Chiefs to hold its 1958 convention in the State of California; and

WHEREAS, This convention will be attended not only by the members of the International Association of Fire Chiefs but also by the members of the Pacific Coast Intermountain Association of Fire Chiefs; and

WHEREAS, The City of Los Angeles and Chief William Miller of the Los Angeles Fire Department will be the hosts for this convention to be held during the week of September 15th; and

WHEREAS, This State takes great pride in being chosen as the site of the convention of the brave and loyal men of these organizations who dedicate their efforts to the saving of lives and the protection of property; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That this Legislature extends a sincere and warm welcome on the behalf of the people of this State to the International Association of Fire Chiefs and to the Pacific Coast Intermountain Association of Fire Chiefs and directs that every courtesy be extended to these distinguished visitors to make their stay in our great State a pleasurable and memorable one; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the International Association of Fire Chiefs, the Pacific Coast Intermountain Association of Fire Chiefs, and Chief William Miller of the Los Angeles Fire Department.

CHAPTER 105

Assembly Joint Resolution No. 10—Relative to harbors of refuge for small craft.

[Filed with Secretary of State April 2, 1958]

WHEREAS, There is an urgent demand for harbors of refuge for fishing boats and other small craft along the Pacific Coast; and

WHEREAS, The improvement and development of such harbors of refuge will be useful in augmenting the Nation's food supply by facilitating the further exploration of the food resources of the ocean by small craft, as well as providing harbor facilities and safe havens of refuge from storms for fishing fleets and other small craft; and

WHEREAS, Such harbors of refuge will fill an urgent need of the United States Coast Guard in air and sea rescue endeavors, as well as providing harbor facilities for use of the armed forces in the event of hostilities; and

WHEREAS, In 1945 and 1946 the Congress of the United States authorized preliminary examinations and surveys with the view to the establishment of such harbors, which surveys were recommended by the United States Army Corps of Engineers; and

WHEREAS, There are great stretches of the California coast which are at present devoid of harbors of refuge but along which coast are situated places adapted by nature to ready development at cost to benefit ratios amply justifying congressional authorization and appropriation; and

WHEREAS, Pursuant to the Report of the Chief of Engineers, United States Army, dated at Washington, D. C., March 22, 1948 (embodied in House of Representatives, Eightieth Congress, Second Session, Document No. 644), the project known as Pillar Point Breakwater on Half Moon Bay, San Mateo County, California, by action of the Eightieth Congress became, and ever since has been, an "authorized" project; and

WHEREAS, The San Francisco District Engineer, having been furnished funds therefor, completed further studies and engineering data on said breakwater project, made his recommendation to the South Pacific Division Engineer of the United States Army Corps of Engineers for the general design memorandum about the month of January, 1957, and which general design memorandum was thereafter approved by the Chief of Engineers in Washington in July, 1957; and

WHEREAS, The Small Craft Harbors Commission, in the Department of Natural Resources of the State of California, at its meeting held in Redwood City, San Mateo County, California, on the twenty-ninth day of October, 1957, after careful examination and study of the various reports and engineering data pertaining to the project, and after viewing the site, became convinced, and by resolution thereat unanimously adopted, that the Pillar Point Breakwater was of such "authorized" status and importance that it be given first priority —A classification for construction and completion as the first harbor of refuge south of San Francisco Bay, and thereby and therein urged the active support of Vice President Nixon, United States Senators Knowland and Kuchel and each California Representative in Congress to have included by the Bureau of the Budget an item of appropriation sufficient in amount to permit bids and letting of contracts for the construction of said project; and

WHEREAS, The Members of the California Legislature have been informed that the Bureau of the Budget failed to include an item of appropriation for construction of said Pillar Point Breakwater; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of California respectfully petitions the Congress of the United States to take appropriate action to augment or supplement the budget for the ensuing fiscal year by adding thereto an item of appropriation for construction of said Pillar Point Breakwater; and be it further

Resolved, That the the Legislature of California respectfully petitions the Congress of the United States to authorize the United States Army Corps of Engineers to proceed forthwith and complete the preliminary examinations and surveys of other sites for harbors of refuge along the California coast, at intervals deemed adequate for the safety and protection of fishing fleets and other small craft; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to forward copies of this resolution to the President

of the United States, the President of the Senate, the Speaker of the House of Representatives, the Secretary of Defense and to each United States Senator and Representative in the Congress of the United States.

CHAPTER 106

Assembly Joint Resolution No. 12—Relative to vocational education.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The spectacular achievements of Russian scientists, engineers, and technicians demand the urgent development of more technical manpower for our Nation's defense program; and

WHEREAS, An emergency need exists for technicians and skilled workers to build, install, maintain, service, and repair the equipment of today and the automations of tomorrow; and

WHEREAS, A Southern California research council report shows that in the Los Angeles area the manpower needs for craftsmen and foremen will increase about 166 percent by 1960 and for operatives and kindred workers the increase will be about 139 percent; and

WHEREAS, Meeting these needs have been a paramount task of vocational-technical programs in local high schools and technical divisions of the junior colleges; and

WHEREAS, The need is strikingly shown by the enrollment of over 11,000 students at Los Angeles Trade-Technical Junior College which is an increase of 15 percent over last year; and

WHEREAS, A number of the programs at the school are on three shifts a day, there are 2,500 applicants on the waiting lists; 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 President and the Congress of the United States to enact legislation designed to further area vocational education as contained in the Smith-Hughes Act; 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.

STATUTES OF CALIFORNIA

FIRST EXTRAORDINARY SESSION

1958

Began Tuesday, March 4, 1958, and Adjourned
Wednesday, April 23, 1958

PROCLAMATIONS BY THE GOVERNOR

CONVENING THE LEGISLATURE IN FIRST 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 KNIGHT, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet in extraordinary session at Sacramento, California, on the fourth day of March, 1958, 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 relative to the subsidence and compaction of land in oil and gas producing areas of the State.

2 To consider and act upon legislation relating to the assessment and equalization of property for local tax purposes.

3. 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, and to revise the act to impose maximum limitations on the value of property which may be purchased, to change the maximum purchase prices which may be paid, and to modify and clarify existing procedures relating to the order in which loan applications are to be considered.

4 To consider and act upon legislation relating to the transportation, admission, or instruction of pupils in schools, colleges or universities; relating to tests and scholarships for such pupils; relating to regulating the administration of schools, colleges, universities or other persons issuing diplomas, degrees or certificates of completion of education; and relating to the issuance of bonds to provide capital outlay for school construction and to repay the General Fund.

5. To consider and act upon legislation relative to validating the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies.

6. To consider and act upon legislation for the exemption from local property taxation of boats or ships used for the commercial fishing of tuna

7. To consider and act upon legislation to expand the definition of special highway construction equipment to include dump trucks used for highway construction.

8 To consider and act upon legislation to exempt certain types of claims from the operation of Section 29714 of the Government Code which relates to claims against counties.

9. To consider and act upon legislation to exempt station wagons from vehicle weight fees

10. To consider and act upon legislation relating to the creation, powers, and duties of a California Poultry Promotion Council.

11. To consider and act upon legislation relating to the membership of the Small Craft Harbors Commission.

12. To consider and act upon legislation relating to franchises and leases of the property of port districts.

13 To consider and act upon legislation relating to the powers and duties of the Lower San Joaquin Levee District.

14. To consider and act upon legislation relating to assessments levied under the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931).

15 To consider and act upon legislation relative to the acquisition, construction, furnishing, equipping and financing of land and buildings by the State Bar of California, including temporary changes in the maximum annual membership fee for the members thereof

16 To consider and act upon legislation relative to the construction of a bridge from San Pedro to Terminal Island.

17. To consider and act upon legislation relating to the publication of delinquent tax lists.

18. To consider and act upon legislation relating to uniforms of the California Highway Patrol.

19. To consider and act upon legislation relating to the Legislature, its members, sessions, and procedure.

20. To consider and act upon legislation relating to the membership of the board of directors of the San Francisco Bay Area Rapid Transit District.

21. To consider and act upon legislation to relinquish to the City and County of San Francisco all the right, title and interest of the State in and to portions of certain streets within the boundaries of salt marsh, tide, and submerged lands in that city and county, and to remove all restrictions as to the use and disposition thereof.

22. To consider and act upon legislation for the exemption from local property taxation of boats or ships under construction.

23 To consider and act upon legislation to amend Section 5.2 of Chapter 124 of the Statutes of 1955, as amended, relating to the authority of the California Olympics Committee to exercise the right of eminent domain.

24 To consider and act upon legislation relative to the number and compensation of officers and attaches of the municipal court established in the Fresno Judicial District.

25. To consider and act upon legislation to amend Section 262 of the Revenue and Taxation Code to provide for the cancellation or refund of taxes for the Fiscal Year 1957-58 on property as to which the church exemption was available but inadvertently not claimed

26. To consider and act upon legislation to authorize the local participation required in connection with the Truckee River and Tributaries Flood Control Project authorized by the Flood Control Act of 1954 (Public Law 780, 83d Congress, 2d Session).

27. To consider and act upon legislation to change the maximum tax rate prescribed for port districts by Section 6362 of the Harbors and Navigation Code.

28. To consider and act upon legislation to provide for the preservation and restoration of state and local government in the event of war or enemy caused disaster; to provide for succession to the Office of Governor; and to amend the California Disaster Act, including such changes therein as may be required to qualify this State to receive financial aid from the Federal Government for the cost of administration thereof as provided by pending congressional legislation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this third day of March, 1958.

(SEAL) 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 and has convened on March 4, 1958; 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 3, 1958, 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. 29. To consider and act upon legislation to exempt county sanitation districts and county fire protection districts from the provisions of the District Investigation Law of 1933.

Item No. 30. To consider and act upon legislation to authorize counties to charge tolls on ferries owned and operated by such counties.

Item No 31. To consider and act upon legislation relating to the inclusion of portions of the incorporated areas of cities in districts organized under the Municipal Water District Act of 1911.

Item No. 32. To consider and act upon legislation relating to the inclusion of public agencies within, or the withdrawal of public agencies from, the Santa Clara-Alameda-San Benito Water Authority, and to representation on its board of directors.

Item No. 33. To consider and act upon legislation relative to the acquisition, sale or other disposition and possession of devices designed for or adaptable to use on a

firearm which utilize projected or infrared light source and electronic telescope to enable the operator thereof to visually determine and locate the presence of objects during the nighttime.

Item No. 34. To consider and act upon legislation to amend Section 26361 of the Government Code, relating to the leasing, by county boards of supervisors, of concessions in county revenue bond projects.

Item No. 35. To consider and act upon legislation amending Section 5784.26 of the Public Resources Code, relating to bonds of recreation and park districts.

Item No. 36. To consider and act upon legislation to authorize the issuance and sale of revenue bonds by cities to finance the acquisition, construction, maintenance, operation, improvement, and development of small craft harbors.

Item No. 37. To consider and act upon legislation relating to the administration and enforcement of the laws relating to the installation of plumbing, heating, or electrical equipment in trailer coaches.

Item No. 38. To consider and act upon legislation relating to the development of recreational facilities.

Item No. 39. To consider and act upon legislation relative to the issuance and sale of state general obligation bonds for buildings and building sites for state educational institutions, including state colleges, and for mental and correctional facilities and other state facilities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirteenth day of March, 1958.

(SEAL) 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 into extraordinary session and has convened on March 4, 1958; 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 3, 1958, 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 and other items added thereto on March 13, 1958, to wit:

Item No. 40. To consider and act upon legislation to authorize the issuance of bonds by cities for the acquisition of real property.

Item No. 41. To consider and act upon legislation relating to the levy and collection of assessments by California water districts.

Item No. 42. To consider and act upon legislation relating to the authority of water districts to issue general obligation bonds.

Item No. 43. To consider and act upon legislation to provide for the cancellation or refund of taxes for the Fiscal Year 1957-58 on property as to which the college exemption was available but inadvertently was not claimed.

Item No. 44. To consider and act upon legislation to exempt from registration vehicles used by the Civil Air Patrol.

Item No. 45. To consider and act upon legislation to amend Section 5302.5 of the Streets and Highways Code to extend the period for payment of assessments levied against public agencies under the Improvement Act of 1911.

Item No. 46. To consider and act upon legislation relating to the maximum rate of assessment in parking districts.

Item No. 47. To consider and act upon legislation relating to the leasing of property, borrowing of funds, and levying of taxes by hospital districts.

Item No. 48. To consider and act upon legislation to authorize the issuance of bonds by the State for the improvement of harbors and facilities thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-fourth day of March, 1958.

(SEAL) GOODWIN J. KNIGHT, Governor of California

[ATTEST] FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Assistant Secretary of State

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

PROCLAMATION

WHEREAS, The Legislature of the State of California has been called in extraordinary session and has convened on March 4, 1958; 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 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 24, 1958, by amending Item No 47 thereof to read:

Item No. 47. To consider and act upon legislation relating to the loaning of property, borrowing of funds and levying of taxes by hospital districts, and by the San Benito Water Conservation and Flood Control District.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventeenth day of April, 1958.

(SEAL) 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 and has convened on March 4, 1958; 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 3, 1958, 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 and other items added thereto on March 13, 1958, and March 24, 1958, to wit:

Item No. 49. To consider and act upon legislation to authorize the transfer of state lands within the City of Santa Monica to the City of Santa Monica.

Item No. 50. To consider and act upon legislation relating to the sale of public securities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-eighth day of March, 1958.

(SEAL) 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 and has convened on March 4, 1958; 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 3, 1958, 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 other items added thereto on March 13, 1958, March 24, 1958, and March 28, 1958, to wit:

Item No 51. To approve or reject charters and charter amendments of cities, cities and counties, and counties ratified by the electors pursuant to the Constitution of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifteenth day of April, 1958.

(SEAL) GOODWIN J. KNIGHT, Governor of California

[ATTEST] FRANK M. JORDAN, Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1958 FIRST EXTRAORDINARY SESSION OF THE LEGISLATURE

CHAPTER 1

An act to validate the organization and acts of municipal water districts.

[Approved by Governor April 2, 1958. Filed with Secretary of State April 2, 1958.]

In effect July 23, 1958

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

SECTION 1. All municipal water districts and improvement districts thereof are hereby declared to be legally organized and to be legally functioning as public bodies and to be effective for the purposes of assessment and taxation if the statement, together with the map or plat, required to be filed under Sections 54900 to 54904, inclusive, of the Government Code, was filed prior to March 1, 1958.

CHAPTER 2

An act declaring certain salt marsh and tide and submerged lands to be free from the public trust for navigation, commerce, and fisheries, and from any trust, requirement, or conditions that such land be used for street or railway purposes, and authorizing the State Lands Commission to relinquish, grant, and convey all right, title, and interest of the State of California in and to such lands to the City and County of San Francisco for uses of general statewide interest, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

In effect immediately

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

SECTION 1. It is hereby determined and declared that the streets and railway right-of-way described in Section 2 of this act are no longer required for navigation, commerce, and fisheries, or for street or railway purposes, and such streets and railway right-of-way are hereby declared to be free from the public trust for navigation, commerce, and fisheries, and

from any trust, requirement or condition that such areas be used for street or railway purposes.

It is further determined and declared that the use of such streets and railway right-of-way by the City and County of San Francisco for the purposes described in this act, including but not limited to public parking, is of general statewide interest.

SEC. 2. The State Lands Commission shall convey to the City and County of San Francisco, for the uses described in Section 3 of this act, upon such terms and upon such payment therefor as may be prescribed by the commission, any and all right, title, and interest of the State of California in and to all streets and the 200-foot railway right-of-way within that territory situated in the City and County of San Francisco, State of California, whose exterior boundaries are described as follows:

Beginning at the point of intersection of the boundary line between the City and County of San Francisco and the County of San Mateo with the northeasterly line of Olney Avenue in said City and County; and running thence northwesterly along said northeasterly line of Olney Avenue to the northwesterly boundary of Tide Land Block 618, according to "Map of the Salt Marsh and Tide Lands and Lands Lying Under Water South of Second Street and situate in the City and County of San Francisco," certified March 19, 1869 by the Board of Tide Land Commissioners and approved March 4, 1870 by Order No. 911 of the Board of Supervisors of the City and County of San Francisco; thence northeasterly along last named boundary and along the northwesterly terminus of Nelson Avenue, (formerly Thirty-Eighth Avenue) as shown on above mentioned map, to the most southerly corner of the land conveyed to California Pacific Title Insurance Company by deed recorded July 31, 1953 in Volume 6203 Official Records at page 241 in the office of the Recorder of the City and County of San Francisco, State of California; thence northwesterly along the southwesterly line of said land so conveyed to California Pacific Title Insurance Company to the most southerly corner of that certain parcel of land conveyed to the City and County of San Francisco by deed recorded December 30, 1902 in Book 1980 of Deeds at pages 65 to 69 in the office of the Recorder of the City and County of San Francisco; thence northwesterly along the southwesterly line of said land so conveyed to the City and County to the most westerly corner of said land; thence northeasterly along the northwesterly line of said land 250 feet; thence northerly along a straight line to a point in the southwesterly prolongation of the southeasterly line of Ignacio Avenue distant thereon southwesterly 170 feet from the southwesterly line of Jamestown Avenue; thence northeasterly along said prolongation and along said southeasterly line of Ignacio Avenue, and its northeasterly prolongation, northeasterly to a point on a line parallel with and perpendicularly distant southwesterly 77 feet from the south-

westerly line of Ingerson Avenue; thence northwesterly along said parallel line 200 feet; thence northeasterly and parallel with Fitch Street 357 feet to the southwesterly line of Hollister Avenue; thence at right angles northwesterly along last named line 62.50 feet to the easterly boundary of property of the City and County of San Francisco; thence northerly along said boundary 83.75 feet to the northeasterly line of Hollister Avenue; thence southeasterly along last named line 87.38 feet; thence at a right angle northeasterly 200 feet to the southwesterly line of Gilman Avenue; thence southeasterly along said southwesterly line of Gilman Avenue to its intersection with a line drawn perpendicularly northerly from the said boundary line between the City and County of San Francisco and the County of San Mateo to a point distant 30 feet southeasterly along said southwesterly line of Gilman Avenue, from the southeasterly line of Coleman Street; thence southerly along said line so drawn to the said boundary line; thence westerly along said boundary line to the point of beginning

There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land lying 100 feet or more below the surface thereof, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from the land with the consent of the grantee.

SEC. 3. The City and County of San Francisco, its successors, and assigns, may use such streets and railway right-of-way for any purpose of general statewide interest, including but not limited to public parking, and may, for such purposes, reclaim or fill such streets and railway right-of-way.

SEC. 4. The lands to be conveyed shall be valued at substantially their appraised market value as of December 31, 1957.

SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: Urgency

Until the City and County of San Francisco has acquired the interest now held by the State in these lands it is impossible for it to undertake the construction of structures necessary for the utilization of these lands for purposes of general statewide interest. It is, therefore, necessary that this act take effect immediately.

CHAPTER 3

An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court established in the Fresno Judicial District.

In effect July 23, 1958

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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

SECTION 1. Section 73682 of the Government Code is amended to read:

Salaries: Clerk

73682. There shall be one clerk to be appointed by the judges of the court in the manner provided by law who shall be the secretary of the court. He shall receive a minimum salary of five hundred three dollars ($503) a month, and upon the recommendation of the judges, increments of twenty-nine dollars ($29) after six months of service, thirty-one dollars ($31) after one and one-half years, thirty-two dollars ($32) after two and one-half years, and thirty-four dollars ($34) to a maximum salary of six hundred twenty-nine dollars ($629) after four and one-half years of service.

SEC. 2. Section 73683 of said code is amended to read:

73683. The clerk may appoint:

Assistant clerks

(a) One assistant clerk who shall receive a minimum salary of four hundred three dollars ($403) a month, and upon the recommendation of the clerk, increments of twenty-three dollars ($23) after six months service, twenty-four dollars ($24) after one and one-half years, twenty-six dollars ($26) after two and one-half years, and twenty-seven dollars ($27) to a maximum salary of five hundred three dollars ($503) after four and one-half years of service.

(b) One legal process clerk who shall receive a minimum salary of three hundred eighty-one dollars ($381) a month, and upon the recommendation of the clerk, increments of twenty-two dollars ($22) after six months of service, twenty-three dollars ($23) after one and one-half years, twenty-four dollars ($24) after two and one-half years, and twenty-six dollars ($26) to a maximum salary of four hundred seventy-six dollars ($476) after four and one-half years of service.

(c) Four clerks IV, each of whom shall receive a minimum salary of three hundred forty-one dollars ($341) a month, and upon the recommendation of the clerk, increments of nineteen dollars ($19) after six months of service, twenty-one dollars ($21) after one and one-half years, twenty-two dollars ($22) after two and one-half years, and twenty-three dollars ($23) to a maximum salary of four hundred twenty-six dollars ($426) after four and one-half years of service.

(d) One senior account clerk who shall receive a minimum salary of three hundred forty-one dollars ($341) a month, upon the recommendation of the clerk, increments of nineteen dollars ($19) after six months of service, twenty-one dollars

($21) after one and one-half years, twenty-two dollars ($22) after two and one-half years, and twenty-three dollars ($23) to a maximum salary of four hundred twenty-six dollars ($426) after four and one-half years.

(e) One senior clerk who shall receive a minimum salary of three hundred twenty-two dollars ($322) a month, upon the recommendation of the clerk, increments of nineteen dollars ($19) after six months of service, nineteen dollars ($19) after one and one-half years, twenty-one dollars ($21) after two and one-half years, and twenty-two dollars ($22) to a maximum salary of four hundred three dollars ($403) after four and one-half years of service.

(f) Two clerks III, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) a month, upon the recommendation of the clerk, increments of seventeen dollars ($17) after six months of service, seventeen dollars ($17) after one and one-half years, nineteen dollars ($19) after two and one-half years, and nineteen dollars ($19) to a maximum salary of three hundred sixty dollars ($360) after four and one-half years of service.

SEC. 3. Section 73684 of said code is amended to read:

73684. The clerk may also appoint:

Same

(a) Two intermediate stenographer-clerks, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) a month, and upon the recommendation of the clerk, increments of fifteen dollars ($15) after six months of service, seventeen dollars ($17) after one and one-half years, seventeen dollars ($17) after two and one-half years, and nineteen dollars ($19) to a maximum salary of three hundred forty-one dollars ($341) after four and one-half years of service.

(b) Twelve clerks II, each of whom shall receive a minimum salary of two hundred fifty-eight dollars ($258) a month, and upon the recommendation of the clerk, increments of fifteen dollars ($15) after six months of service, fifteen dollars ($15) after one and one-half years, seventeen dollars ($17) after two and one-half years, and seventeen dollars ($17) to a maximum salary of three hundred twenty-two dollars ($322) after four and one-half years of service.

(c) Four clerks I, each of whom shall receive a minimum salary of two hundred thirty-one dollars ($231) a month, and upon the recommendation of the clerk, increments of thirteen dollars ($13) after six months of service, fourteen dollars ($14) after one and one-half years, fifteen dollars ($15) after two and one-half years, and fifteen dollars ($15) to a maximum salary of two hundred eighty-eight dollars ($288) after four and one-half years of service.

CHAPTER 4

An act to amend Section 7732.5 of the Education Code, relating to the repayment of state school building aid, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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

SECTION 1. Section 7732.5 of the Education Code is amended to read:

7732.5. If, on or before June 30th of any fiscal year, any school district files a request with the State Controller for a deferment of the annual repayment due from such district during the next succeeding fiscal year for an apportionment received by the district pursuant to this chapter or Chapter 1.6 of this division, and it is determined, in accordance with this section, that the district is entitled to a deferment of all or part of such annual repayment, the deferment shall be made in accordance with such determination.

As used in the preceding paragraph, "any school district" means a district which is liable for the repayment of the principal amount of apportionments made to the district under the provisions of Chapter 1.6 of this division and which has received a conditional apportionment under this chapter.

The portion of the annual repayment to be deferred under this section shall be determined as follows:

There shall be computed the amount required to be raised by taxes on property within the district, during the fiscal year in which the annual repayment is to be deducted pursuant to Sections 5058 and 7731, for the payment of principal and interest on (a) any bonded indebtedness incurred for school purposes prior to the first conditional apportionment to the school district under this chapter, (b) any bonded indebtedness which was incurred as a condition to any apportionment under this chapter, and (c) any bonded indebtedness incurred, the proceeds of which were required to be contributed for the purposes for which an apportionment was made under this chapter. To this amount shall be added the amount required during such fiscal year, for the annual repayment of school building apportionments under Chapter 1.6 of this division and under this chapter. The total of these amounts shall constitute the "basic tax amount."

There shall be computed the amount which would be produced by a tax of forty-five cents ($0.45) on each one hundred dollars ($100) of assessed valuation of the district during such year, to be known as the "forty-five cent tax amount." The amount of the annual repayment to be deferred during the fiscal year in which the annual repayment is due shall be the amount, if any, by which the basic tax amount exceeds the 45-cent ($0.45) tax amount. The amount deferred shall be added to the annual repayment for the next succeeding fiscal year.

On or before the last day of July of each fiscal year, the State Controller shall request the Director of Finance to, and the Director of Finance shall, determine and certify to the State Controller the amount of bonded debt service included in the "basic tax amount." On or before the third Monday in August of each fiscal year, the State Controller shall request the county auditor of each county to, and the county auditor of each county shall, determine and certify to the State Controller the current assessed valuation of property within each district which has filed a request for a deferment under this section.

Before the date on which the board of supervisors makes the levy of taxes for county purposes, the State Controller shall make the deferment determination required by this section for each district requesting a deferment, and, for each district which is entitled to a deferment, shall notify, in writing, the board of supervisors of the county, the governing board of the district, the county auditor, and the county superintendent of schools having jurisdiction over the district of the amount of the repayment of the district which is to be deferred under this section.

For the purposes of this section the "annual repayment" means the amount of the annual repayment of the district due in a fiscal year as determined pursuant to Section 5057 and Section 7729, plus the then unpaid deferred amount of any annual repayment due in any previous fiscal years. Any repayments by a district of a deferred amount shall be first applied to loans granted under Chapter 1.6 of this division.

Notwithstanding any other provision of this chapter, if, at the end of the 30-year period provided in Section 5059 or Section 7732, as the case may be, there are any deferred amounts due in any previous fiscal year remaining unpaid, repayments shall continue to be made in the manner provided by this section during each fiscal year thereafter until the amounts are paid, or for an additional period of 10 years, whichever first occurs. At the expiration of the additional 10-year period the unpaid portion of the deferred amounts shall be canceled on the books of the State Controller, and the provisions of Section 5059 or Section 7732, as the case may be, shall thereupon become applicable thereto and the board shall execute a conveyance to the district as provided in Section 5060 or Section 7733, whichever is applicable.

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:

Pyramiding of local property taxes in school districts which have received loans from the State for state school building aid has created serious problems in financing the current operations of schools and threatens the success of bond issues for construction of necessary school facilities. In order to alleviate

the situation so that adequate educational opportunity of all of the children of the State will be provided, it is necessary that this act take effect immediately.

CHAPTER 5

An act to amend Section 54309 of the Government Code, relating to the issuance of revenue bonds by local agencies.

In effect July 23, 1958

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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 improvement, building, system, plant, works, facilities, or undertaking used for or useful in any of the following:

(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.

(f) The providing of public airports and facilities appurtenant thereto.

(g) The acquisition, construction, maintenance, operation, improvement and development of public small boat harbors and such facilities and improvements in connection therewith as in the opinion of the local agency may be reasonably necessary to provide for the full, complete and convenient public use of such small boat harbors.

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 main-

tenance and operation of a ferry or ferry system, or small boat harbor, and all buildings, structures, improvements, equipment, ditches, canals, and facilities whatsoever appurtenant or relating to the enterprise.

CHAPTER 6

An act to validate the organization and acts of unified school districts, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.] In effect immediately

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

SECTION 1. Whenever the action necessary to the formation of a unified school district was completed before the first day of February, 1958, such district is hereby declared to be legally created and to be effective for assessment or taxation purposes if the statement, together with the map or plat, required to be filed under Section 54900 to 54904, inclusive, of the Government Code, was filed prior to March 1, 1958.

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 existing law, the formation of any new school district, including a unified school district, is not effective for the purposes of assessment and taxation if the statement and map or plat required to be filed by Government Code Sections 54900 and following are not filed on or before the first day of February of the year in which the assessments or taxes are to be levied. In order to permit newly formed unified school districts which have filed such statements and maps or plats during the month of February, 1958, to properly function the first fiscal year of their existence for all purposes, it is necesary that this act take effect immediately.

CHAPTER 7

An act to amend Section 5033.1 of the Education Code, relating to state school building aid.

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.] In effect July 23, 1958

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

SECTION 1. Section 5033.1 of the Education Code is amended to read:

5033.1. The sum of one hundred thousand dollars ($100,000) is hereby appropriated from any money in the State

Treasury not otherwise appropriated for apportionments to school districts pursuant to this chapter which the board deems necessary or advisable in order to complete, or to reimburse a district for expenditures made in connection with, a project at a given site for which an apportionment has previously been made under this chapter. Funds appropriated by this section for which application is not made on or before December 31, 1956, shall revert to the General Fund of the State Treasury. In regard to such applications filed on or before the latter date, apportionments may be made at any time until December 31, 1959.

CHAPTER 8

An act to add Section 139.40 to the Vehicle Code, relating to uniforms for the California Highway Patrol.

In effect July 23, 1958

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

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

SECTION 1. Section 139.40 is added to the Vehicle Code, to read:

139.40. Wearing of Uniforms. A uniform substantially similar to the official uniform of members of the California Highway Patrol shall not be worn by any other law enforcement officer or by any other person except duly appointed members of the California Highway Patrol and persons authorized by the commissioner to wear such uniform in connection with a program of entertainment. A uniform shall be deemed substantially similar to the uniform of the California Highway Patrol if it so resembles such official uniform as to cause an ordinary reasonable person to believe that the person wearing the uniform is a member of the California Highway Patrol. The violation of this section shall be a misdemeanor punishable under Section 763.

SEC. 2. The Legislature of the State of California hereby declares that in enacting Vehicle Code Section 139.40 it intends that its provisions apply to the official California Highway Patrol uniform specified in Headquarters General Order No. 73.2 adopted December 1, 1957, or any modification of that uniform prescribed by statute or order after December 1, 1957, except that these provisions shall not apply to the official uniform as prescribed on March 15, 1949.

CHAPTER 9

An act to amend Section 50701 of the Government Code, relating to small craft harbors and marinas.

[Approved by Governor April 3, 1958. Filed with Secretary of State April 4, 1958.]

In effect July 23 1958

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

SECTION 1. Section 50701 of the Government Code is amended to read:

50701. Subject to the provisions of this chapter, the board of a local agency may undertake and issue revenue bonds to finance the following public improvements:

(a) The acquisition, construction, maintenance, operation, improvement and development of public golf courses, marinas, or small craft harbors, and such facilities and improvements in connection therewith as in the opinion of the board may be reasonably necessary to provide for the full, complete and convenient public use of such golf courses, marinas, or small craft harbors.

(b) The acquisition, construction, maintenance and operation of facilities for the public convenience in conjunction with any public golf course, marina, or small craft harbor.

A local agency may not condemn property for the purposes of this chapter.

CHAPTER 10

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 7, 1958. Filed with Secretary of State April 7, 1958.]

In effect immediately

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, cities, and the following districts, authorities, agencies, boards, commissions (and other entities):

Agencies, boards, commissions or entities constituted or provided for under or pursuant to Chapter 5, Division 7, Title 1 of the Government Code

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

Redevelopment agencies
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
Transit 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. 5.5. Notwithstanding the provisions of subdivision (c) of Section 6 of this act, all contracts entered into prior to September 7, 1955, between any city and a subdivider or between any county and a subdivider providing for reimbursement to the subdivider for construction of a lateral or other facility for storm water drainage or other drainage are hereby confirmed and validated and declared to be legal and binding contracts between the parties thereto.

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 or which may be pending or 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.

(d) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States.

SEC. 7. 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. 8. Nothing contained in this act 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.

SEC. 9. 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. 10. This act may be cited as the First Validating Act of 1958.

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: Urgency

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 provide sewers, waterworks, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, firehouses 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, waterworks, schools, storm drains, flood control works, sanitary facilities, electric and other utility works, firehouses 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 11

An act making an appropriation for the expenses of the Senate, including the expenses of the Members of the Senate, to take effect immediately.

In effect immediately

[Approved by Governor April 8, 1958. Filed with Secretary of State April 8, 1958.]

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

SECTION 1. The sum of fifty thousand dollars ($50,000) is hereby appropriated from the General Fund in the State Treasury for the expenses of the Senate, including the expenses of Members of the Senate, without regard to fiscal years, to be transferred by the State Controller to the Contingent Fund of the Senate.

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 12

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

In effect immediately

[Approved by Governor April 8, 1958. Filed with Secretary of State April 8, 1958.]

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

SECTION 1. The sum of fifty thousand dollars ($50,000) is hereby appropriated from the General Fund in the State Treasury for the expenses of the Assembly, including the expenses of Members of the Assembly, without regard to fiscal years, to be transferred by the State Controller to the Contingent Fund of the Assembly.

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 13

An act to repeal Article 1 (comprising Sections 24201 to 24215, inclusive), Chapter 2, Division 12 of the Education Code and to add Article 1 (comprising Sections 24201 to 24220, inclusive) to Chapter 2, Division 12 of the Education Code, relating to educational institutions and the issuance, acquisition and use of degrees, diplomas, certificates, transcripts, or documents evidencing the completion of courses of instruction beyond high school, and making an appropriation.

[Approved by Governor April 7, 1958 Filed with Secretary of State April 9, 1958.]

In effect July 23, 1958

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

SECTION 1. Article 1 (comprising Sections 24201 to 24215, inclusive), Chapter 2, Division 12 of the Education Code is hereby repealed. Repeal

SEC. 2. Article 1 (comprising Sections 24201 to 24220, inclusive) is added to Chapter 2, Division 12 of the Education Code, to read:

Article 1. General Provisions

24201. As used in this article "diploma" means any "diploma," "degree," "certificate," "transcript," "document" or other writing in any language representing that any person has completed any course of study beyond high school and includes, but is not limited to, a diploma purporting to be a degree of bachelor, master, doctor or fellow in any field of knowledge or endeavor whatsoever. However, graduation from high school or its equivalent need not be nor purport to be a prerequisite for undertaking or completing such course of study. "Diploma"

24201.5. Notwithstanding the provision of Section 24201, "diploma" does not include a certificate of graduation issued in connection with the educational requirements of Section 2941.5 of the Business and Professions Code; provided, that such certificate is delivered solely to the Psychology Examining Committee, to be retained in its file until such time as the recipient may pass the examination of said examining committee, at which time said certificate, or a duplicate thereof, shall be delivered to him. Limitation

24202. A corporation may be formed pursuant to this article for the purpose of establishing, conducting, and maintaining an educational institution offering courses of instruction beyond high school, and issuing or conferring a diploma. Such institutions shall include, but not be limited to seminaries of learning, specialized educational institutions, junior colleges, colleges, and universities, offering courses beyond high school. Formation of corporation

24203. A corporation formed pursuant to this article shall comply with Chapter 1 (commencing with Section 300) of Purposes and organization

Part 2, Division 1, Title 1 of the Corporations Code, except that in lieu of the requirements of Sections 301 to 305, inclusive, the articles of incorporation shall state:

(a) The name of the corporation.

(b) The purpose for which it is organized.

(c) The county in this State where the principal office for the transaction of the business of the corporation is to be located.

(d) The names, residence address and number of its directors at the time of its incorporation. Provision may be made that the number of directors may be established by the bylaws; provided, that the number of directors may not be less than five.

Stock issuance

24204. (a) If a corporation formed pursuant to this article is to be authorized to issue shares of stock, the articles of incorporation shall state the total number of shares which the corporation shall have authority to issue and (1) the aggregate par value, if any, of all shares, and the par value of each of the shares, or (2) a statement that all the shares are to be without par value and except as herein provided shall be treated for all purposes as being incorporated pursuant to Division 1 (commencing with Section 300) of Title 1 of the Corporations Code.

(b) If a corporation formed pursuant to this article is to be authorized as a nonprofit corporation without authority to issue shares of stock, the articles of incorporation shall so state and except as herein provided, such corporation shall be treated for all purposes as being incorporated pursuant to Part 1 (embracing Sections 9000 to 9802, inclusive) of Division 2 of Title 1 of the Corporations Code and shall have the general powers granted by Section 10206 of the Corporations Code.

Honorary diploma

24205. No person, firm, association, partnership or corporation may issue or confer any honorary degree, diploma or certificate whatsoever unless such degree, diploma or certificate clearly and plainly states on its face that it is honorary.

Requirements

24206. Except as otherwise provided by law, no person, firm, association, partnership or corporation may issue or confer a diploma or honorary diploma unless such person, firm, association, partnership or corporation meets the requirements of one of the following subdivisions:

(a) A corporation which has filed with the Superintendent of Public Instruction an affidavit by the president or other head of the corporation, stating that the corporation owns an interest in real or personal property or both real and personal property used exclusively for the purpose of education, of a fair market value of not less than fifty thousand dollars ($50,000). Such affidavit shall be accompanied by an appraisal by a state inheritance tax appraiser appointed for the county in which the institution is located, describing the real or personal property or both, and showing the value of the interest of the corporation therein to be at least fifty thousand dollars ($50,000). The value of the interest of the property required to be owned by the corporation for the purposes of this section shall be deemed to be the appraised value of the interest owned

by the corporation less the unpaid balance on any note secured by a mortgage or deed of trust thereon or the unpaid balance on a contract of sale thereof.

(b) A hospital licensed under the provisions of Division 2, Chapter 2 (commencing with Section 1400) of the Health and Safety Code, which issues diplomas in nursing, or in connection with the operation of a hospital.

(c) A person, firm, association, partnership or corporation which is approved by a licensing board under the Department of Professional and Vocational Standards and which issues or confers diplomas in the profession, vocation or occupation controlled by the board licensing it; provided, that this subdivision shall not be construed as authorizing the issuing of a diploma which is not limited to the profession, vocation or occupation controlled by the licensing board.

(d) Any educational institution accredited for teacher training by the State Board of Education for credentials in the field of teacher training.

(e) Any institution approved by the Bureau of Readjustment Education of the Department of Education; provided, that this subdivision shall not be construed as authorizing the issuance of a diploma which is not based exclusively on courses of instruction approved by said bureau.

(f) A person, firm, association, partnership or corporation authorized by the Superintendent of Public Instruction to issue specified diplomas. Such permission shall be granted upon a year-to-year basis by the Superintendent of Public Instruction upon the submission of information to him that the courses of instruction, and the faculty or requirements of such applicant will afford students or require of students a course of education comparable to that being furnished by persons, firms, associations, partnerships and corporations offering similar instruction and complying with other subdivisions hereof. For the purpose of this subdivision, the Superintendent of Public Instruction may rely on the findings of an accrediting agency generally accepted by the class of institution concerned and shall consider the results of the examination taken pursuant to Business and Professions Code, Section 2941.5 by students of any applicant. The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the superintendent made pursuant to this subdivision.

Affidavit

24207. Any person, firm, association, partnership or corporation authorized under subdivision (b), (c), (d), (e) or (f) of Section 24206 to issue diplomas shall, between the first and thirty-first days of January of each year, commencing on January 1, 1959, file with the Superintendent of Public Instruction an affidavit of its owner, president, or other head, setting forth

the following information covering the preceding calendar year:

(1) The names and addresses, both local and home, including city and street, of its students who were enrolled in courses of instruction beyond high school.

(2) The courses of study offered by the institution.

(3) The names and addresses, both local and home, including city and streets, of its faculty, together with a record of the educational qualifications of each.

(4) The diplomas and honorary diplomas granted; to whom granted; the date granted; and the curricula upon which the diplomas were based.

Same

24208. Every person, firm, association, partnership or corporation issuing or conferring honorary diplomas or diplomas shall between the first and thirty-first days of January of each year, commencing on January 1, 1959, file with the Superintendent of Public Instruction an affidavit by the owner, president or other head, setting forth the following information covering the preceding calendar year:

(a) All names, whether real or fictitious, of the person, firm, association, partnership or corporation under which it has done and is doing business.

(b) The address, including city and street, of every place of doing business of the person, firm, association, partnership or corporation, within the State of California.

(c) The address, including city and street, of the location of the records of the person, firm, association, partnership or corporation, and the name and address, including city and street, of the custodian of such records.

(d) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership or corporation.

(e) That the records required by Section 24209 of this article are maintained at the address stated, and are true and accurate.

(f) Any change in items included in subdivisions (a) to (d), inclusive, shall be reported to the Superintendent of Public Instruction within 20 days of such change.

Records

24209. Any person, firm, association, partnership or corporation, which issues or confers diplomas or honorary diplomas shall maintain current records for a period of not less than three years at its principal place of business within the State of California, immediately available during normal business hours, for inspection by the Superintendent of Public Instruction or the Attorney General showing the following:

(a) The names and addresses, both local and home, including city and street, of each of its students.

(b) The courses of study offered by the institution.

(c) The names and addresses, including city and street, of its faculty, together with a record of the educational qualifications of each.

(d) The diplomas and honorary diplomas granted; to whom granted; the date of granting; together with the curricula upon which the diplomas were based

Investigations

24210. The Superintendent of Public Instruction shall make such investigations as are necessary to determine whether or not there has been compliance with the provisions of this article, and shall report the facts of violations of this article to the Attorney General for the institution of such proceedings as the Attorney General may deem necessary. The Superintendent of Public Instruction shall annually, on or before the first Monday in January, report to the Governor and to each house of the Legislature, concerning investigations made pursuant to this article.

Restrictions

24211. No person, firm, association, partnership or corporation may sell, barter, offer to sell or barter, or conspire to sell or barter, any diploma as defined in this article.

Same

24212. No person, firm, association, partnership or corporation may buy, obtain by barter, attempt to buy or obtain by barter, or conspire to obtain by barter or buy, any diploma as defined in this article.

Same

24213. No person, firm, association, partnership or corporation may use in connection with any business, trade, profession or occupation, or attempt to use in connection with any business, trade, profession or occupation, or conspire to use in connection with any business, trade, profession or occupation, any degree, diploma, certificate, transcript or document, as defined in this article, which has been purchased, obtained by barter, fraudulently or illegally issued, illegally obtained, counterfeited, materially altered or found.

Same

24214. No person, firm, association, partnership or corporation may:

(a) Use in connection with a business, trade, profession or occupation, or give or receive;

(b) Attempt to use in connection with a business, trade, profession or occupation, or attempt to give or receive;

(c) Conspire to use in connection with a business, trade, profession or occupation, or conspire to give or receive;

any diploma evidencing the undertaking or completion of any course of study or scholastic achievement attained if, in fact, said course of study has not been undertaken nor completed or if such scholastic achievement has not been attained.

Same

24215. No person, firm, association, partnership, or corporation shall use or allow the use of any reproduction or facsimile of the Great Seal of the State on any diploma.

This section does not apply to the University of California or to any school, junior college or state college which is a part of the Public School System.

Enforcement

24216. The Attorney General shall take action to enforce the provisions of this article.

Adoption of rules

24217. The Superintendent of Public Instruction and the Department of Education may adopt rules not inconsistent with this article governing exercise of the authority conferred

by this article, which rules shall be adopted in accordance with the Administrative Procedure Act.

Violations

24218 Any person, firm, association, partnership or corporation wilfully violating any provision of Sections 24211, 24212, 24213, 24214 or 24215 is guilty of a felony and is punishable by imprisonment in the state prison not exceeding five years or by a fine of not less than one thousand dollars ($1,000) or by both such fine and imprisonment. Any person, firm, association, partnership or corporation wilfully violating any other provision of this article is punishable, for a first offense, by imprisonment in the county jail not exceeding one year, or by fine not exceeding five hundred dollars ($500) or both; and any second or subsequent offense shall be a felony punishable by imprisonment in the state prison not exceeding five years or by fine not less than one thousand dollars ($1,000) or by both such fine and imprisonment.

Religious diploma

24219. The provisions of Sections 24202 to 24209, inclusive, do not apply to any diploma or course of instruction given by a bona fide church or religious denomination if such course is limited to instructions in the principles of that church or denomination or to courses offered pursuant to Section 2789 of the Business and Professions Code, and the diploma is limited to evidence of completion of that course.

Severability clause

24220. If any section, subsection, sentence, clause or phrase of this article is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The Legislature hereby declares that it would have passed this article, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Appropriation

SEC. 3. The sum of twenty-five thousand six hundred sixty-five dollars ($25,665) is appropriated to the Department of Education for the 1958-59 Fiscal Year, to carry out the duties imposed upon it by this act.

Application

SEC. 4. Any person, firm, association, partnership or corporation who on or before the twentieth day after the effective date of this act files with the Superintendent of Public Instruction an application pursuant to subdivision (f) of Section 24206 shall, if he meets the requirements of that subdivision be granted permission to issue the diplomas specified in his application retroactive to the date of filing of such application.

Legislative intent

SEC. 5. It is the intent of this Legislature to foster privately supported education and protect the integrity of diplomas conferred by privately supported as well as publicly supported educational institutions.

It is also the intent of the Legislature to encourage the recognition by tax-supported institutions of work completed and diplomas issued by privately supported institutions, to the end that students may have equal opportunities for equal accomplishment and ability.

In the present period the need for educational services for the youth is so great that it cannot be met by tax-supported institutions alone. The contribution of privately supported educational institutions to the preservation of our liberties is essential. These objectives can best be achieved by protecting the integrity of diplomas issued by such institutions.

CHAPTER 14

An act to amend Sections 3.1, 4, and 22 of, and to add Section 30.2 to, the Water Conservation Act of 1931 (Chapter 1020 of the Statutes of 1931), relating to petitions for organization of districts, notices of hearing on elections, payments of bonds from assessments, levy of assessments, manner of levies, maximum amounts and purposes of assessment, and compensation of directors, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.] In effect immediately

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

SECTION 1. Section 3.1 of the Water Conservation Act of 1931 is amended to read:

Sec. 3.1. Any petition proposing the organization of a water conservation district may include a statement that all bonds of the district and all bonds of any improvement district created therein shall be payable from assessments to be levied upon all real property in the proposed district or in the improvement district created therein. If such statement be included in the petition, the notice of hearing mentioned in Section 4 of this act shall so state and the notice of election mentioned in Section 6 of this act shall likewise so state, and, in the event the district is formed, all bonds thereafter issued by said district and all bonds of any improvement district organized therein shall be payable from assessments levied upon all real property in said water conservation district or improvement district, as the case may be, and such real property shall be liable to be taxed for the payment of principal and interest of said bonded indebtedness until said bonds are fully paid. Any such assessment shall be levied in the manner provided in this act.

SEC. 2. Section 4 of said act is amended to read:

Sec. 4. When such petition is presented, the board of supervisors shall hear the same, and may adjourn such hearing from time to time. If any hearing or continued hearing shall be continued to a time more than 60 days from the date of the order making such continuance, a notice of such continued hearing shall be published, in some newspaper or newspapers printed and published in each of the counties in which any portion of the proposed district lies; once a week for at least

two weeks immediately prior to the time appointed for such continued hearing. On the final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable, and shall define and establish such boundaries. But said board shall not modify said boundaries so as to exclude from said proposed district any territory which would be benefited by the formation of such district; nor shall any land be included within such proposed district which will not, in the judgment of said board, be benefited by the organization of such district. Any person whose lands would be benefited by such district may, upon his application and in the discretion of the board of supervisors, have such lands included within such proposed district. Upon such hearing of such petition the board of supervisors shall determine whether or not said petition complies with the requirements of Sections 1 and 3 of this act, and for that purpose must hear all competent and relevant testimony offered in support thereof or in opposition thereto. No defect in the contents of the petition, or in the title to or form of the notice, or signature, shall vitiate any proceedings thereon; provided, such petition or petitions have a sufficient number of qualified signatures attached thereto. The determination of the board of supervisors shall be entered upon the minutes of said board.

If the board of supervisors finds that protest has been made, prior to its final determination for formation of the district, by the owners of land, or by the owners of real property in the event of the applicability of the provisions of Section 3.1, within the proposed district the assessed value of which, as shown by the last equalized assessment roll, constitutes more than one-half of the total assessed value of the land or real property, as the case may be, within the proposed district, the proceeding shall terminate. The board of supervisors shall order the proceeding terminated when such protests are received.

SEC. 3. Section 22 of said act is amended to read:

Sec. 22. Each member of the board of directors shall receive twenty-five dollars ($25) for each day's attendance at the meetings of the board and actual and necessary expenses and a per diem not exceeding twenty-five dollars ($25) per day while engaged in official business under an order of the board.

SEC. 4. Section 30.2 is added to said act, to read:

Sec. 30.2. Whenever a district has been or is organized pursuant to the provisions of Section 3.1 of this act so that all bonds of the district and all bonds of any improvement district created therein are payable from assessments levied upon all real property within the district, or improvement district, as the case may be, annual assessments for the purposes provided in Section 28 shall be upon all real property within the district and shall be levied in the manner generally provided in Sections 28, 29, and 30 for the levy of assessments upon land only; provided, that the assessment levied during any year for the raising of said funds (exclusive of any amounts

required for the payment of principal and interest of bonds or for an installment of any special assessment authorized by the voters under this act) as provided in Section 28 of this act shall not exceed two and one-half mills ($0.0025) on each one hundred cents ($1) of the assessed value of the real property within the district, and such additional rate of assessment shall be levied as may be required to provide for the payment of principal and interest of bonds and for an installment of any special assessment authorized by the voters under this act.

SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: Urgency

There is a serious water shortage throughout this State, and in addition, underground water supplies of large areas are threatened with destruction because of the intrusion of sea water and because of the deterioration of the chemical quality of water in such underground basins. It is essential to the well-being of the State that money be available to water conservation districts to enable them to pay for necessary investigation and planning for works and methods of conserving the water resources of this State and preserving them from destruction or deterioration. To enable such districts to levy taxes upon all real property for the purpose of providing funds to carry out district purposes for the Fiscal Year 1958-1959, this act must become effective at once.

CHAPTER 15

An act to appropriate thirty million dollars ($30,000,000) to be expended pursuant to Section 7741 of the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.] In effect immediately

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

SECTION 1. The sum of thirty million dollars ($30,000,000) is hereby appropriated from the Investment Fund to be expended pursuant to Section 7741 of the Education Code.

The Controller shall transfer the sum appropriated to the State School Building Aid Fund from time to time and in such amounts as are directed by the State Allocation Board, and the sum shall be available for apportionment by the State Allocation Board in the amount of three million dollars ($3,000,000) on April 5, 1958, and three million dollars ($3,000,000) on the fifth day of each month thereafter to and including January 5, 1959, totaling thirty million dollars ($30,000,000).

The State Controller shall transfer to the Investment Fund in installments the total amount that has been transferred

therefrom to the State School Building Aid Fund, from moneys received from the sale of bonds hereafter authorized to be issued and sold by the State for the purpose of aiding school districts to provide school sites and buildings for pupils in the Public School System. Each transfer shall be made at such time and in such amount as may be determined by the State School Building Finance Committee, but the amount of any transfer shall not exceed seven million five hundred thousand dollars ($7,500,000) during any one calendar quarter.

SEC. 2. This act is 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 go into immediate effect. The facts constituting such necessity are:

It is in the interests of the State and of the people thereof for the State to aid school districts in providing necessary and adequate school sites and buildings for pupils of the Public School System. The need of the districts for sites and buildings has not been entirely met by the proceeds of bonds authorized under Article XVI, Section 18 of the Constitution and the need must be met immediately.

CHAPTER 16

An act to amend Section 5784.26 of the Public Resources Code, relating to bonds of recreation and park districts, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.]

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

SECTION 1. Section 5784.26 of the Public Resources Code is amended to read:

5784.26. Bonds issued pursuant to this chapter shall be issued as follows:

(a) The district board may fix a date, not more than five 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, a part, to be determined by the district board, which shall be not less than one-fortieth of the indebtedness of such issue or series shall be payable annually at a date and place specified; provided, however, the bonds or any issue or series may be made to mature and become payable in approximately equal total annual installments of interest and principal, during the term of the bonds computed from the first year in which any part of the principal shall mature to the date of final maturity which annual installments may vary one from the other in amounts not exceeding in any year more than 5 percent of the total amount of the bonds of such issue or of the series

thereof then proposed to be issued. The final maturity date shall not exceed 40 years from the time of incurring the indebtedness evidenced by each issue or series.

(b) The district 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 chapter.

(c) The interest to be paid shall be stated upon the bond and shall not exceed the rate specified in the notice of election on the issuance of such bonds.

(d) The denomination of the bonds shall be fixed by the district board, but shall not be less than one hundred dollars ($100) or more than one thousand dollars ($1,000) each.

(e) The bonds shall be signed by the presiding officer of the district board and by the county treasurer. Signatures may be facsimile by use of an engraved or lithographed signature.

(f) Interest coupons shall be numbered consecutively and signed by the county treasurer in like manner as the bonds.

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

Without the amendments effected by this act bonds of certain recreation and park districts authorized under Chapter 4, Division 5, of said code cannot be sold. The peace, health and safety of the citizens of the State require the immediate construction, acquisition and financing by such districts in the State by the issuance and sale of such bonds as soon as possible and before this act would otherwise become effective, of urgently needed structures, works, projects, equipment and property authorized by said chapter because of the extraordinary increase in population, crime and juvenile delinquency and the lack of recreational facilities immediately needed to provide for such increased population and to help diminish crime and juvenile delinquency.

CHAPTER 17

An act to amend Section 7719 of the Education Code, relating to school district building aid, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.] In effect immediately

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

SECTION 1. Section 7719 of the Education Code is amended to read:

7719. No apportionment to a school district shall become final unless: (a) the total amount of outstanding bonds of the

district exceeds ninety-five percent (95%) of the maximum amount of bonds which the district could have had outstanding under any law on the date the conditional apportionment is made, or (b) if the total amount of the bonds of the district outstanding and unpaid is less than ninety-five percent (95%) of the amount of the bonds permitted to be issued by the district, the amount of district bonds outstanding is within twenty-five thousand dollars ($25,000) of the total bond limit permitted, as of the date on which the conditional apportionment is made. At the time the board makes a conditional apportionment pursuant to Section 7713, it shall determine what portion of the total amount of bonds which a district is permitted to issue and sell by law shall be issued and sold by such district, the proceeds of which shall be applied toward the cost of the project for which the apportionment is sought; provided, that in the event the school district has previously received apportionments, such proceeds shall first be applied toward the reduction, in chronological order beginning with the earliest, of any apportionments previously made to the district, before being applied toward the cost of the project for which an apportionment is sought. The portion so determined by the board shall be not less than the minimum amount required for such apportionment to become final under this section. Any apportionment made by the board pursuant to Section 7713 shall be conditioned upon the approval and sale of such bonds by the district. The amount of any apportionment for a construction project made as a consequence of applying district bond proceeds toward the reduction of prior apportionments pursuant to this section instead of applying the district bond proceeds toward the cost of such construction project, shall be excluded in determining the amount chargeable against the apportionments authorized by the electorate of the district to be accepted, expended and repaid It is hereby declared that this provision, added by the amendment to this section enacted at the 1958 First Extraordinary Session of the Legislature, is not intended as a change in the law, but rather as a declaration of existing law.

Any provision of this code to the contrary notwithstanding, whenever the electors of a district, subsequent to any requirement by the board for the sale of bonds in connection with an apportionment, authorize the issuance of bonds for any purpose for which an opportionment could lawfully be made, such authorization shall, in addition to the purposes specified, be deemed to constitute the consent of the electors to apply the proceeds of the bonds so required to be sold by the board toward the reduction of any apportionment previously made to such district. Any bond funds used to reduce any apportionment pursuant to this section shall be transferred to the State School Building Aid Fund and shall be available for reapportionment by the board. The portion so determined by the board shall be not less than the minimum amount required for such apportionment to become final under this section. Any appor-

tionment made by the board pursuant to Section 7713 shall be conditioned upon the approval and sale of such bonds by the district.

No apportionment to a school district shall become final unless, at an election called by the governing board of the district, two-thirds of the qualified electors of the district voting thereat have authorized the governing board of the district to accept, expend, and repay, as provided in this chapter, an apportionment under the provisions of this chapter. Such election shall be combined with and held at the same time as the bond election to authorize the amount of bonds required by the board, if any, and shall be called, held, and conducted in the same manner as are elections to authorize the issuance of school district bonds, except that the ballot, in addition to the bond proposition, shall contain substantially the following words:

"Shall the governing board of the _____ school district be authorized to accept and expend an apportionment in an amount not to exceed _____ dollars ($_____) from the State of California under and subject to the provisions of Chapter 19 of Division 3 of the Education Code which amount is subject to repayment as provided by said chapter? Yes____ No____."

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 immedate effect. The facts constituting such necessity are:

It is necessary to lay at rest the question of whether the increased apportionments required to finance a new construction project when district bond proceeds are required to be applied towards the reduction of prior apportionments instead of applying the proceeds toward the cost of the new construction project, should be included in determining the amount of apportionments chargeable against the maximum authorization by the electors of the district to accept, expend and repay apportionments. Inasmuch as the district bond proceeds that are applied toward the reduction of prior apportionments are equal to the amounts of additional apportionments required, and since such district bond proceeds become available for reapportionment, the transaction does not increase the amount of apportionments outstanding against the district nor does it reduce the amount of state funds available for apportionment. The Legislature therefore deems that apportionments which, in fact, offset district bond proceeds applied toward the reduction of prior apportionments, shall be excluded in determining the apportionments chargeable against the maximum authorized by the electorate pursuant to Section 7719. A contrary interpretation would require new elections in many districts for the approval of state aid which the districts would not actually receive. To require such needless elections would cause additional expense to impoverished school districts and would delay

the receipt of state aid for the construction of urgently needed classrooms. In order to prevent unnecessary delay in the progress of the state school building aid program, to the detriment of the education of the children of the State, it is necessary that this act take effect immediately.

CHAPTER 18

An act to amend Section 7705, and to repeal Section 7705.1, of the Education Code, relating to state school building aid.

In effect July 23, 1958

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.]

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

SECTION 1. Section 7705 of the Education Code is amended to read:

Allocation priorities

7705. The board by the adoption of rules shall give priority in allocating funds to districts to those districts where the children will benefit most from additional schoolhouse facilities. This priority shall be based on acuteness of overcrowding, on sudden growth in attendance, on amount of local tax funds expended for housing of a character within the purposes of this chapter, and on the time the district's application has been ready for allotment. The board may make exceptions when it determines that it will be for the benefit of the children affected.

In adopting rules the board may provide for the granting of priority points to govern the allocation according to the following schedule:

(a) Four priority points may be granted, either for each percent of the latest estimated average daily attendance of the district that is unhoused, or for each percent of the total area of school building construction permitted by this chapter which may be included by the district in applications to the board for new construction. The number of unhoused students is the latest estimated average daily attendance of the district less the sum of (1) any classrooms up to a total of two, multiplied by 25, and (2) any classrooms in excess of two, multiplied by 33.

(b) One priority point may be granted for each percent of the latest estimated average daily attendance of the district that is housed in unsafe buildings or buidings that are a serious hindrance to the education of the students. The number of students so housed is the latest estimated average daily attendance of the district less the sum of (1) the average daily attendance that is unhoused and (2) the sum of any classrooms in buildings which are not unsafe or a serious hindrance to the education of the students up to a total of two, multiplied by 25, and any such classrooms in excess of two, multiplied by 33.

(c) One priority point may be granted for each 5 percent of the latest computed average daily attendance of the district that represents an increase over the average daily attendance for the fifth preceding school year.

(d) One point of priority may be granted for each one-tenth of 1 percent of the assessed valuation of the district, collected in taxes and expended for school housing within the scope of this chapter for the last 12 completed fiscal years. Expenditure of the proceeds of the sale of bonds shall not be counted but expenditure for interest and retirement of bonds shall be counted.

(e) Not more than one point of priority shall be allowed for each calendar month that the completed application of the district has awaited funds.

If any computation of priority points made under this section results in a fraction of a point, such fraction shall be disregarded and the number of priority points shall be taken as the next lowest whole number.

These priorities shall be recomputed at least semiannually when funds are available for allocation, on the respective periods of time next preceding the date of computation. The State Department of Education shall assist and co-operate with the board in determining priority ratings.

The latest computed average daily attendance for a district is the average daily attendance computed for the district for the last preceding school year.

The latest estimated average daily attendance for a district is the estimated average daily attendance of the district, computed in accordance with Section 7717 of this Code.

No priority points shall be determined on the basis of enrollment where this section requires estimated average daily attendance or latest computed average daily attendance.

SEC. 2. Section 7705.1 of the Education Code is repealed. Repeal

SEC. 3. The provisions of this act shall become operative on January 1, 1959. Operative date

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CHAPTER 19

An act to repeal Section 7633 of, and to add Section 7638 to, the Education Code, relating to apportionments of state school construction funds.

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.] In effect July 23 1958

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

SECTION 1. Section 7633 of the Education Code is repealed. Repeal

SEC. 2. Section 7638 is added to said code, to read:

7638. Notwithstanding the provisions of Section 7634 to the contrary, if on or before June 30th of the fiscal year in which the state project is completed the district has received Apportionments

a final apportionment under Chapter 19 of this division or if at any time thereafter the district receives a final apportionment under said chapter, the amount of the apportionment to the district under this chapter then remaining unpaid shall, upon request of the district, be added to the principal amount of the apportionment made to the district under Chapter 19 of this division. Thereupon the apportionment made to the district under this chapter shall be deemed to be an apportionment made to the district under Chapter 19 and subject to repayment in the manner therein prescribed, except that no interest shall be charged or collected upon the amount which is added to the principal amount of the apportionment made to the district under Chapter 19. For the purposes of Section 7732, any amount added to the principal amount of an apportionment pursuant to this section shall be deemed to have become final and disbursed to the district on the date the state project is deemed completed pursuant to Section 7632.

CHAPTER 20

An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

In effect July 23 1958

[Approved by Governor April 8, 1958 Filed with Secretary of State April 9, 1958]

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, cities, and the following districts, authorities, agencies, boards, commissions and entities:

Agencies, boards, commissions or entities constituted or provided for under or pursuant to Chapter 5, Division 7, Title 1 of the Government Code

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
Redevelopment agencies
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
Transit 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. 5.5. Notwithstanding the provisions of subdivision (c) of Section 6 of this act, all contracts entered into prior to September 7, 1955 between any city and a subdivider or between any county and a subdivider providing for reimbursement to the subdivider for construction of a lateral or other facility for storm water drainage or other drainage are hereby confirmed and validated and declared to be legal and binding contracts between the parties thereto.

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 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.

(d) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States.

SEC. 7. 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. 8. Nothing contained in this act 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.

SEC. 9. 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. 10. This act may be cited as the Second Validating Act of 1958.

CHAPTER 21

An act to amend Sections 6271 and 6861 of the Harbors and Navigation Code, relating to port districts and river port districts.

In effect July 23, 1958

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.]

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

SECTION 1. Section 6271 of the Harbors and Navigation Code is amended to read:

Limitation

6271. A grant of a franchise or lease of property of the district shall not be made for a longer period than 50 years.

SEC. 2. Section 6861 of said code is amended to read:

Railroad franchise

6861. Any grant of a franchise or lease of property of the district shall not be for a longer period than 50 years. Notwithstanding anything herein contained, a district may grant to any common carrier by rail a franchise to operate equipment over any belt railroad, or part thereof, of the district for so long as the district shall own such railroad, and such franchise need not provide for readjustment of compensation therefor during its term.

CHAPTER 22

An act to amend Section 3391 of the Revenue and Taxation Code, relating to publication of delinquent lists.

[Approved by Governor April 8, 1958 Filed with Secretary of State April 9, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 3391 of the Revenue and Taxation Code is amended to read:

3391. In each county where the tax collector or, if the county is a chartered county, the board of supervisors determines that the public interest, convenience and necessity require the local publication of the delinquent list in order to afford adequate notice, the published delinquent list and all items required to be published with the published delinquent list shall be published as provided in this article.

After such determination, the tax collector or, if the county is a chartered county, the board of supervisors shall divide and distribute the delinquent list and cause the same to be published either within (a) the municipal corporations, (b) the elementary, high school or junior college districts, (c) the supervisorial districts, (d) judicial districts, (e) tax districts, areas included in map books, or tax code areas, or (f) by any annexation or annexations of same, or any combination of same, or any combination of such districts, annexations, areas included in map books, and code areas, within the county as they shall determine most likely to afford adequate notice to owners whose property is upon the delinquent lists.

Except as provided in this article, the publication shall be in the same manner as provided in Article 1.

The publication provided for in this article shall be made once a week for two successive weeks in a newspaper or newspapers of general circulation. Such publication shall be made in a newspaper published not less frequently than once a week.

CHAPTER 23

An act to add Chapter 8.5 (commencing with Section 18160) to Part 1 of Division 14 of the Streets and Highways Code, relating to the levy and collection of special assessment taxes for municipal street lighting systems on an ad valorem basis.

[Approved by Governor April 8, 1958. Filed with Secretary of State April 9, 1958.]

In effect July 23, 1958

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

SECTION 1. Chapter 8.5 is added to Part 1 of Division 14 of the Streets and Highways Code, to read:

CHAPTER 8.5. ALTERNATIVE PROCEDURE FOR LEVYING AND COLLECTING ASSESSMENTS ON AD VALOREM BASIS

18160. The procedure in this chapter shall be an alternative procedure for levying and collecting assessments, and the

Alternative procedure re assessments

city council may by resolution determine, in its discretion, that this procedure shall be followed. Such determination may be made, with respect to the procedures governing the organization of the district, at the time when the city council shall order the making and filing of a report as provided in Section 18040. Such determination may be made in any succeeding year during the period of time for which the improvement is ordered to be continued, at least 60 days prior to the making of the general tax levy for city purposes.

Report

18161. In the event that the city council shall determine to follow the procedure provided in this chapter with respect to the organization of the district, the report shall omit the diagram and proposed assessment referred to in subdivisions (c) and (d) of Section 18041, but the plans and specifications referred to in subdivision (a) of Section 18041 shall include or be accompanied by a map or plat of the district, showing the lands, including all zones thereof, if any, to be benefited by the proposed improvement and to be assessed to pay the expenses thereof.

Resolution Contents

18162. In the event that the city council shall determine to follow the procedure provided in this chapter with respect to the organization of the district, the resolution ordering the proposed improvement as contemplated by Section 18075 shall:

(a) Describe the boundaries of the district, and of any zone included therein, as they may be finally established, and designate the district and each zone therein by name, number or other distinctive method;

(b) State the period of time for which the proposed improvement shall continue and, in the event the maintenance and servicing is to be furnished by the city, the dates of commencement and ending of such period;

(c) Describe briefly the proposed improvement, stating its estimated cost for the first year, and order the proposed improvement to be made;

(d) Specify what portions of the estimated cost for the first year shall be borne by the city and the district respectively, if less than the entire cost is to be borne by the district, and designate the fund to be charged with such cost;

(e) Specify what proportion of the estimated cost for the first year to be borne by the district shall be borne by each zone therein;

(f) Order that portion of the estimated cost proposed to be borne by the district, and by each zone therein, to be paid by special assessment taxes levied upon all the lands, exclusive of improvements, within the district and any zone therein.

Certified copy filed

18163. A certified copy of the resolution ordering the proposed improvement and the map or plat of the district referred to in Section 18161 shall be filed with each assessor whose roll is used for the levy, and with the State Board of Equalization pursuant to Chapter 8, Part 1, Division 2, Title 5, of the Government Code. Thereafter the assessor in making up the city assessment roll shall segregate the property included within

the district on the assessment roll under the district designation contained in the resolution.

Estimate

18164. Each year during the period of time for which the improvement is to continue, and not less than 30 days prior to the making of the general tax levy for city purposes, the board, commission, officer or person designated pursuant to the provisions of Section 18040 shall furnish to the city council an estimate of the costs of the improvement for the next year. For the first year, the estimate of the costs of the improvement set forth in the resolution ordering the improvement shall be used.

Special assessment tax

18165. The city council shall, at the time of making the next general tax levy and in the manner provided for the general tax levy, levy a special assessment tax upon all lands, exclusive of improvements, within the district, and within any zone therein, which will be sufficient to raise that portion of the estimated cost of the improvement for the next year which is to be borne by the district.

Appropriation

18166. Each year, at the time of making the special assessment tax levy, the city council shall appropriate from the fund designated in the resolution ordering the improvement or from any other available fund a sum sufficient to pay that portion of the total cost of the improvement which is to be paid by the city.

Loan

18167. The city council may also transfer from the general fund of the city to the fund of the district sufficient money to pay all or any part of the percentage of the yearly cost of the improvement which is to be paid from funds raised from the district. The amount of money so transferred shall be deemed a loan to the district fund and shall be repaid to the general fund from the first money thereafter coming into the district fund from taxes levied upon lands within the district.

Tax collection

18168. The special assessment tax shall be levied, computed, entered, collected and enforced at the same time, in the same manner, by the same persons and with the same penalties as other taxes for city purposes and when collected shall be paid into the city treasury to the credit of the fund of the district and shall, subject to the provisions of Sections 18092 and 18092.1, which shall be applicable to the procedure provided by this chapter, be used only for the payment of the expenses of the district.

Deficiency

18169. If for any reason there is a deficiency in the funds derived from the assessment for any improvement, including all incidental expenses thereof, the city council may meet such deficiency by an appropriation out of the general fund of the city.

CHAPTER 24

An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 8, 1958. Filed with Secretary of State April 9, 1958.]

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

SECTION 1. Section 263 of the Revenue and Taxation Code is amended to read:

263. Any tax, or any penalty or interest thereon, for any fiscal year commencing during the calendar year 1956 or 1957 on any property of a hospital as to which the welfare exemption was available for such fiscal year shall be canceled pursuant to Article 1 (commencing with Section 4986) of Chapter 4 of Part 9 of this division as if it had been levied or charged erroneously, and, if paid, a refund thereof shall be made pursuant to Article 1 (commencing with Section 5096) of Chapter 5 of Part 9 of this division as if it had been erroneously collected.

No amount shall be canceled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration.

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:

Some hospitals have inadvertently failed to file the required affidavit in support of the welfare exemption which is applicable to their property and, as a consequence, are now 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 to such property. In doing so, it will fulfill the public policy of the State expressed through such exemption and thereby benefit the people generally.

CHAPTER 25

An act to amend Section 264 of the Revenue and Taxation Code, relating to the orphanage exemption, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 8, 1958. Filed with Secretary of State April 9, 1958.] In effect immediately

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

SECTION 1. Section 264 of the Revenue and Taxation Code is amended to read:

264. Any tax or penalty or interest thereon for any fiscal year commencing during the calendar year 1955, 1956 or 1957 on property as to which the orphanage exemption was available for such fiscal year shall be canceled pursuant to Article 1 (commencing with Section 4986) of Chapter 4 of Part 9 of this division as if it had been levied or charged erroneously, and, if paid, a refund thereof shall be made pursuant to Article 1 (commencing with Section 5096) of Chapter 5 of Part 9 of this division as if it had been erroneously collected.

No amount shall be canceled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration.

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:

Some orphanages have inadvertently failed to file the required affidavit in support of the tax exemption of their property which is granted by the State Constitution, 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 to such property. In doing so, the public policy of the State as expressed in the Constitution will be entirely fulfilled and the State as a whole will benefit.

CHAPTER 26

An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption.

[Approved by Governor April 8, 1958. Filed with Secretary of State April 9, 1958.] In effect July 23, 1958

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

SECTION 1. Section 268 of the Revenue and Taxation Code is amended to read:

268. Any tax or penalty or interest thereon for any fiscal year commencing during the calendar year 1954, 1955, 1956

or 1957 on property as to which the welfare exemption was available for such fiscal year shall be canceled pursuant to Article 1 (commencing with Section 4986) of Chapter 4 of Part 9 of this division as if it had been levied or charged erroneously, and, if paid, a refund thereof shall be made pursuant to Article 1 (commencing with Section 5096) of Chapter 5 of Part 9 of this division as if it had been erroneously collected.

No amount shall be canceled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration.

CHAPTER 27

An act to amend Section 29714 of, and to add Section 29714.1 to, the Government Code, relating to claims against counties.

In effect July 23, 1958

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.]

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

SECTION 1. Section 29714 of the Government Code is amended to read:

Claims Based on contracts

29714. With respect to claims based upon contracts, express or implied, if the board refuses or neglects to allow or reject a claim for 90 days after it is filed with the clerk, the claimant may treat the refusal or neglect as final action and rejection on the ninetieth day.

The provisions of this section as amended at the 1958 First Extraordinary Session of the Legislature, shall not renew any causes of action barred before the effective date of the section as amended at that session.

SEC. 2. Section 29714.1 is added to said code, to read:

Based on acts or omissions

29714.1. With respect to claims based upon any acts or omissions of the county or any county officer or employee, or of any district or public entity the funds of which are controlled by the board, or of any officer or employee of any such district or public entity, if the board refuses or neglects to allow or reject a claim for 90 days after it is filed with the clerk, such refusal or neglect shall constitute final action and rejection on the ninetieth day.

This section shall not renew any causes of action barred by Section 29714 as amended at the 1957 Regular Session of the Legislature during the period in which that section as so amended was in effect.

CHAPTER 28

An act to amend Section 1752 of, and to add Section 1757 to, the Streets and Highways Code, relating to county ferries.

[Approved by Governor April 9, 1958. Filed with Secretary of State April 9, 1958.] In effect July 23 1958

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

SECTION 1. Section 1752 of the Streets and Highways Code is amended to read:

1752. Whenever the board of supervisors of any county considers it advisable and for the best interests of the public that the county own and operate any ferry within such county, the board may purchase, establish or operate any ferry across any stream or river within the county. Ferry

SEC. 2. Section 1757 is added to said code, to read:

1757. Any ferry constructed or acquired under this chapter by a county or counties may be operated as either a free ferry or a toll ferry. Fare

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CHAPTER 29

An act to amend Section 7727 of the Education Code, relating to state school building aid.

[Approved by Governor April 9, 1958 Filed with Secretary of State April 9, 1958.] In effect July 23. 1958

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

SECTION 1. Section 7727 of the Education Code is amended to read:

7727. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine for each such grade level and certify to the State Controller the amount raised and to be raised by the district during the current fiscal year for the repayment of principal and interest on that portion of the bonded indebtedness of the district that was incurred for the grade level prior to the making of the conditional apportionment plus that portion which the board, in the conditional apportionment, required the district to incur prior to the date on which the first apportionment made to said district under the provisions of this chapter became final, which amount is designated as the "second computation." The Director of Finance shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level. When one or more additional apportionments have been made to a grade level of a school district, conditioned upon the issuance and sale of additional bonds of the district, or upon the requirement that the proceeds of bonds issued and sold be contributed for the purposes of the application for which the apportionment is made, the Director of Finance shall determine and include in his certificate the amount raised and to be raised by

the district during the current fiscal year for the payment of principal and interest on that portion of the additional bonded indebtedness of the district that was incurred for each such grade level as a condition to receiving such additional apportionment or which was incurred for bonds issued and sold, the proceeds of which were required to be contributed for purposes for which the apportionment was made; and such amount so certified shall be included in the "second computation," as herein defined.

CHAPTER 30

An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 262 of the Revenue and Taxation Code is amended to read:

262. Any tax or penalty or interest thereon for any fiscal year commencing during the calendar year 1952, 1953, 1954, 1955, 1956 or 1957 on property as to which the church exemption was available for such fiscal year shall be canceled pursuant to Article 1 (commencing with Section 4986) of Chapter 4 of Part 9 of this division as if it had been levied or charged erroneously, and, if paid, a refund thereof shall be made pursuant to Article 1 (commencing with Section 5096) of Chapter 5 of Part 9 of this division as if it had been erroneously collected.

No amount shall be canceled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration.

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:

Some churches have inadvertently failed to file the required affidavit in support of the tax exemption of their property which is granted by the State Constitution, 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 to such property. In doing so, the public policy of the State as expressed in the Constitution will be entirely fulfilled and the State as a whole will benefit.

CHAPTER 31

An act to amend Section 2005 of the Fish and Game Code, relating to the taking of game.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.] In effect July 23, 1958

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

SECTION 1. Section 2005 of the Fish and Game Code is amended to read:

2005. It is unlawful to use an artificial light to assist in the taking of game birds, mammals, or game fish, except that this section shall not apply to sport fishing in ocean waters or other waters where night fishing is permitted if the lights are not used on or as part of the fishing tackle, commercial fishing, nor to the taking of predators or mammals the taking of which is governed by Article 2 (commencing with Section 4180) of Chapter 2, Part 3, Division 4.

It is unlawful for any person, or one or more persons, to throw or cast the rays of any spotlight, headlight, or other artificial light on any highway or in any field, woodland, or forest upon any game mammal while having in his possession or under his control any firearm or weapon whereby such mammal could be killed, even though the mammal is not killed, injured, shot at, or otherwise pursued. The provisions of this section do not apply in a case where the headlights of a motor vehicle operated in a usual manner on a highway cast a light on such a mammal near or on such highway and there is no attempt or intent to locate the mammal.

It is unlawful to use or possess at any time any infrared or similar light used in connection with an electronic viewing device sometimes designated as a sniperscope to assist in the taking of birds, mammals, amphibia, or fish.

CHAPTER 32

An act to amend Sections 7 and 8 of, and to add Section 12 to, the Lower San Joaquin Levee District Act (Chapter 1075 of the Statutes of 1955), relating to the powers and duties of the Lower San Joaquin Levee District.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.] In effect July 23, 1958

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

SECTION 1. Section 7 of the Lower San Joaquin Levee District Act is amended to read:

Sec. 7. The purposes of the district are to co-operate with and act as liaison between the Corps of Engineers of the United States Army, the Reclamation Board, and the Department of

Water Resources in connection with the planning and construction of, and acquisition of property for, the plan of improvement for flood control and other purposes on the lower San Joaquin River and tributaries, including Tuolumne and Stanislaus Rivers, which plan is substantially in accordance with the recommendations of the Chief of Engineers in Flood Control Committee Document Numbered 2, Seventy-eighth Congress, Second Session, adopted and authorized by Section 12651 of the Water Code, or any modification of such plan made pursuant to law, and to do the following:

(a) Hold and save the United States free from damages due to the construction works.

(b) Upon completion of the construction by the State of any portion of the plan of improvement for flood control and receipt from the State of written notice of such completion, the district shall thereafter hold and save the State of California harmless from all claims, damages or liability due or incident to the design, construction, operation, repair and maintenance of such portion of said plan of improvement for flood control whether the same be caused by the negligence of the State, or of the officers, agents, employees of the State, or otherwise.

(c) Effect the local co-operation required by the Secretary of the Army or by the State of California in connection with such plan. Such local co-operation shall consist substantially of the repair, operation, and maintenance of levees, works, structures or other facilities in connection with such plan of improvement in accordance with regulations prescribed by the Secretary of the Army and the State of California.

All activities of the district prior to the effective date of the amendment of this section enacted by the Legislature at the 1957 Regular Session in co-operating with and acting as liaison between the Corps of Engineers of the United States Army, the Reclamation Board, and the Department of Water Resources in connection with the planning and construction of, and acquisition of property for, such plan are hereby confirmed, validated, and declared legally effective.

SEC. 2. Section 8 of said act is amended to read:

Sec. 8. Annually, on or before the first day of June, the board shall cause to be prepared an estimate of the total amount of money necessary to be raised by assessment for all district purposes during the next ensuing fiscal year, including any expenditures necessary in connection with or resulting from the assurances and local co-operation described in Section 7 above. The board shall add thereto an amount equal to 10 percent thereof for anticipated tax delinquencies. The board shall apportion such total amount of money among the counties of the district equitably in the same proportion as the value of lands, exclusive of improvements, of the district in each county bears to the total value of lands, exclusive of improvements, in the district as determined by the board. The amount so apportioned to each county shall be by resolution of the board, and a certified copy of such resolution shall be transmitted to the

boards of supervisors of each of the counties of the district. The board of supervisors shall cause assessments to be levied on the lands of the district within their respective counties, exclusive of improvements thereon, in proportion to the value thereof sufficient to raise the amounts so apportioned to their respective counties. The assessments shall be collected at the same time, in the same manner, and together with county taxes. Upon collection, all officers of the counties collecting or having in their possession sums derived from such assessments shall forthwith pay over the same to the County Treasurer of Merced County for the credit of the district.

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

Sec. 12. The district may carry and pay for insurance to cover any liability of the district, its officers, employees, or any of them.

CHAPTER 33

An act to amend Section 408 of the Education Code, relating to county superintendent of schools, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

In effect immediately

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

SECTION 1. Section 408 of the Education Code is amended to read:

408. All county superintendents of schools in counties within class eight (8) shall receive an annual salary of four thousand two hundred dollars ($4,200) and each shall possess a valid elementary or secondary teaching credential issued by the State Board of Education. Of the amount prescribed in this section, the State shall pay three thousand two hundred dollars ($3,200), and the county shall pay one thousand dollars ($1,000).

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 existing law, county superintendents of schools of counties with an average daily attendance of less than one hundred (100) are required to be the holders of a valid elementary or secondary administrative credential. Few persons of such qualifications are interested in the position of county superintendent of schools of such sparsely settled counties in this State. In order to promote interest in the position and to make eligible for such position those persons who are the holders of regular teaching credentials issued by the State Board of Education, it is necessary that this act take effect immediately.

CHAPTER 34

An act to amend Section 39.5 of the Vehicle Code, relating to the definition of "special highway construction equipment," to take effect immediately, and declaring the urgency thereof.

In effect immediately

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 39.5 of the Vehicle Code is amended to read:

39.5. Special Highway Construction Equipment. "Special highway construction equipment" means a vehicle which is designed and used primarily for grading of highways, paving of highways, earth moving and other construction work on highways and which is not designed or used primarily for the transportation of persons or property and which is only incidentally operated or moved over the highway. It includes road construction and maintenance machinery so designed and used such as portable air compressors, air drills, asphalt spreaders, bituminous mixers, bucket loaders, caterpillar tractors, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, earth moving scrapers and carryalls, lighting plants, welders, pumps, power shovels and draglines, self-propelled and tractor-drawn earth moving equipment and machinery, including dump trucks and tractor-dump trailer combinations which either (1) are in excess of 96 inches in width or (2) which, because of their length, height or unladen weight, may not be moved on a public highway without the permit specified in Section 710 of this code and which are not operated laden except within the boundaries of the job construction site, and other similar types of construction equipment. This enumeration shall not operate to exclude other vehicles which are within the purview of the term "special highway construction equipment" as above defined. "Special highway construction equipment" does not include any of the following:

(a) A vehicle originally designed for the transportation of persons or property to which machinery has been attached;

(b) Dump trucks originally designed to comply with the size and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in Section 710 of this code, to operate such vehicles on a highway, truck-mounted transit mixers, cranes and shovels.

The amendment of this section made by the 1958 First Extraordinary Session of the Legislature does not constitute a change in, but is declaratory of, the pre-existing law.

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:

An uncertainty exists as to what equipment may be designated as having the status of special highway construction equipment. This uncertainty has caused a hardship on the owners of such equipment and has subjected them to fines and penalties as well as substantially hindering the progress of construction work on the highways of this State. For the benefit of all concerned, it is necessary that this uncertainty be removed without delay.

CHAPTER 35

An act to add Chapter 19 (commencing with Section 5300) to Division 6 of the Agricultural Code, creating the California Poultry Promotion Council.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

In effect July 23, 1958

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

SECTION 1. Chapter 19 is added to Division 6 of the Agricultural Code, to read:

CHAPTER 19. THE CALIFORNIA POULTRY PROMOTION COUNCIL

Legislative declaration

5300. The Legislature hereby declares 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 poultry industry of this State is affected with a public interest, in that, among other things:

(a) The production and raising of poultry, eggs, and poultry products constitutes 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 poultry industry of California, and of the State, nationwide, and foreign markets for its products are necessary to assure the consuming public an adequate supply of foods which are necessary 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 people of this State, to maintain proper wage scales for those engaged in the poultry industry, and to maintain existing employment.

(c) The essentiality of California grown and raised poultry, eggs, and poultry products 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 California grown and raised poultry, eggs, and poultry products, their various classifications and the food value and uses thereof, the methods, care and precautions necessary to their proper production, processing and distribution, and the necessary costs and expenses thereof, and the necessity and desirability on the part of the public of using and consuming California grown and raised poultry, eggs, and poultry products.

Purpose

5301. The purposes of this chapter are:

(a) To enable the California poultry industry with the aid of the State to develop, maintain, and expand all markets for California grown and raised poultry, eggs, and poultry products.

(b) In aid, but not in limitation of the other purposes of this chapter, to authorize and enable the director to formulate and effectuate, directly or in co-operation with other agencies and instrumentalities, sales stimulation and consumer or other educational programs designed to increase the use and consumption of California grown and raised poultry, eggs, and poultry products.

(c) To provide funds for the administration and enforcement of this chapter.

Definitions

5302. As used in this chapter:

(a) "Poultry" includes only chickens. It does not include ducks, geese, turkeys or rabbits.

(b) "Poultry products" includes chickens or the parts thereof, and chicken eggs.

(c) "Poultry feed" includes the common components used to feed chickens regardless of manner in which it is acquired or produced and regardless of form in which they are prepared or mixed for feeding. As used in this subsection, "common components" include feed grains, animal and vegetable proteins, minerals and vitamins, and other ingredients found in poultry feeding rations such as rice, corn, barley, sorghum, soy beans, oats, wheat, alfalfa, meat, fish, or the products thereof.

(d) "Director" means the Director of the California State Department of Agriculture.

(e) "Producer" means any person engaged in the business of egg production, production of poultry and poultry products, breeding of poultry, or the operation of a poultry hatchery.

(f) "California grown and raised" means that the poultry or poultry product has been produced, grown, or raised to market weight in the State of California.

Director: Powers

5303. The director shall administer and enforce the provisions of this chapter and shall have and may exercise any and all 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 to carry out the declared intent and purposes of this chapter. The exercise of the powers granted to the council in its administration of this act shall be subject to the approval of the director.

California Poultry Promotion Council

5304. There is hereby established the California Poultry Promotion Council which consists of 21 members and 21 alternates, all of whom shall be citizens and residents of this State, and all of whom shall themselves be poultry producers. However, the California Poultry Promotion Council shall not be activated nor its membership appointed, unless 51 percent of the producers in this State have assented as set forth in Section 5304.5.

Producers' list

5304.5. Within 45 days after the effective date of this chapter, the director shall prepare a list of producers. To enable the director to prepare an accurate list, the director is authorized to require all buyers, receivers or other handlers of such products to file with him the correct names and addresses of all producers from whom they bought, received or handled such products during the preceding calendar year. The director shall also issue press releases for state circulation requesting all producers who market their own production to file their names and addresses with the director, and the director shall include the names of any producers so received upon the list.

From the reports filed by buyers, receivers and handlers and from the other sources specified in this section, the director shall prepare a list of producers and, for the purposes of carrying on the assent procedures required in this act, such list shall constitute a complete and conclusive list of producers in this State.

When such list has been prepared, the director shall prepare and mail to all producers a ballot form and summarization of the provisions of this chapter and its intents and purposes, together with a self-addressed stamped envelope.

The ballot shall be in the following form:

BALLOT OF CALIFORNIA POULTRY PROMOTION COUNCIL

Shall campaigns of research, advertising, publicity, and education become effective on behalf of California grown and raised poultry, eggs, and poultry products as provided for in the California Poultry Promotion Council Law, Chapter 19 Division 6, of the Agricultural Code.

Yes_____ No_____

Signature of producer_____

Address of producer_____

The director shall prescribe the period during which producers may file their ballots which in no case shall be less than fifteen (15) days nor longer than sixty (60) days. Each

producer shall be entitled to one vote. At the close of such assent period the director shall cause the assents and dissents to be counted, and, if he finds that the proposal submitted in the ballot has been assented to by fifty-one percent (51%) or more of the producers whose names appear upon the conclusive list, the action shall be deemed final and all other provisions of this chapter shall go into full force and effect.

Should less than 51 percent of such total number of producers fail to assent, the director shall not proceed under this chapter. Such failure shall not preclude the circulation of a new summarization and a new ballot at some future time as deemed appropriate by the director; provided, however, that if the promotion program authorized by this act is not activated prior to January 31, 1961, this entire chapter shall expire and automatically stand repealed. In any event, unless renewed or extended by legislative act, this entire chapter shall expire and stand repealed on October 1, 1965.

Term of office

5305. The terms of office of the members and alternates of the council shall be three years, except as provided in this section. The first appointments made under this chapter shall be so made that the terms of seven members and their alternates shall expire at the end of one year, seven members and their alternates shall expire at the end of two years, and seven members and their alternates shall expire at the end of three years. The director, whenever he deems necessary, shall obtain additional nominations for membership on the council from producers.

Any vacancy occurring during the unexpired term shall be filled by the director for the unexpired term from the eligible nominees. No council member or alternate shall serve more than two consecutive three-year terms except that service as an alternate does not disqualify a person to then serve two such terms as a member.

The director may remove any member of the council or alternate for cause and upon such removal there shall be a vacancy which shall be filled in the manner as provided for the unexpired term.

Nomination meetings

5306. In the event the procedures of Section 5304.5 result in the required assent then within 45 days after such findings, the director shall schedule and call nomination meetings in as many districts of the State as he may determine to be necessary to provide a reasonable opportunity to all producers of poultry, eggs and poultry products to attend such meetings without undue inconvenience Notice of such meetings shall be given by first class mail to all producers whose names appear upon lists prepared by the director as provided in Section 5304.5. The director shall also prepare and issue press releases providing notice of such meetings for dissemination throughout the State. At each meeting the director shall receive nominations for membership on the council.

Council. Membership

5306.5. From the full list of persons nominated for council membership as set forth in Sections 5304, 5305 and 5306, the

director shall select and appoint the actual council members and their alternates, giving due regard to the various segments of the industry and the geography of this State.

Quorum

5307. A majority of the members of the council shall constitute a quorum for the transaction of all business, including the election of officers.

Immediately upon the appointment and qualification of the council, the council shall meet at a time and place designated by the director as temporary chairman and shall organize. The council shall select annually from its number, to serve at its pleasure, a chairman and vice chairman who, together with five other members selected annually by the council, 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.

Meetings

5308. The council shall have at least two regular meetings in each 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 four calendar months between such meetings. The council may assemble for additional special meetings at any time and place at the call of the chairman or upon the written request of five 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.

Compensation

5309 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.

Same

5310. No member of the council, other than a member of the executive committee, shall receive compensation for more than 20 days' service per year. No member of the executive committee shall receive compensation for more than five days' service in any one month, except the chairman who may receive compensation for not more than 10 days per month.

Fidelity bond

5311. 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.

Liability Personal

5312. 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.

Alternate members

5313. An alternate member of the council shall sit as a regular member of the council in case the member for whom he is an alternate fails for any reason to attend any meeting of the council. He shall be compensated and reimbursed in the same manner and to the same extent as a regular member when so serving and when so serving has all the powers, duties, liabilities, and immunities of the member in whose place he is serving, except that the alternate to the chairman or vice chairman shall not succeed to the functions of these offices.

Duties

5314. 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 other persons 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 make such contracts and other agreements as may be proper to promote the sale of California grown and raised poultry, eggs, and poultry products on either a local, state, national or international basis;

(g) To co-operate 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, sales, public appreciation and consumption, publicity and advertising of California grown and raised poultry, eggs, and poultry products; provided, however, that in matters of research, the council shall co-operate 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, dietetic, industrial, or other uses of California grown and raised poultry, eggs, and poultry products;

(i) To recommend to the director annually a budget of proposed expenses of the council and of the director to be incurred in carrying out the provisions of this chapter, and to recommend modifications of such budget from time to time thereafter as may be required.

Seal

5315. The director shall adopt, after recommendation by the council, a distinctive seal, label, or marking which may be used as a sales promotion media in designating poultry, eggs, and poultry products grown and raised in California.

Penalty

5315.5. The type and quality of products which may display the California designation adopted under Section 5315 shall be as determined by the director, after giving proper consideration to recommendations of the council. Further, the use of such seal, label, or marking, or any imitation thereof, on any poultry, egg, or poultry product, or on any carton, package, or sales container of poultry, eggs, or poultry products not meeting these determinations, or in any case not produced, grown, or raised in California, is a misdemeanor and shall be enjoinable.

Education, research or public information programs

5316. The director shall conduct, or may cause the council to conduct, programs of education, research, or public information, designed to accomplish the following purposes, among others:

To increase the consumption of California grown and raised poultry, eggs, and poultry products, to gather, publicize, and diffuse accurate and scientific information showing the importance of the use and consumption of these 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 poultry, eggs, and poultry 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 California grown and raised poultry, eggs, and poultry products and the harmful effects on the public health resulting from the breakdown or instability of the poultry industry, the factors and conditions peculiar to the poultry industry which tend to cause an unbalanced production, the price of poultry, eggs, and poultry 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 California grown and raised poultry, eggs, and poultry products, stabilize the industry, and foster a better understanding and more efficient co-operation among California producers and the consuming public.

False claims

5317. No program or activity conducted 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 except those products in general which may carry the California identification described in Section 5315.

Records

5318. 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.

Political activity

5319. No member, alternate agent, or employee of the council shall appear before any legislative committee of the State or Federal Government as a representative of the council unless requested to do so by such committee, nor shall such person lobby in any manner as a representative of the council, nor shall any funds collected pursuant to this chapter be used for political contributions.

Reports

5320. 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

5321. 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 No rule or regulation shall become effective until the termination of a period of five days from the date of its adoption. The director may 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 shall supply a copy of same to every person who files in the office of the director a written request for such notice.

Assessment

5322. The council shall give consideration to all possible ways and means of levying an appropriate assessment against the operations of producing, growing and raising poultry, eggs, and poultry products in this State, including but not limited to an assessment upon the quantities of poultry, eggs, and poultry products marketed by each producer; or which might be collected through poultry meat processors, egg dealers, and co-operatives; or an assessment based upon the quantities of poultry feed used; or through a combination basis; or through such other means as the director may deem economical and equitable; provided, however, that in any such plan or plans the actual assessments shall be borne by the producers themselves; and provided further, that the estimated yield shall not exceed the total amount per year as the department may report a levy of one cent ($0.01) per 100 pounds of poultry feed used in this State would develop. In designing such assessment plan or plans the council shall provide exemptions for such operations as may be carried on in this State by producers of poultry, eggs, and poultry products not marketed in this State and the council may recommend exemptions for

poultry, eggs, and poultry products which may be or become ineligible to use the distinctive California insignia provided for in Section 5315. The conclusions reached through these considerations shall take the form of recommendations to be made to the director, including a suggested procedure for advance notice to producers regarding the date the council wishes their plan or plans to take effect.

Same

5322.5. Upon recommendation of the council, the director is hereby authorized to levy and to collect appropriate assessments and to make such rules and regulations, including a charge of ten percent (10%) upon the amount of any delinquent assessment, as may be necessary to insure prompt and accurate collection of fees levied hereunder; and every producer in this State through his agent or otherwise, as the procedure adopted by the director may require, unless exempted from payment pursuant to the provisions of Section 5322, shall hereafter remit to the department accordingly.

Depository

5323. 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, held in trust by the State, allocated to the purposes of this chapter only, and disbursed by the director in accordance with the budget or budgets recommended by the council and approved by the director as set forth in paragraph (i) of Section 5314. Moneys so collected shall be subject to 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.

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.

Appropriation

5324. There is hereby appropriated from 1958-59 General Funds the sum of not to exceed ten thousand dollars ($10,000) to be used by the director to defray the costs of carrying out the procedures required in Section 5304.5 hereof; provided, however, that if the provisions of this act are activated, any portion of such appropriation used by the director for such purposes shall be repaid to the State Treasurer and restored to the General Fund from moneys collected by the director pursuant to Section 5322 hereof The director is also authorized to receive and expend moneys from members of the poultry and allied industries to assist in defraying the expenses of activating the provisions of this act; provided, that any

such sums so received may be repaid to any such persons from funds collected pursuant to said Section 5322. No council member or alternate may be paid a per diem or expenses until the director determines that sufficient amounts, in addition to an amount sufficient to repay the state moneys expended, have been accumulated pursuant to the provisions of Section 5322 hereof to accommodate reimbursement of such services or expenses.

Short title

5325. This chapter may be cited as the "California Poultry Promotion Council Law."

CHAPTER 36

An act to add Section 7058 to the Public Resources Code, relating to the authority of a city, county or district to include lands owned by it or under its jurisdiction in agreements for co-operative or unit development of oil and gas.

In effect July 23, 1958

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 7058 is added to the Public Resources Code, to read:

7058. Any city, county, city and county, or district, in the interest of increasing the ultimate recovery of oil or gas, or of the protection of oil or gas from unreasonable waste, or of the possible arresting or amelioration of land subsidence, may enter into unit or co-operative agreements with respect to all or any part or parts of land owned, possessed, controlled, held in trust by, or otherwise under the jurisdiction of, such city, county, city and county or district, for the purpose of bringing about the co-operative development and operation of all or a part or parts of the oil and gas field in which such lands are located, or for the purpose of bringing about the development or operation of all or a part or parts of such field as a unit, or for the purpose of fixing the time, location, and manner of drilling and operating of wells for the production of oil or gas, or providing for the return or injection of gas, water or other substances into the subsurface of the earth for the purpose of storage or the repressuring of such oil or gas field. If any such unit or co-operative agreement includes tide and submerged lands which have been granted to a city, county, or city and county by a grant which does not reserve to the State the right to produce oil and gas therefrom, then the agreement shall comply with the requirements of Section 6879 of this code, and shall bind the State only if approved by the State Lands Commission pursuant to the provisions of Section 6879. Subject to the foregoing, and notwithstanding any competitive bidding requirements or restrictions on term contained in this chapter, or any other statute, including but not limited to Section 718 of the Civil Code, Sections 37383 and 37384 of the

Government Code and Chapter 29 of the 1956 Statutes, First Extraordinary Session, any such city, county, city and county, or district may negotiate and execute all agreements necessary to effectuate, implement or modify any such unit or co-operative agreement, including the power to bind and commit lands, including tide and submerged lands, or any interest in lands, to the co-operative or unit agreement for the full term thereof, irrespective of whether the term thereof is for a period extending over the life of the field or for any other indefinite period, and irrespective of the termination date of any lease, contract or other agreement then in effect as to such lands. The power of any such city, county, city and county, or district to enter into unit or co-operative agreements shall include the power to do such other acts or things and to incur such other commitments and obligations as are customary in unit or co-operative agreements.

This section shall apply to any city, county, city and county, or district, irrespective of whether they are authorized by this chapter or any other statute to lease or develop lands for the production of oil, gas, and other hydrocarbon substances

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CHAPTER 37

An act to add Section 6357.3 to the Education Code, relating to school district maximum tax rates.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 6357.3 is added to the Education Code, to read:

6357.3. The maximum rate of tax of any junior college district and of any unified school district maintaining a junior college during the first three fiscal years of its existence for all purposes is hereby increased by such amount as will produce the amount proposed to be expended by the district pursuant to any interdistrict attendance agreement as shown by the budget as finally adopted by the governing board of the district for the current fiscal year, less any unencumbered balances remaining at the end of the preceding fiscal year derived from the increase in the rate of tax provided by this section.

The increase provided by this section shall not exceed the rate of tax levied in the county pursuant to Section 7232 during the fiscal year next preceding the formation of the district for all purposes, or ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property within the district, whichever is the greater.

If the district is situated in two or more counties, the increase provided by this section shall not exceed the highest

rate of tax levied in any of the counties in which the district is situated pursuant to Section 7232 during the fiscal year next preceding the formation of the district for all purposes, or ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property within the district, whichever is the greater.

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of any obligation incurred under the terms of an interdistrict attendance agreement for such school year.

Any junior college district or unified school district maintaining a junior college which became effective for all purposes on or after July 1, 1956, shall be deemed, for the purposes of this section, to have been effective for all purposes on July 1, 1958.

CHAPTER 38

An act to add Section 265 to the Revenue and Taxation Code, relating to the college exemption, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 265 is added to the Revenue and Taxation Code, to read:

265. Any tax or penalty or interest thereon for any fiscal year commencing during the calendar year 1956 on property owned by an educational institution of collegiate grade, acquired by it during that fiscal year and of a kind that might qualify for the college exemption, shall be canceled pursuant to Article 1 (commencing with Section 4986) of Chapter 4 of Part 9 of this division as if it had been levied or charged erroneously and, if paid, a refund thereof shall be made pursuant to Article 1 (commencing with Section 5096) of Chapter 5 of Part 9 of this division as if it had been erroneously collected.

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:

Some educational institutions of collegiate grade purchased property during the 1956-57 Fiscal Year, after the lien date thereof, which property was taxed for that fiscal year, although previously exempted from taxation and now within the scope of the college exemption. If required to meet such tax obligations, the ability of such institutions to function effectively

will be seriously impaired, to the great detriment of our educational system. This act will remedy that situation, and in doing so the public policy of the State for the exemption of property owned by educational institutions of collegiate grade, as expressed in Section 1a of Article XIII of the Constitution, will be subserved and the State as a whole will benefit

CHAPTER 39

An act to add Section 623.1 to the Vehicle Code, relating to vehicles only incidentally moved over a highway.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.] In effect July 23, 1958

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

SECTION 1. Section 623.1 is added to the Vehicle Code, to read:

623.1 Exemptions. The provisions of Chapters 2, 3, and 7 (commencing, respectively, at Sections 617, 632, and 670) of this division shall not apply to any vehicle of a type subject to registration under this code which is not designed, used or maintained for the transportation of persons or property and which is only incidentally operated or moved over a highway; but any such vehicle shall be subject to the provisions of Sections 624, 640, 641, 642, and 680, and subdivision (e) of Section 670.05.

CHAPTER 40

An act to add Section 14746.8 to the Education Code, relating to the retirement of teachers and other school personnel.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.] In effect July 23, 1958

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

SECTION 1. Section 14746.8 is added to the Education Code, to read:

14746.8. Notwithstanding the provisions of Section 14746.7, any person who retired under a district retirement plan established under this article in any school district or districts in which the average daily attendance of all districts combined is in excess of 200,000, governed by the same governing board, from an employment in which he was a member of the State Teachers' Retirement System, and who is entitled to receive a retirement allowance from each of such plan and system, may elect without right of revocation, in writing on a form provided by such plan, and to be filed in the office of such plan not later than September 1, 1959, to relinquish his right to a retirement allowance from such district retirement plan.

If such person so elects to relinquish such right, his retirement allowance under such plan shall be canceled effective at the close of the last day of the month in which such election is filed at such office, and no payment of such allowance shall be made to him, or on his account, for time after the effective date of cancellation. The provisions of subdivisions (b) and (c) of Section 14746.7 apply to such person.

CHAPTER 41

An act to amend Section 2 of, and to add Section 2.4 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts.

In effect July 23, 1958

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 2 of the Municipal Water District Act of 1911 is amended to read:

Sec. 2. The people of any county, or of any portion of a county, whether such portion of a county includes unincorporated territory only or incorporated territory of any city or cities or both such incorporated and unincorporated territory, may organize a municipal water district under the provisions of this act. Such cities need not be contiguous and such unincorporated territory may consist of one or more parcels which need not be contiguous one with the other or with any such city or cities. Except as provided in Sections 2.4 and 2.5 of this act, the inclusion of any city or cities in the formation of such district shall require the inclusion of the entire corporate area of each such city.

SEC. 2. Section 2.4 is added to said act, to read:

Sec. 2.4. Notwithstanding the provisions of Sections 2.5 and 3 of this act, if, prior to the filing of the formation petition provided for in Sections 2.5 and 3 of this act, any portion of the corporate area of a city is included within an existing municipal water district formed pursuant to this act, a district may be formed pursuant to this act to include all the remaining portion of the corporate area of such city not included in the existing district. Where a portion only of the corporate area of any such city is included within the proposed district, and 12 or more registered voters reside within such portion of such city, the formation petition provided for in Sections 2.5 and 3 of this act must be signed by voters residing within such portion of such city included within the proposed district equal in number to at least 10 per centum of the total number of such registered voters or 10 per centum of the number of voters of such portion of such city voting for all candidates for the Office of Governor of this State at the last general election prior to the filing of such petition, whichever is the lesser number. If less than 12 registered voters reside within such

portion of such city, the formation petition must be signed by 50 per centum of the voters so residing therein. If, subsequent to the making and filing of the declaration of intention in the manner provided in Section 2.5 but prior to the filing of the formation petition, such portion of the corporate area of any city is included within an existing municipal water district formed pursuant to this act so that the entire corporate area of such city is included within such existing district, there shall be omitted from the area described in said formation petition such portion of such city so annexed to the existing municipal water district, and notwithstanding such omission the declaration of intention, if otherwise sufficient, shall be effective for the purposes of Section 2.5.

CHAPTER 42

An act to amend Section 1550.04 of the Military and Veterans Code, relating to the preservation of local government.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 1550 04 of the Military and Veterans Code is amended to read:

1550.04. The qualifications of each standby officer shall be carefully investigated and a summary of the qualifications of each such officer shall be entered on the minutes when he is appointed. Each prospective appointee to a post of standby officer shall be examined as to his qualifications under oath.

The legislative body may request the Director of the California Disaster Office to aid in the investigation of any prospective appointee in the manner provided in this section. No examination or investigation shall be made without the consent of the prospective appointee.

Consideration shall be given to places of residence and work, so that for each office for which standby officers are appointed there shall be the greatest probability of survivorship.

CHAPTER 43

An act to add Section 14638.4 to the Education Code, relating to benefits payable under the State Teachers' Retirement System.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 14638.4 is added to the Education Code, to read:

14638.4. If the member, on account of whose death an allowance is payable under Section 14638.1 or 14638.2, was a

member of a local retirement system, the person who was nominated by him under Section 14638.1, or, if no option was elected under that section, then under Section 14638.2 his surviving spouse who is eligible to receive said allowance, or, if none, the guardian of his children under 18 years of age, shall have the right to elect to deposit in the Retirement Annuity Fund, an amount equal to that which the member would have had the right to deposit if he had retired for service and then had ceased to be entitled to benefits from the local retirement system on the day of his death. In the event that said person, or the surviving spouse or the guardian, as the case may be, (a) makes or (b) does not make such deposit within 90 days after the date of death, the monthly retirement allowance prior to optional modification, which the member would have been entitled to receive if he had retired for service on the date of his death, shall be calculated as if he had ceased to be entitled to retirement benefits from the local retirement system, and (c) had deposited, with respect to (a), or had not deposited, with respect to (b), such contributions in such fund. Any amount so deposited shall be included as having been made by the member, in determining the death benefit provided by Section 14575.

CHAPTER 44

An act to amend Sections 2, 32, 33, 34, 35, 51, 52, and 61 of, and to add Section 33.1 to, the Santa Clara-Alameda-San Benito Water Authority Act (Chapter 1289, Statutes of 1955), relating to the boundaries and management of the Santa Clara-Alameda-San Benito Water Authority.

In effect July 23, 1958

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 2 of the Santa Clara-Alameda-San Benito Water Authority Act (Chapter 1289, Statutes of 1955) is amended to read:

Sec. 2. The following definitions shall govern the construction of this act unless the contrary is indicated:

(1) "Authority" means the Santa Clara-Alameda-San Benito Water Authority as organized and incorporated thereunder.

(2) "Public agency" means and includes any public corporation, public district, or agency of the State of California having the power to acquire and distribute water.

(3) "Directors" means the board of directors of the authority.

(4) "Principal county" means the county in which lie the lands within the authority, as created and established, having the greatest assessed valuation, according to the last equalized assessment roll applicable to such lands, such valuation being,

for this purpose, based on land alone, exclusive of improvements.

SEC 2. Section 32 of said act is amended to read:

Sec. 32. The board of directors herein referred to shall consist of one representative from each public agency, the area of which shall lie within the authority, and one representative at large from each county in which any portion of the area of the authority shall lie.

SEC. 3. Section 33 of said act is amended to read:

Sec 33. Members of the board of directors, with the exception of representatives at large, shall be designated and appointed as follows:

(1) At the first regular meeting of the legislative body of each member agency or at any special meeting called for the purpose, held after such agency has become a member of the authority, said legislative body shall prepare and transmit to the clerk of the board of supervisors of the county in which the lands, or the greater portion of the lands, of the member agency lies, a list comprising the names of two or more nominees of such member agency for the office of member of the board of directors of the authority.

(2) At the next regular meeting of the board of supervisors following receipt of such list of nominees said board may appoint one of the persons so nominated from each such list received to the office of director of the authority. If the board does not appoint from the first list submitted it may return the list and request another list of nominees and may call for successive lists of nominees until they are satisfied as to one of the nominees on the submitted list whom they select and appoint to the office of director

(3) The clerk of the board of supervisors shall thereupon certify each such appointment to the clerk of the board of supervisors of the principal county and to the member agency of the authority which had submitted such list of nominees.

(4) The appointee of the board of supervisors shall not take office until the thirty-first day after his selection. During this 30-day period between selection and taking of office of a director, if a petition signed by 5 percent or more of the qualified electors in the public agency from which the member would be appointed file a petition with the board of supervisors protesting the appointment of this nominee and nominating another person for the position the board of supervisors shall call an election within such public agency at which the office of director shall be filled The candidate shall be the nominee selected by the board and the person named in the petition protesting the appointment and such other candidates as shall be nominated by a petition signed by 5 percent of the qualified electors in the public agency involved. No person shall sign more than one such petition All additional nominating petitions must be filed with the board within 45 days from the date on which the board announced its selection of the appointed member. If an election is required the member selected

for appointment shall not take office unless elected to the position and his selection shall be of no force or effect.

The provisions of the Elections Code relating to the qualification of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern the election of directors under this part. To the extent that the provisions of the Elections Code pertaining to the conduct of local elections are inconsistent with the provisions of that code pertaining to general elections, the provisions of the Elections Code pertaining to local elections shall control except that the qualification of electors shall be determined as are the qualifications of electors in the public agency involved. Inconsistent provisions of this part shall control over any provisions of the Elections Code. All charges for election of directors shall be a charge against the county in which the major portion of the public agency involved is located.

SEC. 4. Section 33.1 is added to said act, to read:

Sec. 33.1. Representatives at large upon the board of directors shall be designated and appointed and shall hold office as follows:

The board of supervisors of any county in which any portion of the area of the authority lies may, and, within 30 days of receipt of the written request of the authority, shall nominate and appoint a person for the office of representative at large, to hold office at the pleasure of such board of supervisors and until the appointment and qualification of his successor.

SEC. 5. Section 34 of said act is amended to read:

Sec. 34. Members of the board of directors, with the exception of representatives at large, shall hold office for a term of four years, and until their successors are appointed or elected and qualified; provided, that the terms of the members of the first board shall be determined by lot so that the term of not less than one-half of the members shall be for two years and the terms of the remainder shall be four years; provided further, that every member shall be subject to recall by the voters of the public agency from which such member is appointed, in accordance with the recall provisions of the Elections Code applicable to municipal officers under Article 1, Chapter 3, Division 13 thereof except that the recall petition shall be signed by not less than 17 percent of the voters in the public agency.

SEC. 6. Section 35 of said act is amended to read:

Sec. 35. As a member of the board of directors, each representative shall be entitled to vote on all questions, order, resolutions and ordinances coming before the board of directors, and shall be entitled to cast one vote for each five million dollars ($5,000,000), or fractional part thereof, of assessed valuation of property taxable for authority purposes in the public agency represented by him as shown by the last equalized assessment roll of the county or counties within which such

public agencies are located and evidenced by the certificate of the county auditor; provided, that each representative at large shall have one vote; provided further, that each representative of a public agency which is a member agency of the authority shall have at least one vote and no public agency shall have votes exceeding in number the total number of votes of all the other public agencies whose corporate areas are included in such authority. The affirmative votes of members representing more than fifty (50) percent of the total number of votes of all the members shall be necessary, and, except as otherwise herein provided, shall be sufficient to carry any order, resolution or ordinance coming before the board of directors; provided, however, any meeting may be adjourned or recessed from day to day or from time to time, by vote of the director or directors present, irrespective of the number of directors present or the number of votes represented at such meeting.

SEC. 7. Section 51 of said act is amended to read:

Sec. 51. Territory may be included within or annexed to the authority by one of the following methods:

(1) By inclusion within, annexation to, or consolidation with the area of any member agency, such inclusion, annexation or consolidation to occur upon compliance with the provisions of law governing such inclusion, annexation or consolidation. Upon completion of such inclusion within, annexation to or consolidation with such member agency, in compliance with the provisions of law applicable thereto, such territory shall become and be a part of the authority for all purposes.

(2) The governing body of any public agency, whether within or without the boundaries of the Counties of Alameda, San Benito or Santa Clara, may apply to the board of directors of the authority for consent to annex the corporate area of such public agency or a portion thereof to the authority. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions of such proposed annexation. Such terms and conditions may provide, among other things, for the levy by the authority of special taxes upon taxable property within such public agency or portion thereof in addition to the taxes elsewhere in this act authorized to be levied by the authority, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying public agency, and if such action shall grant consent to such annexation, such governing body may thereupon submit to the qualified electors of such public agency or portion thereof at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein

provided. Notice of such election shall be given in the manner and for the time provided by law for notice of elections for the incurring of bonded indebtedness in such public agency. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for elections for the incurring of bonded indebtedness in such public agency. If such proposition shall receive the affirmative vote of a majority of electors of such public agency or portion thereof voting thereon at such election, the governing body of such public agency shall certify the result of such election on said proposition to the board of directors of the authority, together with a legal description of the boundaries of the corporate area of such public agency or portion thereof, accompanied by a map or plat indicating such boundaries. A certificate of proceedings hereunder shall be made by the secretary of the authority and filed with the Secretary of State. Upon the filing thereof in the Office of the Secretary of State, the corporate area of such public agency or portion thereof shall become, and be, an integral part of the authority, and the taxable property therein shall be subject to taxation thereafter for the purposes of the authority, and the board of directors of the authority shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within ten (10) days, issue his certificate, reciting the filing of said papers in his office and the annexation of the corporate area of such public agency or portion thereof to the authority. The Secretary of State shall transmit the original of his certificate to the secretary of the authority and shall forward a certified copy thereof to the county clerk of the counties in which the authority is situated

SEC. 8. Section 52 of said act is amended to read:

Sec. 52. The original inclusion within or the later annexation to the authority of the corporate area of any public agency or portion thereof shall not destroy the identity or legal existence or impair the powers of such public agency notwithstanding the identity of purpose or substantial identity of purpose of the authority.

SEC. 9. Section 61 of said act is amended to read:

Sec. 61. Territory may be excluded from the authority by the following method:

(1) The governing body of any member agency shall, by resolution adopted by not less than four-fifths vote, determine and declare that the public interest demands the withdrawal of said member agency from the authority.

(2) Said governing body shall thereupon submit to the qualified electors of such member agency at any general or special election held therein the proposition of such withdrawal. Notice of such election shall be given in the manner and for the time

provided by law for notice of annexation elections in such member agency; provided, that said governing body may shorten the time of such notice of such election to a period of 30 days. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for annexation elections in such member agency. If such proposition shall receive the affirmative vote of more than 60 percent of the registered and qualified electors of such member agency who voted on the proposition at such election, the governing body of such member agency shall certify the result of such election on said proposition to the board of directors of the authority. A certificate of proceedings hereunder shall be made by the secretary of the authority and filed with the Secretary of State. Upon the filing thereof in the Office of the Secretary of State the corporate area of such member agency shall cease to be a part of the authority; provided, that the corporate area of such former member agency shall be and remain liable for any authority assessment already levied pursuant hereto

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CHAPTER 45

An act to amend Section 30065 of the Water Code, relating to the formation of county water districts, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.] In effect immediately

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

SECTION 1. Section 30065 of the Water Code is amended to read:

30065. The inclusion in, or annexation or addition to, a county water district, of all or any part of the corporate area of any public corporation or public agency, shall not destroy the identity or legal existence or impair the powers of any such public corporation or public agency, notwithstanding the identity of purpose, or substantial identity of purpose, of such county water district.

No public corporation or public agency having identity of purpose or substantial identity of purpose shall be formed partly or entirely within a county water district existing under the provisions of this code without the consent of such county water district.

All county water districts heretofore formed partly or entirely within another county water district previously existing under the provisions of this code, with or without the consent of such previously existing county water district and for a purpose not then actually exercised, or to provide a service not then provided by said previously existing county water district, are hereby declared to be valid and legally existing districts.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public health within the mean-

ing of Article IV of the Constitution and shall go into effect immediately. The facts constituting such necessity are:

Several county water districts have been heretofore formed partly or entirely within the boundaries of the Contra Costa County Water District for the purpose of distributing treated water within their respective boundaries with the consent of the Contra Costa County Water District which is engaged in the purchase of raw water and selling it at wholesale to consumers within its boundaries. In order that such county water districts may distribute or continue to distribute treated water within their respective boundaries and authorize and issue bonds to finance such distribution, and in view of the addition of Section 30065 to the Water Code by Chapter 1728 of the Statutes of 1957, it is necessary that said section be amended as hereinabove set forth.

CHAPTER 46

An act making an appropriation for the contingent expenses of the Assembly, to take immediate effect.

In effect immediately

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. The sum of four hundred thousand dollars ($400,000) from the General Fund and the unexpended balance of the sum appropriated by Chapter 1 of the Statutes of 1958, Regular Session, is appropriated for the contingent expenses of the Assembly in augmentation of the appropriation made by Item 8 of the Budget Act of 1957.

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 47

An act to amend Section 43601 of the Government Code, relating to the purposes for which cities may incur bonded indebtedness.

In effect July 23, 1958

[Approved by Governor April 10, 1958. Filed with Secretary of State April 10, 1958.]

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

SECTION 1. Section 43601 of the Government Code is amended to read:

43601. As used in this article, "municipal improvement" includes bridges, waterworks, water rights, sewers, light and power works or plants, buildings for municipal uses, wharves, breakwaters, jetties, seawalls, schoolhouses, fire apparatus, street work, and other works, property, or structures necessary

or convenient to carry out the objects, purposes, and powers of the city. "Municipal improvement" also includes the acquisition of real property for a civic center site or for any public use or uses, whether or not the improvement of said real property is part of the purposes for which the bonds are to be issued and whether or not funds for the improvement of said real property are presently available from other sources.

CHAPTER 48

An act to add Section 209.5 to the Revenue and Taxation Code, relating to the exemption of vessels under construction from personal property taxation.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 14, 1958.]

In effect July 23, 1958

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

SECTION 1. The Legislature recognizes that preservation of the shipbuilding and ship repair industries is of great importance to the national defense and to the economic and industrial development of this State. Since the end of World War II there have been but very few major shipbuilding contracts awarded in California. The result has been a depressed condition in the shipbuilding and ship repair industries. Shipyard employment has dropped from a peak of 250,000 in 1945 to a present level of 12,000. The skilled shipyard manpower reserves developed in World War II have diminished to the vanishing point. One of the primary reasons for failure of California shipyards to receive major ship construction awards is that ships under construction in this State are subject to assessment of a personal property tax. This tax is not assessed against ships under construction in the other principal states in which competing shipyards are located. Unless this substantial disadvantage is removed it appears that California shipyards cannot compete successfully for a share of the nationwide new ship construction. In order to remove this material obstacle to successful competition for a fair share of ship construction, and for the purpose of promoting the national defense and the economic and industrial development of this State, it is necessary to declare the legislative intent to exempt from taxation, except for state purposes, major vessels under construction within this State.

Legislative declaration

SEC. 2. Section 209.5 is added to the Revenue and Taxation Code, to read:

209.5. All right, title or interest in or to any vessel of more than 1,000 tons burden, and the materials and parts held by the builder of the vessel at the site of construction for the specific purpose of incorporation therein, shall be exempt from taxation except for state purposes, while the vessel is under construction within this State.

Exemption of vessels

CHAPTER 49

An act to amend Section 6140 of the Business and Professions Code, relating to a temporary increase in the annual membership fee for active members of the State Bar of California to provide funds for State Bar buildings.

In effect July 23 1958

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 6140 of the Business and Professions Code is amended to read:

6140. The board shall fix the annual membership fee for active members at a sum not exceeding twenty dollars ($20), except that for the years commencing January 1, 1959 and ending December 31, 1968 the board may increase said annual membership fee of twenty dollars ($20) by an amount not exceeding five dollars ($5) in any or all of said years, the excess over twenty dollars ($20) in any such year to be applied only to the cost of land and buildings to be used to conduct the operations of the State Bar including furniture, furnishings, equipment, architects' fees, construction and financing costs, landscaping and other expenditures incident to the acquisition, construction, furnishing and equipping of such land and buildings, the payment of interest on and the repayment of moneys borrowed for such purposes, and the reimbursement of the State Bar's treasury for moneys heretofore or hereafter expended for such purposes. The annual membership fee for active members is payable on or before February 1st of each year.

The organization fee for an attorney licensed to practice in this State on or before July 29, 1927, who has failed to register as a member of the State Bar, is the sum of three dollars ($3).

CHAPTER 50

An act to add Sections 20.4, 36.4 and 73.2 to the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), relating to approval of contracts with the United States and others, the formation of special improvement districts and their powers and duties, and the levy of special assessments, and declaring the urgency thereof, to take effect immediately

In effect immediately

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 20.4 is added to the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), to read:

Sec. 20.4. In the event that the board of directors shall undertake to execute a contract pursuant to Sections 20, 20.5, 20.6, or 20.7, no part of the annual payments for the obligations

assumed therein, as principal or guarantor, or the interest thereon, or the costs of maintenance and operation of the works so acquired or constructed, over and above the amounts available therefor from revenues, that shall be in excess of the limitations on assessment taxes provided in Section 28, shall be levied until such contract shall have been approved by the voters of the district, or of the improvement district, for which such contract was made, by a majority of the voters thereof voting on the proposition, in the manner provided for the incurring of a bonded indebtedness. In the event of the approval of such contract by the electors, the limitations provided in Section 28 shall not apply.

SEC. 2. Section 36.4 is added to said act, to read:

Sec. 36.4. A special improvement district may be formed of an area benefited thereby, a bonded indebtedness of such district may be incurred under Section 36, contracts therefor under Sections 20, 20.5, 20.6, and 20.7 may be entered into by the board of directors and approved by the voters thereof, the tax base therein may be changed from land to land and improvements, special assessments may be authorized to be levied therein under Section 35, and annual assessment taxes may be levied therein under Section 28, all as provided in this section.

1. Whenever the board of directors deems it necessary for the district to form an improvement district and to perform the other acts in this section provided, as to an area within the district less than the entire district, it shall by resolution set forth all of the following:

(a) A declaration of the necessity therefor;

(b) The purpose of forming the special improvement district and of performing the other acts herein authorized;

(c) The amount of the proposed bonded indebtedness or contract or special assessment;

(d) If it is proposed that the basis of taxation shall be changed from land to land and improvements, a statement to that effect;

(e) The boundaries of the proposed district that will be benefited;

(f) The title of the proposed district, which shall be "_____ Water Conservation District Special Improvement District No. _____."

(g) The date on which a hearing will be held in the office of the board of directors upon the proposal to form the special improvement district.

2. A copy of the resolution shall be published pursuant to Section 6062 of the Government Code in a newspaper of general circulation published in the proposed improvement district, if there is one, and if none, then in a newspaper published in the district. If no newspaper is published in the district, the resolution shall be published in a newspaper published in the county and circulated in the district, and copies shall be

posted in three public places in the proposed improvement district at least 10 days before the day fixed for the hearing.

3. At the hearing, any person interested, including persons owning property within the proposed district, may appear and present any matters material to the questions set forth in the resolution.

4. The board of directors may exclude from the proposed district any territory that, in its opinion, would not be benefited by being in the proposed district. No lands not included in the original resolution shall be included within the proposed district excepting at a hearing had by it on the inclusion thereof, after notice of such hearing duly given in the manner provided for the principal hearing.

5. The board 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 shall not, in the judgment of the board, be benefited.

If protest has been made, prior to its final determination for formation of the district, by the owners of land, or by the owners of real property, in the event of the applicability of the provision of Section 3.1, within the proposed district the assessed value of which, as shown by the last equalized assessment roll, constitutes more than one-half of the total assessed value of the land or real property, as the case may be, within the proposed district, the board shall so find and the proceeding shall terminate. The board shall order the proceeding terminated when such protests are received.

6. After making all necessary and proper changes in the boundaries, the board shall, by resolution, establish the district and fix and determine its boundaries.

7. The determination of the board as to the area benefited by the bond or other proceedings shall be final and conclusive.

8. After the formation of the district, the board shall call an election for the purpose of submitting to the voters therein the question of incurring a bonded indebtedness, approving a contract, or levying a special assessment for which it was formed, which election shall be conducted in the manner provided for incurring of a bonded indebtedness.

9. When a district has not been formed pursuant to Section 3.1, and it is proposed that the basis of taxation shall be changed from land to land and improvements, a statement to that effect shall be contained in the proposition submitted to the electors of the special improvement district.

10. If a majority of the voters voting on the proposition of approving a contract pursuant to Sections 20, 20.5, 20.6, or 20.7, or of changing the basis of taxation, as authorized herein, is approved by a majority of the voters voting on such proposition, such proposition shall have carried.

11. Section 73.1 shall apply to special improvement districts.

12. Territory may be added to a special improvement district in the manner herein provided for its creation.

13. No informality in any proceeding, including the conduct of any election, not substantially affecting adversely the legal rights of any person, shall invalidate any such proceedings.

14. Any proceeding wherein the validity of any procedure had under this section is denied shall be commenced within three months of the date of such action.

SEC. 3. Section 73.2 is added to said act, to read:

Sec. 73.2. Section 73.1 shall apply to districts and to improvement districts formed pursuant to Section 62.

SEC. 4. This act is 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 take effect immediately. The facts constituting such necessity are:

There is presently an unprecedented population growth under way within the State and in many parts of the State. This growth has caused facilities for the conservation of water to be overtaxed, or has required providing for such facilities where none have existed. In many areas water conservation districts have been formed. The provisions thereof are incomplete and inadequate and unclear as to the rights to levy special assessments or taxes, the formation of improvement districts, and the making of legal and effective contracts with the United States and others. This act is needed at once.

CHAPTER 51

An act to amend Section 155 of the Revenue and Taxation Code, relating to property taxes.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 155 of the Revenue and Taxation Code is amended to read:

155. By an order entered on its minutes and certified to the county auditor, the time fixed in this division for the performance of any act by the assessor, auditor, tax collector, or county board may be extended by the board for not more than 30 days, or, in case of public calamity, 40 days. If the board grants an extension of time, there shall be the same extension of time for any act of the board dependent on the act for which time was extended.

CHAPTER 52

An act to amend Section 58501 of the Government Code, relating to the District Investigation Law of 1933.

In effect July 23 1958

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 58501 of the Government Code is amended to read:

58501. This chapter applies to all districts formed under any of the following laws:

Type of district	Citation
Fire protection	Health and Safety Code, Chapter 1, Part 3, Division 12
Sanitary	Chapter 161 of the Statutes of 1891
Public museum	Government Code, Article 6, Chapter 5, Part 2, Division 3, Title 4
Highway lighting	Streets and Highways Code, Part 4, Division 14
Library	Education Code, Chapter 4, Division 11
Boulevard	Streets and Highways Code, Part 2, Division 16
Mosquito abatement	Health and Safety Code, Chapter 5, Division 3
Local health	Health and Safety Code, Chapter 6, Part 2, Division 1
Sanitary	Chapter 480 of the Statutes of 1919
Cemetery	Health and Safety Code, Part 4, Division 8
Garbage disposal	Health and Safety Code, Chapter 1, Part 2, Division 5
Police protection	Health and Safety Code, Chapter 1, Part 1, Division 14
Public service	Labor Code, Chapter 3, Part 8, Division 2
Airport	Chapter 847 of the Statutes of 1929
Transportation	Chapter 880 of the Statutes of 1929
County fire protection	Health and Safety Code, Chapter 3, Part 3, Division 12
Memorial	Military and Veterans Code, Chapter 1, Division 6
Recreation	Public Resources Code, Article 2, Chapter 3, Division 5
Resort	Public Resources Code, Division 10
Union high school library	Education Code, Chapter 6, Division 11

CHAPTER 53

An act to add Article 4.5 (commencing with Section 1100) to Chapter 1, Division 4, Title 1 of the Government Code, relating to sales of public securities, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect immediately

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

SECTION 1. Article 4.5 is added to Chapter 1, Division 4, Title 1 of the Government Code, to read:

Article 4.5. Sales of Public Securities

1100. As used in this article, "public securities" means any issue of bonds, notes, warrants, or other evidences of indebtedness and the interest coupons, if any, attached thereto, issued by any public body. "Public securities"

1101. As used in this article, "public body" means any county, city and county, city, municipal corporation, political subdivision, school district, or any other public district or public corporation, any public authority, or any agency of any thereof. "Public body"

1102. Notwithstanding any provision of law to the contrary, a member of the legislative body of any public body or any officer or employee thereof shall not be deemed interested in a contract for the sale of any public securities issued by such public body; provided, that such public securities are sold at public sale to the highest bidder after notice inviting bids has been published as required by the law under which said bonds are issued, or for one time in a newspaper of general circulation not less than five (5) days prior to the date of such sale. Conflict of interest

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 as follows: Urgency

(1) The peace, health and safety of the citizens of the State require the orderly and unhampered functioning of public bodies which depends upon the validity of contracts for the sale of public securities to finance the construction of sewers, waterworks, storm drains, flood control works, sanitary facilities, electric and other utility works, firehouses and facilities, schools, police stations and facilities, streets, hospitals, and other works, structures, improvements and facilities required for the public peace, health and safety;

(2) The sale of public securities is jeopardized by the existence of inconsistent provisions in, and confusion in the interpretation of, the various existing laws applicable to conflicts of

interest of public officers in contracts of public bodies. Such contracts are typically made under open competitive bidding procedures between public bodies and syndicates formed by the financial community to submit sealed bids, composed of many member firms, corporations and partnerships, one or more of which may have shareholders, officers, employees and members who may serve in an official capacity with one of the several public bodies in the State. It is often impracticable for the syndicate managers to ascertain whether any of such persons serve in an official capacity with a public body offering public securities for sale to finance works, improvements, structures and facilities necessary for the peace, health and safety of the citizens of the State. The theoretical conflict of interest which exists only because of confusion under present law will be removed by this act.

CHAPTER 54

An act to amend Section 35251 of the Streets and Highways Code, relating to parking districts.

In effect July 23, 1958

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 35251 of the Streets and Highways Code is amended to read:

35251. The petition shall contain:

(a) A general description of the boundaries of the proposed district.

(b) A general description of the parking places proposed to be acquired.

(c) A general description of any public ways proposed to be acquired for ingress to or egress from the parking places.

(d) A general statement of the improvements to be made or constructed on the proposed parking places, the public ways proposed to be acquired, or existing public ways which would provide ingress to or egress from the proposed parking places.

(e) Any limits as to time and rate upon ad valorem assessments which may be levied upon taxable real property in the district for the purposes permitted by this part. The limits as to time shall not exceed 36 years from the date of the bonds, and the limits as to rate shall not exceed seventy-five cents ($0.75) on each one hundred dollars ($100) of assessed valuation.

This limit as to rate does not apply to any district in a chartered city. The petition shall contain the maximum tax rate which will be levied in any parking district in a chartered city.

(f) Any amount of money which it is proposed that the city contribute toward the cost and expense of the acquisitions and improvements proposed by the petition, toward the pay-

ment of incidental expenses of the proceedings hereunder, for the establishment of a reserve fund for the payment of the bonds and the interest thereon, or for other purposes in connection with the district.

(g) A general statement of the public ways within the district on which it is proposed the city install and maintain, or continue to maintain, parking meters, the net revenues from which will be allocated and pledged to any of the purposes specified in this part, and the period of time, measured from the date of the bonds, for which it is proposed that the city agree to maintain the meters. If it is proposed that only a specified amount, percentage, or portion of the net revenues shall be so allocated and pledged, the amount, percentage or portion shall be generally defined.

CHAPTER 55

An act to amend Section 20301 of the Education Code, relating to courses of study in state colleges.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect July 23, 1958

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

SECTION 1. Section 20301 of the Education Code is amended to read:

20301. The primary function of the state colleges is the training of teachers. State colleges also may offer courses appropriate for a general or liberal education and for responsible citizenship; offer training in engineering, science, and mathematics; offer vocational training in such fields as business, industry, public services, homemaking, and social service; and offer the preprofessional courses needed by students who plan to transfer to universities for advanced professional study. Courses in military science and tactics may be given in conformance with the laws of the United States made and provided with reference to R. O. T. C. units in educational institutions.

CHAPTER 56

An act to add Sections 33.5 and 372.4 to, and to amend Section 370 of, the Vehicle Code, relating to the definition of and registration of station wagons.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect July 23, 1958

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

SECTION 1. Section 33.5 is added to the Vehicle Code, to read:

33.5. Station Wagon. A station wagon is a dual purpose vehicle which is designed for the transportation of persons and is also designed in such a manner that the seats may be "Station wagon"

removed or folded out of the way for the purpose of increasing the property carrying space within the vehicle. The term includes, but is not limited to, such types of vehicles as carry the trade names of station wagon, estate wagon, town and country wagon, and country sedan.

Exemption from weight fees

SEC. 2. Section 372.4 is added to said code, to read:

372.4. Exemption From Weight Fees. Station wagons, as defined in Section 33.5, except those used in the transportation of passengers for hire, are exempted from the payment of weight fees as provided for in Sections 372 and 372.1 of this code.

Any provision in this code notwithstanding, the owner of any station wagon may elect to classify such station wagon as a commercial vehicle and, upon payment of the appropriate weight fees, the department shall issue license plates of the same type as are issued to vehicles which are required to pay weight fees.

Registration fees

SEC. 3. Section 370 of said code is amended to read:

370. Registration Fees. (a) On and before December 31, 1959, a registration fee of eight dollars ($8) shall be paid to the department for the registration of every vehicle of a type subject to registration, except for such thereof as are expressly exempted under this code from the payment of registration fees, and except those referred to in subdivision (b) of this section. On and after January 1, 1960, a registration fee of seven dollars ($7) shall be paid to the department for the registration of every vehicle of a type subject to registration, except for such thereof as are expressly exempted under this code from the payment of registration fees, and except those referred to in subdivision (b) of this section.

(b) On and before December 31, 1959, a registration fee of nine dollars ($9) shall be paid to the department for the registration of every station wagon, as defined in Section 33.5, which is subject to registration, except for such thereof as are expressly exempted under this code from the payment of registration fees. On and after January 1, 1960, a registration fee of eight dollars ($8) shall be paid to the department for the registration of every station wagon as defined in Section 33.5 which is subject to registration, except for such thereof as are expressly exempted under this code from the payment of registration fees.

Legislative intent

SEC. 4. In enacting this legislation, the Legislature declares that it is its intention to relieve owners and operators of station wagons from the burden of determining if the registration classification is appropriate when the use of such station wagon is other than exclusively for the transportation of passengers.

It is further intended that all station wagons, except those used or maintained for the transportation of persons for hire, and those on which owners elect to pay the weight fee, are to

be exempted from weight fees and, when properly registered, may be used as any passenger vehicle is used, including the transportation of property.

SEC. 5. This act shall become operative on January 1, 1959. Operative date

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CHAPTER 57

An act to add Article 27.5 (commencing with Section 74610) to Chapter 10 of Title 8 of, to amend Sections 73583, 73585, 73586, to repeal Section 73588 of, and to add Sections 73588 and 73590 to, the Government Code, relating to the municipal courts of Contra Costa County.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect July 23, 1958

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

SECTION 1. Article 27.5, commencing with Section 74610, is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 27.5. San Pablo

74610. This article applies to the municipal court established in the San Pablo Judicial District of Contra Costa County, which includes the City of San Pablo. San Pablo Judicial District

74611. There shall be one judge. Judge

74612. The judge may fill as many of the following positions at the indicated monthly salaries as he deems necessary for the proper administration of justice: Salaries: Clerks

One clerk of the court, four hundred fifty-three dollars ($453), four hundred seventy-four dollars ($474), four hundred ninety-six dollars ($496), five hundred nineteen dollars ($519), five hundred forty-three dollars ($543);

One courtroom clerk, four hundred fifty-three dollars ($453), four hundred seventy-four dollars ($474), four hundred ninety-six dollars ($496), five hundred nineteen dollars ($519), five hundred forty-three dollars ($543);

One chief deputy clerk, three hundred twenty-nine dollars ($329), three hundred forty-four dollars ($344), three hundred sixty dollars ($360), three hundred seventy-seven dollars ($377), three hundred ninety-five dollars ($395);

Two intermediate typist-clerks, three hundred fourteen dollars ($314), three hundred twenty-nine dollars ($329), three hundred forty-four dollars ($344), three hundred sixty dollars ($360), three hundred seventy-seven dollars ($377);

One typist-clerk, two hundred seventy-four dollars ($274), two hundred eighty-seven dollars ($287), three hundred dollars ($300), three hundred fourteen dollars ($314), three hundred twenty-nine dollars ($329).

One court reporter, six hundred seventy-five dollars ($675), which shall be in lieu of any other compensation provided by law for his services in reporting testimony and proceedings in the court, and who shall be an attache of said court eligible for membership in the County Employees Retirement Association of Contra Costa County for which purpose his salary shall be deemed his entire compensation.

Marshal

74613. There shall be one marshal. His monthly salary shall be in the following range: five hundred ninety-six dollars ($596), six hundred twenty-four dollars ($624), six hundred fifty-three dollars ($653), six hundred eighty-four dollars ($684), seven hundred sixteen dollars ($716).

Deputy marshals

74614. The marshal may fill as many of the following positions at the indicated monthly salaries as he deems necessary for the proper administration of justice:

Two deputy marshals, four hundred fourteen dollars ($414), four hundred thirty-three dollars ($433), four hundred fifty-three dollars ($453), four hundred seventy-four dollars ($474), four hundred ninety-six dollars ($496);

One intermediate typist-clerk, three hundred fourteen dollars ($314), three hundred twenty-nine dollars ($329), three hundred forty-four dollars ($344), three hundred sixty dollars ($360), three hundred seventy-seven dollars ($377).

74615. The monthly salaries provided for in this article are in steps which shall be granted pursuant to other general provisions of law and the ordinances and civil service regulations of Contra Costa County.

Appointments

74616. Appointments to fill positions provided for in this article shall be made pursuant to general provisions of law and the ordinances and civil service regulations of Contra Costa County.

Civil service

74617. Except as otherwise expressly provided by law, the attaches and employees of this court have all the civil service rights and benefits and duties and obligations of ordinary employees of Contra Costa County. The salary demands and payrolls of said attaches and employees are subject to the inspection and approval of the director of personnel of such county.

Filing fees

74618. In any civil action or proceeding, in addition to the fees required by Article 2 of Chapter 8 of this title, a fee of six dollars ($6) shall be paid to the clerk of the court by each party or jointly by parties appearing jointly, once only in any such action or proceeding, in the following instances:

(a) Upon the filing of a complaint or other first paper;

(b) Upon the filing of the answer or other first paper on behalf of any party (or parties appearing jointly) other than the plaintiff;

(c) Upon the filing of papers transmitted from another court on the transfer of a civil action or special proceeding. The fees so required shall be taxed as costs in favor of the party paying the same and to whom costs are awarded by the judgment of the court. All fees collected under the provisions of this section shall be transmitted to the county treasurer in

the same manner as fees collected under Article 2 of Chapter 8 of this title.

Salary Charge against county

SEC. 2. Salaries of attaches and employees of the San Pablo Judicial District for work performed prior to the effective date of this act shall be a charge against the county.

Same: Clerks

SEC. 3. Section 73583 of said code is amended to read:

73583. The judge may fill as many of the following positions at the indicated monthly salaries as he deems necessary for the proper administration of justice:

(a) One court clerk who shall receive a minimum salary of four hundred fifty-three dollars ($453) a month with annual increments of twenty-one dollars ($21), twenty-two dollars ($22), twenty-three dollars ($23), and twenty-four dollars ($24) a month to a maximum salary of five hundred forty-three dollars ($543) a month.

(b) One chief deputy clerk who shall receive a minimum salary of three hundred twenty-nine dollars ($329) a month with annual increments of fifteen dollars ($15), sixteen dollars ($16), seventeen dollars ($17), and eighteen dollars ($18) a month to a maximum salary of three hundred ninety-five dollars ($395) a month.

(c) Two deputy clerks, each of whom shall receive a minimum salary of three hundred fourteen dollars ($314) a month with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17) a month to a maximum salary of three hundred seventy-seven dollars ($377) a month.

(d) One deputy clerk who shall receive a minimum salary of two hundred seventy-four dollars ($274) a month with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15) a month to a maximum salary of three hundred twenty-nine dollars ($329) a month.

SEC. 4. Section 73585 of said code is amended to read:

Marshals

73585. The marshal may fill as many of the following positions at the indicated monthly salaries as he deems necessary for the proper administration of justice:

(a) One deputy marshal who shall receive a minimum salary of four hundred fourteen dollars ($414) a month with annual increments of nineteen dollars ($19), twenty dollars ($20), twenty-one dollars ($21), and twenty-two dollars ($22) to a maximum salary of four hundred ninety-six dollars ($496) a month.

(b) One deputy marshal who shall be an intermediate typist-clerk, and who shall receive a minimum salary of three hundred fourteen dollars ($314) a month with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17) a month to a maxi-

mum salary of three hundred seventy-seven dollars ($377) a month.

Reporter

SEC. 5. Section 73586 of said code is amended to read:

73586. The judge may appoint one official reporter pursuant to Section 73194 who shall be an attache of the court. In lieu of any other compensation provided by law for his services in reporting testimony and proceedings in the court, he shall receive a salary of six hundred seventy-five dollars ($675) a month, which shall be a charge against the general fund of the county. He shall be a member of any retirement system maintained by Contra Costa County, and, for such purpose, the salary here provided shall be deemed his entire compensation.

Repeal

SEC. 6. Section 73588 of said code is repealed.

SEC. 7. Section 73588 is added to said code, to read:

Employment procedure

75588. Except as provided in Section 73587 appointments to positions provided for in Sections 73582, 73583, and 73585 shall be made following a procedure as close as practicable to that used in the Civil Service System of Contra Costa County, including classifying positions, establishing qualifications, examining applicants and certifying lists of eligibles for appointment upon request of the judge or marshal. Such employees shall be members of the County Employees' Retirement System and of the Civil Service System of Contra Costa County and entitled to the rights and benefits thereof and subject to the duties and obligations thereof, except as otherwise provided by law. The salary demands and payrolls of the attaches and employees are subject to the inspection and approval of the director of personnel of said county.

SEC. 7. Section 73590 is added to said code, to read:

Filing fees

73590 In any civil action or proceeding, in addition to the fees required by Article 2 of Chapter 8 of this title, a fee of six dollars ($6) shall be paid to the clerk of the court by each party or jointly by parties appearing jointly, once only in any such action or proceeding, in the following instances:

(a) Upon the filing of a complaint or other first paper;

(b) Upon the filing of the answer or other first paper on behalf of any party (or parties appearing jointly) other than the plaintiff;

(c) Upon the filing of papers transmitted from another court on the transfer of a civil action or special proceeding.

The fees so required shall be taxed as costs in favor of the party paying the same and to whom costs are awarded by the judgment of the court. All fees collected under the provisions of this section shall be transmitted to the county treasurer in the same manner as fees collected under Article 2 of Chapter 8 of this title.

CHAPTER 58

An act to add Section 7771.3 to the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect immediately

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

SECTION 1. Section 7771.3 is added to the Education Code, to read:

7771.3. Anything in Section 7771 to the contrary notwithstanding, whenever any single elementary school district is included in a newly formed unified school district for the purposes of Section 1593 between July 1, 1957, and February 1, 1958, the date of such inclusion for the purposes of this chapter shall be deemed to be July 1, 1958.

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 existing law, after the completion of the necessary action for the inclusion of a school district in a new unified school district no conditional apportionment of state school building aid funds can be granted to the first mentioned district if the newly formed unified school district is ineligible for an apportionment of such funds. This is true even though application for such funds has been approved by the State Allocation Board, a school construction project has been undertaken and is in the course of construction, and the district will not be included in the newly formed unified school district for all purposes until the next or second succeeding first day of July, depending upon the date the action for such inclusion was completed. This results in considerable delay in the construction of desperately needed classrooms for pupils residing in such districts and unduly postpones such construction. In order to alleviate the need for classroom construction in such districts at the earliest possible moment, it is necessary that this act take effect immediately.

CHAPTER 59

An act to amend Section 2421.5 of the Education Code, relating to school districts.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect July 23, 1958

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

SECTION 1. Section 2421.5 of the Education Code is amended to read:

2421.5. (a) Territory annexed to a city which is not contiguous to a school district within the city shall not become

a part of any school district within such city pursuant to Section 2421.

(b) Territory annexed to a city which is part of a unified school district shall not become a part of any school district within the city pursuant to Section 2421 unless prior to the annexation, the governing boards of the affected districts agree in writing that the territory shall become part of the city school district. In order for the agreement to be effective, a certified copy thereof shall be filed with the city council prior to the adoption of the resolution specified in Section 35117 or Section 35306 of the Government Code, and such resolution shall contain a statement that the annexed territory shall become part of the city school district.

(c) Territory annexed to a city which is contiguous to a city school district within such city, except as otherwise provided in subdivision (b) of this section, shall not become part of any elementary, high school, junior college, or any other school district within said city as provided in Section 2421 unless proceedings are had and completed for the annexation or inclusion of such territory to the school district in the manner provided elsewhere in this code, or unless the resolution required by Section 35117 of the Government Code in the case of proceedings for the annexation of inhabited territory, or the resolution required by Section 35306 of the Government Code in proceedings for the annexation of uninhabited territory contains a statement that the annexed territory shall become part of the school district of the city.

The provisions of subdivision (a), (b), or (c) of this section, as the case may be, apply to territory proposed to be annexed to a city in which territory is situated any school district or part of any school district.

The provisions of subdivision (a), (b), or (c) of this section, as the case may be, apply to any proceedings to annex territory to a city which have not been completed on or before the effective date of the amendment of this section at the 1955 Regular Session of the Legislature, except proceedings in which the resolution provided for in Section 35117 of the Government Code has been adopted, or in which the city legislative body or the board of supervisors has approved the annexation by ordinance, or resolution, as the case may be, for other city annexation proceedings.

The provisions of subdivision (a), (b), or (c) of this section, as the case may be, shall not apply to general law cities or to cities which have provided in their original charter that they shall not constitute a separate school district.

CHAPTER 60

An act to add Section 9004 to the Government Code, relating to Members of the Legislature.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 9004 is added to the Government Code, to read:

9004. When the Legislature convenes or is convened in regular or extraordinary session during or following a war or enemy-caused disaster and vacancies exist to the extent of one-fifth or more of the membership of either house caused by such disaster, either by death, disability or inability to serve, the vacancies shall be temporarily filled as provided in this section. The remaining members of the house in which the vacancies exist, regardless of whether they constitute a quorum of the entire membership thereof, shall by a majority vote of such members appoint a qualified person as a pro tempore member to fill each such vacancy. The Chief Clerk of the Assembly and the Secretary of the Senate or the persons designated to perform their duties, as the case may be, shall certify a statement of each such appointment to the Secretary of State, who shall thereupon issue commissions to such appointees designating them as pro tempore members of the house by which they were appointed.

The appointments shall be so made that each assembly or senatorial district in which a vacancy exists shall be represented, if possible, by a pro tempore member who is a resident of that district and a registered elector of the same political party as of the date of the disaster as the last duly elected member from such district.

Where an elected member is temporarily disabled or unable to serve, such elected member shall resume his office when able, and the pro tempore member appointed in his place under this section shall cease to serve. In other cases, each pro tempore member appointed under this section shall serve until the next election of a member to such office as provided by law.

SEC. 2. This act shall not become operative unless and until the people approve the constitutional amendment of the 1958 First Extraordinary Session adding Section 38 to Article IV of the Constitution of the State.

CHAPTER 61

An act to amend Section 450 of the Government Code, relating to the seat of government of this State, and providing for a temporary seat of government for use in case of war or enemy-caused disaster.

In effect July 23, 1958

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 450 of the Government Code is amended to read:

450. The permanent seat of government of the State is at the City of Sacramento, but the Governor shall designate by written proclamation an alternative temporary seat of government for use in the event of war or enemy-caused disaster, or the imminence thereof. The proclamation shall be filed with the Secretary of State. A different temporary seat of government may be so designated at any time as circumstances indicate the desirability of such a change.

The Director of Finance, and any other state agency as directed by him, shall provide such facilities of any kind at the temporary seat of government as appear desirable for the functioning of the government of the State at the temporary seat of government in the event it becomes necessary, pursuant to this section.

SEC. 2. This act shall not become operative unless and until the people approve the constitutional amendment of the 1958 First Extraordinary Session adding Section 38 to Article IV of the Constitution of the State.

CHAPTER 62

An act to repeal Section 4362 of the Labor Code, relating to workmen's compensation.

In effect July 23, 1958

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 4362 of the Labor Code is repealed.

CHAPTER 63

An act to add Section 12265 to the Government Code, relating to the protection and preservation of essential state records.

In effect July 23, 1958

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 12265 is added to the Government Code, to read:

12265. Each state agency, with the concurrence of the Department of Finance shall determine what state records it

has that are essential to the functioning of the State Government in the event of a major disaster that would result in the destruction thereof, including any records that are highly important and that would be costly to reproduce or reconstruct. Provision shall thereupon be made for the microfilming or authentic reproduction or reproduction by electronic process of such records, which shall be done in the most economical manner as determined by the Department of Finance. Such material shall then be stored by the Secretary of State in such places within the State as he determines to be appropriate.

Microfilm copies, electronically reproduced copies, or copies reconstructed from the punch cards which produced the originals of such records shall have the same validity and force and effect as the originals in the event that the originals are destroyed by a disaster.

CHAPTER 64

An act to amend Section 1509.7 of the Military and Veterans Code, relating to the powers and duties of peace officers employed by state agencies in the event of disasters.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 1509.7 of the Military and Veterans Code is amended to read:

1509.7. (a) 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.

(b) Whenever a state of disaster or of extreme emergency is proclaimed and whenever a state of extreme emergency exists within any region or area, the following classes of state employees who are within such area or region or who may be assigned to duty therein shall be peace officers and shall have the full powers and duties of such officers for all purposes as provided by the Penal Code, and shall perform such duties and exercise such powers as are appropriate or as may be directed by their superior officers:

(a) All members of the California Highway Patrol.

(b) All deputies of the Department of Fish and Game who have been appointed to enforce the provisions of the Fish and Game Code pursuant to Section 851 of that code.

(c) The State Forester and the classes of the Division of Forestry who are designated by the State Forester as having the powers of peace officers, pursuant to Section 4011 of the Public Resources Code.

CHAPTER 65

An act calling a special election to be consolidated with the general election of 1958 and to provide for the submission to the electors of the State at such consolidated election of constitutional amendments proposed by the Legislature at the 1958 First Extraordinary Session, to take effect immediately.

In effect immediately

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. A special election is hereby called to be held throughout the State on the fourth day of November, 1958. Said special election shall be consolidated with the general election to be held on the same date. Such consolidated election shall be held and conducted in all respects as if there were only one election and only one form of ballot shall be used. At such consolidated election there shall be submitted to the electors, in addition to such other measures as may be submitted in accordance with law, all constitutional amendments proposed by the Legislature at the 1958 First Extraordinary Session. Except as otherwise provided in this act all of the provisions of law applicable to the submission of constitutional amendments proposed by the Legislature and to arguments for and against such measures shall apply to the measures submitted pursuant to this act.

SEC. 2. Within five days after final adjournment of the 1958 First Extraordinary Session, the author of any constitutional amendment submitted at that session and one member of the opposite house who voted with the majority on the amendment, shall be appointed by the presiding officers of the respective houses to draft the argument for the adoption of the measure. If such a constitutional amendment was not adopted unanimously by the house in which it was introduced, one member of that house, who voted against it, shall be appointed by the presiding officer of that house to write an argument against the measure. If there was no negative vote on the measure in the house in which it was introduced, the presiding officer of that house shall appoint some qualified person to draft an argument against the measure. No argument shall exceed 500 words. All such arguments shall be filed with the Secretary of State on or before June 3, 1958.

SEC. 3. Upon the effective date of this act the Secretary of State shall request the Attorney General to prepare a ballot title for the measures submitted pursuant to this act and shall also request the Legislative Counsel to prepare an analysis of said measures in accordance with Section 1509.7 of the Elections Code. Said title and said analysis shall be filed with the Secretary of State within 10 days after the effective date of

this act. The measures submitted pursuant to this act shall be designated on the ballots at the election by their ballot title.

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

CHAPTER 66

An act to amend Section 26361 of the Government Code, relating to the leasing of concessions in county revenue bond projects.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect July 23, 1958

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

SECTION 1. Section 26361 of the Government Code is amended to read:

26361. The board may lease concessions (a) for a period of time, as may be agreed upon by the contracting parties, not exceeding 50 years in connection with public small boat harbors, and (b) for a period of time, as may be agreed upon by the contracting parties, not exceeding 10 years in connection with all other authorized improvements. Such concessions shall be leased only after advertising for and accepting bids in the manner provided for the leasing of real property belonging to the county by Article 8 (commencing with Section 25520), Chapter 5, Part 2, Division 2, Title 3, of the Government Code.

CHAPTER 67

An act to amend Section 1060 of the Revenue and Taxation Code, relating to local property taxation.

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.] In effect July 23, 1958

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

SECTION 1. Section 1060 of the Revenue and Taxation Code is amended to read:

1060. A deduction of debts shall be made from the assessed value of solvent credits if a statement under oath showing the amount of the debts in the detail required by the assessor or, if the solvent credits are state-assessed property, by the board is filed with the property statement.

For the purposes of this section only, notes payable, by persons or companies holding a broker's certificate under Title 4, Division 1, Chapter 6 (commencing with Section 25700) of the Corporations Code, to bona fide residents of this State or to

persons doing business in this State, secured by pledged collateral consisting of securities belonging to or being purchased by customers of such persons or companies, not exceeding in amount sums owing by such customers on the purchase of these securities constituting such collateral, shall be included as deductible debts.

CHAPTER 68

An act to add Section 13831.5 to the Education Code, relating to salaries of certificated employees of school districts, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 14, 1958. Filed with Secretary of State April 15, 1958.]

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

SECTION 1. Section 13831.5 is added to the Education Code, to read:

13831.5. Notwithstanding any other provisions of law, if, prior to the effective date of this section, payment of the salary of any person employed in a position requiring certification qualification has been withheld because the certification document of such person was not in force for the period such salary was earned and the credentials of such person have been renewed within 90 days after the end of such period, the district may pay the person the amount of salary withheld.

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 existing law when a teacher fails to renew his certification documents at the legally prescribed time, his salary cannot be paid for the period the documents are not in force. This provision works a severe hardship on the many teachers who by mistake, or because of the pressure of teaching duties, or otherwise, are late in renewing their documents, but who continue to teach in their usual positions during the period the documents are not in force and who are assured by the school district authorities that their salaries will be paid for such period as soon as the renewal is effective.

In order to restore the confidence of such teachers in the Public School System, and to encourage them to remain in the teaching profession, rather than seeking employment in other fields subject to fewer strict regulations, at a time when an increase rather than a decrease in the number of teachers is essential to furnish an adequate education to the children of the State, it is necessary that this act go into immediate effect.

CHAPTER 69

An act to amend Section 54 of, and to add Sections 55, 259.5, 680.5, and 680.6 to, the Vehicle Code, relating to school busses.

[Approved by Governor April 15, 1958. Filed with Secretary of State April 15, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 54 of the Vehicle Code is amended to read:

54. "School Bus." A "school bus" is any motor vehicle while being used for the transportation of any school pupil to and from a public or private school or to and from public or private school activities, except the following: "School bus"

(a) A motor vehicle of the pleasure type designed for and when actually carrying not more than eight persons, including the driver;

(b) A motor vehicle operated by a common carrier subject to the jurisdiction of the Public Utilities Commission, except when any said vehicle is in use exclusively for the transportation of school pupils;

(c) A motor vehicle of any type carrying only members of the household of the owner thereof.

(d) A motor vehicle operated by and under the exclusive jurisdiction of a municipally owned transit system or transit authority created by specific act of the Legislature, if said transit system or authority meets all the safety requirements of the Public Utilities Commission, but not used exclusively for the transportation of school pupils.

(e) A motor vehicle operated by a common carrier which is periodically, but not exclusively, used for the transportation of pupils to and from a public or private school or to and from public or private school activities shall not be deemed a school bus within the meaning of this section and shall be subject to the jurisdiction of the Public Utilities Commission with respect to design, construction, operation, equipment, and mechanical condition.

SEC. 2. Section 55 is added to said code, to read:

55. "Private School." A "private school" is any school, whether conducted for profit or not, giving a course of training similar to that given in any grade of public school from kindergarten through the twelfth grade, including but not limited to schools owned or operated by any church. "Private school"

SEC. 3. Section 680.5 is added to said code, to read:

680.5. Inspection of School Busses. (a) Except as provided in Section 680.6, all school busses transporting pupils to or from any private school or private school activity shall be subject to the same statutes, rules, and regulations relating to construction, design, operation, equipment, and color as are now or hereafter applicable to school busses transporting pupils to or from any public school or public school activity. Inspection of school busses

(b) The California Highway Patrol shall inspect each school bus to ascertain whether its construction, design, equipment, and color comply with all provisions of law.

(c) No person shall drive any school bus unless there is displayed therein a certificate issued by the California Highway Patrol stating that on a certain date, which shall be within one year of the date of operation, a member of the California Highway Patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color. The Commissioner of the California Highway Patrol shall provide by rule or regulation for the issuance and display of distinctive inspection certificates.

SEC. 4. Section 680.6 is added to said code, to read:

Exemptions: Private school busses

680.6. Private School Busses, Exemptions. Private school busses shall be exempt from such statutes, rules, and regulations relating to construction, design, operation, and equipment applicable to public school busses as the Commissioner of the California Highway Patrol shall determine necessary to permit such private school busses to continue in operation or when it appears that the results intended to be attained by such rules and regulations are being accomplished by the use of other methods. Such exemption shall be specified by rule or regulation of the commissioner. No such exemption shall be made which in the opinion of the commissioner would jeopardize the safety of the pupils so transported.

SEC. 5. Section 259.5 is added to said code, to read:

Qualifications of private school bus operators

259.5. Qualifications of Private School Bus Operator. No person shall operate a school bus in the transportation of pupils to or from a private school unless such person holds a valid operator's or chauffeur's license and a school bus driver's certificate issued by the Department of Motor Vehicles under the same standards and requirements as are applied to public school bus drivers at the time of issuance of the certificate.

Short title

SEC. 6. This act shall be known, and may be cited, as the "Anderson, Gaffney, Marsh Act of 1958."

CHAPTER 70

An act to add Section 6215.5 to, repeal Article 2 (commencing at Section 6340) of Chapter 4, Part 4, Division 8 of, and to add Article 2 (commencing at Section 6340) to Chapter 4, Part 4, Division 8 of, the Harbors and Navigation Code, relating to the formation of and the powers of port districts.

In effect July 23, 1958

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.]

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

SECTION 1. Section 6215.5 is added to the Harbors and Navigation Code, to read:

Protests

6215.5. If the board of supervisors finds that protests have been made, prior to its final determination for formation of

the district, by the owners of real property within the proposed district the assessed value of which, as shown by the last equalized assessment roll, constitutes more than one-half of the total assessed value of the real property within the proposed district, the proceeding shall terminate. The board of supervisors shall order the proceeding terminated when such protests are received.

Repeal

SEC. 2. Article 2 (commencing at Section 6340) of Chapter 4, Part 4, Division 8 of the Harbors and Navigation Code is repealed.

SEC. 3. Article 2 (commencing at Section 6340) is added to Chapter 4, Part 4, Division 8 of said code, to read:

Article 2. Revenue Bonds

Revenue bond

6340. Pursuant to this article a district may create a revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers.

Ordinance. Issuance of bonds

6341. The issuance of said bonds shall be authorized by ordinance adopted by two-thirds of all the members of the board, to take effect upon its publication.

Publication

6342. The secretary shall publish said ordinance once in a newspaper of general circulation printed in said district, and if there is none, then in such newspaper published in the county in which said district is located.

Contents

6343. Said ordinance shall specify the total amount, denomination, method of maturity, and the rate or maximum rate of interest of said bonds, and in general terms, the acquisitions and improvements to be constructed thereby; and, in addition, shall contain such other and further provisions as in the judgment of the board are deemed advisable.

Fund

6344. The proceeds of said bonds shall be placed in an account in the treasury of the district to be entitled _____ Port District Revenue Construction Fund No. ____ and used exclusively for the objects and purposes mentioned in the ordinance.

Lien

6345. The lien of said bonds of the same issue shall be prior and superior to all revenue bonds subsequently issued.

Powers and remedies re issuance of bonds

6346. Proceedings for the issuance of said bonds shall be had, the board shall have such powers and duties, and the bondholders shall have such rights and remedies, all in substantial accordance with and with like legal effect as provided in Sections 54344 to 54346, inclusive, 54347, 54348, 54350, 54351, 54352, and in Articles 4 (commencing at Section 54400) to 11 (commencing at Section 54660), inclusive, of Chapter 6, Part 1, Division 2, Title 5 of the Government Code. As used therein the word "resolution" shall mean ordinance, the word "local agency" shall mean district, and the words "legislative body" shall mean board.

Definitions

CHAPTER 71

An act to add Chapter 4.9 (commencing at Section 36410) to Part 6 of Division 13 of the Water Code, relating to the formation of improvement districts and the issuance of bonds and collection of water charges therefor by California Water Districts.

In effect July 23, 1958

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.]

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

SECTION 1. Chapter 4.9 (commencing at Section 36410) is added to Part 6 of Division 13 of the Water Code, to read:

CHAPTER 4.9. ALTERNATIVE PROVISIONS FOR THE FORMATION OF IMPROVEMENT DISTRICTS AND THE ISSUANCE OF BONDS THEREFOR

Alternative method re district formation and bond issuance

36410. This chapter provides an alternative method for the formation of improvement districts consisting of a portion of the territory within a district and the issuance of bonds of said district for said improvement districts. This chapter shall not apply to or affect any other provisions of this division for the formation of improvement districts or the incurring of indebtedness therefor.

Improvement districts

36411. Improvement districts consisting of a portion of the territory of a district may be formed within a district and bonds of the district may be issued for such improvement districts as provided in this chapter.

Purpose of bonds

36412. Bonds of a district for an improvement district may be issued for any purpose for which bonds of the district may be issued; provided, that the carrying out of said purpose shall benefit the lands within said improvement district

Resolution of intention

36413. Whenever the board is of the opinion that an improvement district should be formed, said board of directors shall adopt a resolution of intention which shall state: (a) the intention of the board to form the proposed improvement district, (b) the purpose for which the proposed improvement district is to be formed, (c) the estimated expense of carrying out said purpose, (d) that assessments for carrying out said purpose shall be levied exclusively upon the lands in said proposed improvement district, (e) that a map showing the exterior boundaries of said proposed improvement district, which map shall govern for all details as to the extent of the proposed improvement district, is on file with the secretary of the district and is available for inspection by any person or persons interested, (f) the time and place for a hearing by the board on the formation of said proposed improvement district, the extent thereof, the purpose for which it is to be formed, the benefit to lands within the proposed improvement district from carrying out said purpose, the estimated expense of carrying

out said purpose or any other matter relating to any of the foregoing, and (g) that at said time and place any persons interested, including all persons owning lands in the district or in the proposed improvement district, may appear and be heard.

Notice of hearing

36414. Notice of said hearing shall be given by publishing a copy of the resolution of intention in a newspaper of general circulation published in each affected county, pursuant to Section 6066 of the Government Code, the first publication to be at least fourteen (14) days prior to the time fixed for the hearing. Said notice shall also be given by posting a copy of said resolution in three public places within the proposed improvement district for at least fourteen (14) days prior to the time fixed for said hearing. No notice other than that required by this section need be given.

Hearing

36415. At the time and place so fixed, or at any time or place to which the hearing is continued, the board shall hold the hearing provided for by said resolution of intention, at which hearing any person interested, including all persons owning land in the district, or in the proposed improvement district, may appear and be heard concerning any matters set forth in the resolution of intention or any matters material thereto.

Resolution proposing modifications

36416. At the hearing the board may adopt a resolution proposing modifications relating to any or all of the following: (a) a modification of the boundaries of the proposed improvement district, (b) the addition to the proposed improvement district of lands which in its opinion will be benefited by carrying out the purpose described in the resolution of intention, (c) the exclusion from the proposed improvement district of any lands described in the resolution of intention which in its opinion will not be benefited by carrying out said purpose or (d) the increasing, decreasing or otherwise modifying of the purpose stated in the resolution of intention. Said resolution proposing modification shall describe the proposed modifications, state the change, if any, in the estimated expense of carrying out the purpose, and shall fix a time and place for hearing by the board thereon.

Publication

36417. The board shall not order any modifications except after publication of the resolution proposing said modifications once in the same newspaper in which the resolution of intention was published, said publication to be at least fourteen (14) days prior to the date of hearing on said proposed modifications.

Hearing

36418. The hearing on any proposed modifications, or any continuance thereof, may be held at the same time and place as any continued hearing on the resolution of intention and both said hearings may be held and conducted concurrently.

Resolution of formation

36419. At the conclusion of the hearing on the resolution of intention and of the hearing, if any, upon proposed modifications, the board may by resolution order the improvement district formed for the purpose and with the exterior bound-

aries described in the resolution of intention, or for the purpose and with the exterior boundaries as proposed to be modified in the resolution, if any, proposing modifications. Said resolution ordering the district formed shall state the estimated expense of carrying out the purpose described therein. Said resolution shall also number and designate said improvement district substantially as "Improvement District No. ____ of _____ District."

Special bond election

36420. After adopting the resolution ordering the improvement district formed, the board may provide for and call a special bond election within such improvement district to submit to the voters of the improvement district a proposition of whether or not an indebtedness of the district shall be incurred and bonds issued therefor in an amount not exceeding the estimate stated in the resolution ordering the improvement district formed, such indebtedness and bonds to be payable from assessments to be levied and collected upon lands within said improvement district.

Procedure

36421. Except as otherwise provided in this chapter, special bond elections within an improvement district shall be called, noticed, held, conducted and the results thereof canvassed in substantially the same manner as is provided in this division for general obligation bond elections held in the entire district.

Two-thirds vote

36422. If two-thirds of the votes cast upon the proposition at a special bond election held in an improvement district are in favor of the issuance of said bonds of said district for said improvement district, the board may by resolution, at such time or times as it deems proper, provide for the issuance of all or any part of said bonds.

Bonds: Issuance and sale

36423. Bonds of said district for said improvement district shall be issued and sold in substantially the same manner and upon the same terms and conditions as general obligation bonds of the entire district, except that assessments for the payment of said bonds and the interest thereon shall be levied and collected from annual assessments to be levied upon and collected from lands within said improvement district. The bonds shall be issued in the name of the district and shall be designated "Bonds of _____ District for Improvement District No. ____" and each bond and all interest coupons shall state that the assessment for the payment thereof shall be limited to annual assessments to be levied upon and collected from the lands within said improvement district, except to the extent that provision for such payment has been made by the board, as may be permitted by law.

Principal and interest

36424. Except to the extent that provision has otherwise been made by the board, as may be permitted by law, for the payment of the principal of and interest upon bonds of said district for such improvement district as they become due and also for the payment of operating expenses of said improvement district, the annual estimate made by the board of the sum required by the district to discharge all of its obligations

shall, in addition to the other amounts required to be included therein, include an amount sufficient to pay the principal of bonds of the district for said improvement district and the interest thereon as the same becomes due and also to pay operating expenses for said improvement district.

Additional charges

36425. In addition to the charges authorized to be fixed and collected pursuant to Article 4, Chapter 2, Part 5 of this division, the board in lieu, in whole or in part, of raising money for the payment of the principal of and interest on bonds of the district issued for an improvement district or for the operating expenses of said improvement district, may fix and collect charges for the making of water available to the holders of title to land in said improvement district or the occupants thereon Said additional charges within an improvement district shall be fixed and collected in substantially the same manner and upon the same terms and conditions as is provided in said Article 4 for charges to be fixed and collected within the entire district, except that said additional charges fixed and collected from an improvement district shall be expended only for the payment of the principal of and interest upon bonds of the district issued for said improvement district or for payment of the operating expenses of said improvement district.

Application of general obligation bond provisions

36426. Except as otherwise provided in this chapter, the provisions of this division applicable to general obligation bonds of the district and assessments therefor shall, so far as consistent with this chapter, apply to general obligation bonds of the district for improvement districts therein.

Separate account

36427. The treasurer shall establish within the general obligation bond fund for the district provided for in Section 35902 a separate account for general obligation bonds of the district for each improvement district to which shall be apportioned such portion of the general obligation bond fund as is applicable to the general obligation bonds of the district for the particular improvement district. The money in any separate account shall be used for the payment of bonds of the district for the particular improvement district and interest thereon and until the bonded indebtedness of the district therefor is discharged shall not be used for any other purpose.

CHAPTER 72

An act to amend Sections 18662 and 18663 of the Education Code, relating to property of school district.

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 18662 of the Education Code is amended to read:

Disposition of real property: Terms

18662. Any sale, exchange, lease or grant of an interest in real property by a school district pursuant to Section 18661 shall be upon such terms and conditions as the parties thereto

may agree and may be entered into without complying with any provisions of this code except as provided in this article.

SEC. 2. Section 18663 of said code is amended to read:

Procedure

18663. The board shall not enter into and be a party to any such sale, exchange or lease unless the following conditions have been met:

(a) A resolution authorizing such action and prescribing the terms of the sale, exchange or lease has been adopted by the unanimous vote of all the members elected or appointed to the board;

(b) Such resolution has been published in a newspaper of general circulation published in the district, or if there be no such newspaper, in a newspaper having a general circulation in the district, once a week for three weeks prior to the making of the sale, exchange or the execution of the lease by the board.

CHAPTER 73

An act to add Article 5.5 (commencing with Section 3315) to Chapter 1, Division 3 of the Public Resources Code, relating to co-operative development and unit operation of oil and gas pools and the repressuring of the same in order to ameliorate the subsidence and compaction of lands, and making an appropriation.

In effect July 23, 1958

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.]

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

SECTION 1. Article 5.5 (commencing with Section 3315) is added to Chapter 1, Division 3 of the Public Resources Code, to read:

Article 5.5. Subsidence

Legislative declaration

3315. It is hereby found and determined:

(a) That the people of the State of California have a direct and primary interest in arresting and ameliorating the subsidence and compaction of land in those areas overlying or immediately adjacent to producing oil or gas pools within the State where valuable buildings, harbor installations and other improvements are being injured or imperiled or where subsidence is interfering or may interfere with commerce, navigation and fishery, or where substantial portions of such areas may be inundated if subsidence continues, thereby endangering life, health, safety, public peace, welfare and property;

(b) That in certain of such areas of the State land already has subsided to a great extent and is continuing to subside at an alarming rate, resulting in injury to surface and underground improvements through land movement or the threat

of inundation from the sea, necessitating extensive filling and construction of levees and dikes; and requiring the raising, repair and reconstruction of highways, bridges, buildings, utility and transportation facilities, vital national defense installations and other improvements;

(c) That the results of studies by qualified engineers, which have been conducted in certain of such affected areas, indicate that the only feasible method that can be expected to arrest or ameliorate subsidence in such areas is by repressuring subsurface oil and gas formations thereunder and that such repressuring operations, in addition thereto, should increase the amount of oil ultimately recoverable from the formations underlying such areas and protect the oil or gas in such lands from unreasonable waste;

(d) That unit or co-operative operation of such pool or pools in such areas is necessary in order to repressure or maintain pressure in said pool or pools in order to arrest or ameliorate subsidence;

(e) That, in view of the special characteristics of the subsidence problem in such areas, it is necessary, therefore, that the State of California, through authority vested in the State Oil and Gas Supervisor, exercise its power and jurisdiction to require the carrying on of repressuring operations which will tend to arrest or ameliorate subsidence by maintaining or replenishing underground pressures in formations underlying such areas, thereby safeguarding life, health, property, and the public welfare, and to require such co-operative or unit plan or plans as may be necessary for repressuring which tend to arrest or ameliorate subsidence subject to the limitations on the authority of the supervisor contained in this article;

(f) That it is also desirable to encourage the carrying on of voluntary repressuring operations pursuant to voluntary unit or co-operative agreements in order to arrest or ameliorate subsidence, and as a means to that end it is necessary that the power of eminent domain be exercised to acquire the properties of nonconsenting owners of interests in oil and gas under the circumstances and subject to the limitations set forth in this article.

Construction

3316. Unless the context otherwise requires, the general provisions and definitions contained in this chapter govern the construction of this article.

"Person"

3316.1. As used in this article, "person" means any natural person, corporation, association, partnership, joint venture, receiver, trustee, executor, administrator, guardian, fiduciary or other representative of any kind and includes the State and any city, county, city and county, district or any department, agency or instrumentality of the State or of any governmental subdivision whatsoever.

"Pool"

3316.2. "Pool" means an underground reservoir containing, or appearing at the time of determination to contain, a common accumulation of crude petroleum oil or natural gas

or both. Each zone of a general structure which is separated from any other zone in the structure is a separate pool.

"Field" 3316.3. "Field" means the same general surface area which is underlaid or reasonably appears to be underlaid by one or more pools.

"Repressuring operations" 3316.4. "Repressuring operations" means gas injection operations, water injection operations, water flooding operations, or any combination thereof, or any other operations intended primarily to arrest or ameliorate subsidence, or to restore or increase the pressure in a pool, or to avoid or minimize a reduction of pressure within a pool.

"Subsidence" 3316.5. "Subsidence" means sinking, lowering, collapsing, compaction or other movement of the land whether covered by water or not.

"Unit area" 3316.6. "Unit area" means all or part of a pool or pools included within the area embraced by a unit created pursuant to an order of the supervisor as provided in Section 3322, or created by a unit agreement voluntarily entered into.

"Unit production" 3316.7. "Unit production" means all oil, gas and other hydrocarbon substances produced from a unit area from the effective date of the order of the supervisor creating the unit, or from the effective date of a unit agreement approved by the supervisor.

"Fieldwide repressuring plan" 3316.8. "Fieldwide repressuring plan" means a plan based upon a competent engineering study or studies, prepared by a petroleum engineer licensed by the State, of all the pools in a field, designed so as to provide for a program of pressure restoration or maintenance as to most effectively arrest or ameliorate subsidence with respect to those land areas referred to in Section 3315.

"Unit agreement" 3316.9. "Unit agreement" means and includes, in addition to the unit agreement, any unit operating agreement, consent agreement and other agreement entered into in connection with and supplemental to such unit agreement, but shall not include any preliminary agreement confined to effectuating any exchange of interests in tracts of land which the parties to such preliminary agreement may desire.

"Increased production" 3316.10. "Increased production" means that portion of the oil or gas produced from all wells bottomed within a unit area, or within any other area where the supervisor finds repressuring operations feasible, during any year over and above the oil or gas that would have been produced from all wells bottomed within the same area during the identical year at the projected rate of decline for the wells in the absence of repressuring operations conducted pursuant to this article.

"Working interest" 3316.11. "Working interest" means an interest held in lands by virtue of fee title, including lands held in trust, a lease, operating agreement or otherwise, under which the owner of such interest has the right to drill for, develop and produce oil and gas. A working interest shall be deemed vested in the owner thereof even though his right to drill or produce may be

delegated to an operator under a drilling and operating agreement, unit agreement, or other type of operating agreement.

"Working interest owner"

3316.12. "Working interest owner" means a person owning a working interest.

"Royalty interest"

3316.13. "Royalty interest" means a right to or interest in oil and gas produced from any lands or in the proceeds of the first sale thereof other than a working interest.

"Royalty interest owner"

3316.14. "Royalty interest owner" means a person owning a royalty interest.

"Unit operator"

3316.15. "Unit operator" means the person or persons designated by the unit agreement or in accordance with subdivisions (g) and (j) of Section 3322 as operator or operators of the unitized area.

"Land"

3316.16. "Land" means both surface and mineral rights.

Application

3317. This article applies only to lands, referred to in Section 3315, overlying or immediately adjacent to a producing pool or pools, when such lands are subsiding, portions of which lands are subject to threat of inundation from the sea and which subsidence is endangering the life, health and safety of persons or which is damaging or is threatening to cause damage to, any surface or underground improvements located on such lands overlying or immediately adjacent to such pool or pools. The area within the exterior boundaries established pursuant to Section 3336 shall be known as a "subsidence area."

Orders re public trust

3318. An order of the supervisor which involves tide or submerged lands which may have been granted to any city, county, or city and county, or district, shall prohibit any impairment of the public trust for commerce, navigation, or fisheries to which the granted lands are subject. The Legislature hereby finds and declares that compliance with any such order containing such prohibition will not impair the public trust for commerce, navigation, or fisheries to which the granted lands are subject, and that any acts or things done pursuant to the terms thereof or resulting therefrom are consistent with and not in violation of the terms and conditions of any such grant or of any trusts, restrictions, or conditions of appertaining thereto. No such order shall effect or result in, or be construed to effect or result in a revocation of or change in any trust pertaining to the granted lands, or in any grant, conveyance, alienation, or transfer of the granted lands, or any part thereof, to any other individual, firm, or corporation, even though such order provides for the pooling of oil, gas, or other hydrocarbon substances produced from the granted lands with oil, gas, or other hydrocarbon substances produced from other lands, or results in the migration of any oil, gas or other hydrocarbon substances between the granted lands and other lands. If any of the granted lands are contained in any unit created or approved by an order of the supervisor, and, when applicable, the State Lands Commission, then any trust, restrictions, or conditions pertaining to any production from the granted lands included within such a unit, or to any proceeds from such production, shall apply only to that part of

the production or that part of the proceeds therefrom which is allocated to such city, county, or city and county or district on account of the granted lands under any such order, and shall not apply to any other production or the proceeds therefrom, whether or not the same may have been produced from the granted lands or other lands.

Public hearing re fieldwide repressuring plan

3319. The supervisor upon his own motion may, or shall upon the application of any city, county, city and county, any part of which is in a subsidence area, or any contractor or lessee for the production of oil or gas therefor, or any person having a working interest therein, who has submitted therewith an engineering report and plan for fieldwide repressuring operations in the pool or pools in a field in order to arrest or ameliorate subsidence therein, prepared by a petroleum engineer licensed by the State, hold a public hearing to consider the need for repressuring operations in all of such pool or pools in order to arrest or ameliorate subsidence. Applications relating to the same field may be ordered consolidated by the supervisor for such public hearing thereon.

Before any such application shall be considered, each applicant shall pay to the supervisor for deposit in the Subsidence Abatement Fund a sum of money estimated by the supervisor to be equivalent to the amount of costs necessary to publish and mail notices, to employ stenographic reporters, to prepare a daily transcript of such hearing for use by the supervisor, to pay such rental as may be necessary to provide quarters for such hearing and to reimburse the Department of Natural Resources for any charges imposed upon it for the services of a hearing officer or members of the Attorney General's staff in conjunction with such hearing. If more than one application is filed, such costs shall be equally charged and assessed to and paid by the respective applicants. Such costs, when finally determined, if in excess of the amount theretofore deposited shall be paid equally by the applicant or applicants. Any money remaining on deposit after final determination and payment of costs shall be refunded to the applicant or applicants equally. If, after a public hearing and from the evidence adduced therefrom, and from such engineering studies as he may have ordered made and which have been presented and considered at such hearing, the supervisor finds that repressuring operations of the pool or pools will tend to arrest or ameliorate subsidence, he shall by order adopt a fieldwide repressuring plan and specifications of the work to be done thereunder, if in his judgment such fieldwide plan and specifications are necessary, and will not substantially reduce the maximum economic quantity of oil or gas ultimately recoverable from such pool or pools under prudent and proper operations.

Any such fieldwide repressuring plan and general specifications shall be based upon a competent engineering study of all

the pools in the field and shall provide for repressuring operations designed to most effectively arrest or ameliorate subsidence with respect to those land areas overlying or immediately adjacent to a producing pool or pools. Such plan and specifications may provide that they may be carried out by one or more units made up of such pool, groups of pools, or portions thereof, or by individual persons, or by co-operative agreements between two or more persons or by any combinations of the foregoing which in the judgment of the supervisor shall be feasible. Such study may be reviewed from time to time by the supervisor, and if it be determined, from an analysis of the collected data, that consideration should be given to the alteration or modification of such plan and specifications, the supervisor shall order the holding of the requisite hearing for the purpose of determining whether such change should be incorporated into said plan and specifications by an amended order. The supervisor may amend a fieldwide repressuring plan and general specifications of the work to be done in the same manner as herein provided for the initial adoption of said plan and specifications.

Same

3319.1. Prior to the adoption of a fieldwide repressuring plan and general specifications of the work to be done thereunder, as provided in Section 3319, the supervisor, upon the application of any city, county, city and county, any part of which is in a subsidence area, or any contractor or lessee for the production of oil or gas therefor, or any person having a working interest therein, who has submitted therewith an engineering report and plan for pressure restoration or pressure maintenance of a particular pool or pools, or portion thereof underlying a certain described area or portion of such field, designed for the purpose of arresting or ameliorating subsidence therein, prepared by a petroleum engineer licensed by the State, shall hold a public hearing to consider the need for repressuring operations in such pool or pools, or portion thereof, in order to arrest or ameliorate subsidence. Applications relating generally to the same described area or portions of such field may be ordered consolidated by the supervisor for such public hearing thereon.

The procedure and method prescribed in Section 3319, with reference to the determination of amount, assessment, payment and refunding of costs, in conjunction with the holding of the hearing therein provided, are hereby incorporated with reference to the determination of amount, assessment, payment and refunding of costs as a condition precedent to the holding of the hearing herein provided.

If, after a public hearing and from the evidence adduced therefrom, and from such engineering studies as he may have ordered made and which have been presented and considered at such hearing, the supervisor finds that repressuring operations of such pool or pools or portions thereof will tend to arrest or ameliorate subsidence, he shall by order adopt a repressuring plan and specifications of the work to be done

thereunder in such pool or pools or portions thereof, if in his judgment such plan and specifications are necessary and will not substantially reduce the maximum economic quantity of oil or gas ultimately recoverable from such pool or pools under prudent and proper operations.

Any such repressuring plan and specifications adopted in furtherance thereof shall be designed to most effectively arrest or ameliorate subsidence with respect to those affected land areas overlying or immediately adjacent to such pool or pools, or portions thereof. The supervisor may amend such repressuring plan and specifications in the same manner as herein provided for the initial adoption of said repressuring plan and specifications.

Any order of the supervisor adopting a repressuring plan and specifications of the work to be done thereunder with respect to a particular pool, or pools, or portions thereof, shall be expressly conditioned so as to provide that such plan and specifications shall be subject to amendment or modification if, after the holding of a public hearing thereon, it be determined that such amendment or modification is necessary in order to conform such plan and specifications with the subsequently adopted fieldwide repressuring plan and general specifications as provided for in Section 3319.

Voluntary repressuring operations

3320. (a) The policy of conducting voluntary repressuring operations in a pool or pools, or portions thereof, in order to arrest or ameliorate subsidence, or for any other lawful purpose, whether individually or by unit or co-operative agreement, shall be encouraged by the supervisor. Nothing contained in this article shall be deemed to prohibit the supervisor from approving voluntary repressuring operations in any pool or pools, or part thereof, pursuant to this article or any other provision of Division 3 (commencing at Section 3000) of the Public Resources Code prior to adoption of a repressuring plan and specifications under Section 3319 or 3319.1, if in his judgment such repressuring operations are not detrimental to the intent and purposes of this article to arrest or ameliorate subsidence, or are not otherwise unlawful. At any time after the adoption of a repressuring plan and specifications therefor, as provided in Section 3319.1, or the adoption of the fieldwide repressuring plan and specifications therefor, as provided in Section 3319, and prior to the issuance of a unit order, the supervisor shall, upon request being made therefor, analyze any such currently conducted repressuring operations, and any proposed plan of repressuring operations to determine whether such operations are or would be in conformity, or could be made to conform, with either of the foregoing adopted repressuring plans and specifications. If the supervisor determines that such existing or proposed repressuring operations do conform, or if he determines that such operations can be made to conform, and the respective party or parties thereto agree to the recommended modifications, he shall approve such

voluntary repressuring operations. Upon such approval by the supervisor, the party or parties thereto shall be entitled to continue or proceed with such repressuring operations without specific direction or order from the supervisor, except as provided in subdivision (c) hereof.

The provisions of Section 6879 shall apply to any such voluntary or co-operative agreement which includes tide and submerged lands of the State which have been granted to a city, county, city and county or district by a grant which does not except and reserve to the State all deposits of minerals, including oil and gas, in said lands.

(b) In the event any proposed plan of repressuring operations is not commenced or any proposed unit or co-operative agreement which has been approved by the supervisor, is not executed and operations commenced thereunder by the respective parties thereto within the time specified in the order of the supervisor approving the same, or within any extension thereof granted by the supervisor, for good cause shown, but in no event longer than 90 days from the expiration date specified in the order of approval, the order of the supervisor shall be deemed automatically revoked, without further action, and the supervisor shall take such appropriate action as authorized by this article.

(c) The supervisor shall, at all times, have access to and may inspect all repressuring operations referred to in subdivision (a) hereof for the purpose of determining that performance is being conducted in accordance with the repressuring plan or plans and specifications of work to be done thereunder adopted pursuant to Section 3319 or 3319.1, or in accordance with the orders of the supervisor approving repressuring operations, and shall have power to require such operations to conform to the said repressuring plan or plans and specifications of work to be done thereunder adopted by, or orders theretofore made by the supervisor, and to otherwise enforce compliance with this article.

Management agreement

3320.1. (a) An agreement for the management, development and operation of two or more tracts in a pool or pools, or portions thereof, in a field as a unit without regard to separate ownerships for the production of oil and gas, including repressuring operations therein, and for the allocation of benefits and costs on a basis set forth in such agreement, shall be valid and binding upon those who consent thereto and may be filed with the supervisor for approval.

Any agreement for the co-operative management, development and operation of two or more tracts in a pool or pools, or portions thereof, in a field for the production of oil or gas, including repressuring operations therein, shall be valid and binding upon those who consent thereto and may be filed with the supervisor for approval.

If in the judgment of the supervisor a unit agreement or co-operative agreement filed for approval is not detrimental to the

intent and purposes of this article to arrest or ameliorate subsidence, or otherwise unlawful, the supervisor may approve the same. No such agreement approved by the supervisor hereunder or heretofore approved pursuant to applicable law prior to the enactment of this article shall be held to violate any of the statutes of this State prohibiting monopolies or acts, arrangements, agreements, contracts, combinations or conspiracies in restraint of trade or commerce.

(b) In the event that at the time of the approval by the supervisor of a unit or co-operative agreement under subdivision (a) of this section, the supervisor makes written findings that:

1. A primary purpose of the unit or co-operative agreement is the initiation and conduct of repressuring operations in the area covered thereby for the purpose of arresting or ameliorating subsidence; and

2. The initiation and conduct of repressuring operations in the area covered by the unit or co-operative agreement are feasible and compatible with the purposes of this article; and

3. The persons who are entitled to 75 percent of the proceeds of production of oil and gas within the area covered by the unit or co-operative agreement (measured by the production of oil and gas therein in the last calendar year preceding the date of such approval) have become parties to such agreement by signing or ratifying it; and

4. It is necessary, in order to initiate and conduct such repressuring operations, that the properties of nonconsenting persons who own working interests or royalty interests in lands within the area covered by the unit or co-operative agreement become subject to such agreement; and

5. The agreement is fair and reasonable, and contains appropriate provisions to protect and safeguard the rights of all persons having an interest in oil and gas production in the area covered thereby; then the supervisor shall make and enter an order which shall provide that unless such nonconsenting persons shall, within 30 days after service upon such persons of the order in the manner specified by the supervisor, become parties to the agreement by signing or ratifying the same, the right of eminent domain may be exercised as hereinafter provided in subdivision (c) hereof for the purpose of acquiring the properties of such nonconsenting persons which are found by the supervisor to be necessary for the initiation and conduct of such repressuring operations.

In the event the supervisor shall make findings in accordance with the foregoing, such findings shall be prima facie evidence (1) of the public necessity of the development and operation of the said properties in accordance with the unit or co-operative agreement and of the repressuring operations to be initiated and conducted pursuant to such agreement; and (2) that the acquisition of the properties of the nonconsenting persons which are designated by the supervisor is necessary therefor; and (3) that the repressuring and other operations

to be initiated and conducted pursuant to such agreement, and the improvements to be made in connection therewith are planned or located in the manner which will be most compatible with the greatest public good and the least private injury.

The acquisition and use of land, including oil and gas rights therein, and personal property used in the production of oil and gas within a subsidence area for the purposes and by the persons mentioned in this section under the circumstances herein specified, are public uses on behalf of which the right of eminent domain may be exercised.

(c) Subject to the provisions of subdivision (b) hereof, the right of eminent domain for the purposes therein mentioned may be exercised by any city, county, or city and county, which has agreed to commit the properties to be acquired to such unit or co-operative agreement, or which has agreed to convey all or a portion of said properties upon acquisition, for a price not less than the cost of acquiring the same, to working interest owners who are parties to such unit or co-operative agreement and who have agreed to commit such properties to said agreement.

Except as otherwise provided in subdivisions (b) and (c) hereof, any condemnation action brought hereunder shall be governed by the provisions of Title 7 (commencing at Section 1237) of Part 3 of the Code of Civil Procedure.

If a condemnation action or actions to acquire the properties of the nonconsenting persons are promptly commenced and diligently prosecuted to final judgment by which such properties are acquired, no compulsory unit order affecting the area covered by such agreement shall be made by the supervisor under Section 3321 of this article with respect to such area.

Supervisor's power re unitization

3320.2. If the supervisor determines that sufficient of the working interest owners and royalty interest owners to make repressuring operations feasible in any pool or pools, or portions thereof, for which a repressuring plan and specifications have been adopted by the supervisor, have not prior thereto, or within the time designated in the order of the supervisor adopting such plan and specifications, entered into a unit agreement or co-operative agreement, or have not taken individual action under which the repressuring operations contemplated by such plan will be satisfactorily initiated and conducted, the supervisor shall have power to compel the unitization of all interests in such pool or pools, or portions thereof, in the manner and subject to the limitations set forth in this article.

If the supervisor shall compel the unitization of the interests in any pool or pools, or portions thereof, in a field as provided in Section 3321, the supervisor shall have power to order repressuring operations to be initiated and conducted in the unit area in accordance with the applicable repressuring plan and

specifications previously adopted by the supervisor; provided, however, that no order compelling unitization or order requiring the initiation and conduct of repressuring operations in the unit area shall be made unless the supervisor shall find:

(1) That the initiation and conduct of such repressuring operations will not substantially reduce the maximum economic quantity of oil or gas ultimately recoverable from the unit area as a whole under prudent and proper operations.

(2) That the estimated cost of initiating and carrying out such repressuring operations within the unit area as a whole, including both capital and operating costs, will not exceed the estimated value of the increased production resulting therefrom.

The supervisor shall have continuing jurisdiction to review the results of repressuring operations previously ordered by the supervisor and to make such further orders as may be necessary or desirable under the provisions of this article.

Cost allocation

3320.3. In determining, as required by Section 3320.2, whether the estimated cost of initiating and conducting such repressuring operations will exceed the estimated value of the increased production resulting from such operations, the supervisor shall exclude from consideration that portion of the cost of initiating and conducting such repressuring operations which any interested person or persons agree to bear, in addition to the portion of the cost of such operations which such person or persons would otherwise be obligated to bear pursuant to the provisions of subdivision (e) of Section 3322 under arrangements for the conditional repayment of such excess portion from increased production as follows:

(a) Each person bearing a part of such excess portion of the cost of initiating and conducting such repressuring operations shall recover the amount so borne, plus interest on the unpaid balance thereof at the rate of 3½ percent per annum compounded semiannually by receiving, until fully repaid, his pro rata share, based upon his proportionate contribution from an amount not less than 60 percent or more than 90 percent, which, in the judgment of the supervisor, shall from time to time be determined to be fair and reasonable to all persons concerned, of that proportion of the increased production thereafter produced that the said excess portion of the cost of initiating and conducting such repressuring operations bears to the total cost of initiating and conducting such repressuring operations.

(b) If the supervisor shall find the offer of such person or persons to bear the excess portion of the cost of initiating and conducting such repressuring operations to be feasible, fair and reasonable, any order for repressuring operations made by the supervisor, in addition to its other provisions, shall set forth the time, manner and terms upon which such excess portion of the cost of initiating and conducting repressuring operations shall be borne by such person or persons until repaid to such person or persons from increased production as above provided.

Initiating repressuring operations

3320.4. In order to encourage the initiation and conduct of repressuring operations with the greatest possible speed in a subsidence area, the State, or any city, or county, city and county, or other political subdivision, deriving revenues from oil or gas produced from tide or submerged lands may expend such revenues for the purpose of bearing that portion of the cost of initiating and conducting repressuring operations in such subsidence area:

(1) In excess of that share of such costs which would otherwise be borne by such person pursuant to subdivision (e) of Section 3322 as a participant in a unit created by order of the supervisor pursuant to Section 3322 under arrangements for conditional repayment as above provided, or

(2) In excess of that share of such costs which would otherwise be borne by such person as a participant in a unit under a unit agreement voluntarily entered into under arrangements for conditional repayment satisfactory to such person and the other working interest owners interested in said unit.

Non-liability

3320.5. No working or royalty interest owner shall be liable for any loss or damage resulting from repressuring or other operations connected with the production of oil and gas which are conducted, without negligence, pursuant to and in accordance with a co-operative or unit agreement ordered or approved by the supervisor pursuant to this article.

Compulsory unit order

3321. (a) Subject to the limitations specified in this article, the supervisor shall have the power to issue a compulsory unit order upon the petition of a city, county, city and county, any part of which is in a subsidence area, or any contractor or lessee for the production of oil or gas therefor, or any person or persons owning working interests in the area affected by such order. The supervisor shall, prior to the issuance of each compulsory unit order, schedule a public hearing thereon. Such hearing may embrace all or a portion of those land areas, and the pool or pools, or portions thereof, underlying such areas, which have been theretofore included in one of the repressuring plans referred to in Section 3319 or 3319.1, except those areas, and the pool or pools, or portions lying thereunder, which are currently devoted to repressuring operations pursuant to an approved repressuring plan in accordance with the procedure prescribed in subdivision (a) of Section 3320. Such hearing shall be set not later than 60 days from the date of the filing of such petition.

(b) If, after such public hearing and from the evidence adduced therefrom, and from such engineering studies as he may have ordered made and which have been presented and considered at such hearing, or at any prior hearing held for the purpose of considering a repressuring plan, the supervisor finds:

1. That repressuring operations of such pool or pools, or portions thereof, will tend to arrest or ameliorate subsidence; and

2. That compulsory repressuring operations are required by reason of the failure, refusal or inability of the respective parties within the affected area to agree upon and initiate approved repressuring operations; and

3. That subsidence of land overlying or immediately adjacent to such pool or pools is injuring or imperiling valuable buildings, or other improvements, or harbor installations or is interfering with commerce, navigation and fishery, or substantial portions of such lands may be inundated if subsidence continues, thereby endangering life, health, safety, peace, welfare and property; and

4. That unit operation of such pool or pools, or portions thereof, is reasonably necessary to carry out repressuring operations in accordance with the theretofore adopted pressuring plan; and

5. That the creation of the unit is feasible, necessary and justifiable under all conditions affecting the unit at the time of its creation or which can be reasonably anticipated by the supervisor at such time;

then the supervisor shall issue an order requiring unit operation of such pool or pools, or portions thereof, on such terms and conditions as may be determined from the evidence to be fair, reasonable, equitable and in conformance with said repressuring plan.

Same Provisions

3322. An order of the supervisor requiring unit operation, pursuant to Section 3321, may include lands owned by any person as defined in Section 3316.1, and shall contain such provisions as may be necessary or proper to protect, safeguard, and adjust the respective rights and obligations of the persons affected, including but not limited to lessees, operators, independent contractors, lien claimants, owners of mineral rights, royalties, working interests, production payments, mortgages, or deeds of trust. The order shall include:

(a) A description of the area embraced, termed the "unit area";

(b) A general statement of the nature of the applicable repressuring plan and the specifications therefor adopted by the supervisor to arrest or ameliorate subsidence to be prescribed in a separate order of the supervisor requiring repressuring operations;

(c) That as a condition to the continued production by the owners or operators of oil or gas from such pool or pools, they shall initiate and conduct such repressuring operations as shall be prescribed in a separate order or orders of the supervisor;

(d) A formula for the apportionment and allocation of the unit production among and to the several separately owned tracts within the unit area such as reasonably will permit persons otherwise entitled to share in or benefit by the production from such separately owned tracts to produce or receive, in lieu thereof, their fair, equitable and reasonable share of the unit production or other benefits thereof. A separately owned tract's fair, equitable, and reasonable share of the unit pro-

duction shall be measured by the value of each such tract for oil and gas purposes and its contributing value to the unit in relation to like values of other tracts in the unit, taking into account acreage, the quantity and quality of oil and gas recoverable therefrom, location on structure, its probable productivity of oil and gas in the absence of unit operations, the burden of operation to which the tract will or is likely to be subjected, or so many of such factors, and such other pertinent engineering geological, or operating factors as may be reasonably susceptible of determination;

Pending the adoption of a final formula for apportionment and allocation of unit production as above provided (which final formula must be adopted not later than 18 months from the effective date of the order of the supervisor requiring unit operation), an interim formula may be adopted based upon the gross oil production in the unit area during the calendar year preceding the date of such order of the supervisor, which shall be effective until the adoption of the final formula as above provided. The final formula, when adopted, shall be retroactive to the effective date of the order requiring unit operation and adjustment shall be made in the apportionment and allocation of production during such interim period in accordance with the final formula so adopted.

(e) Provisions for financing the unit and the further development and operation of the unit area and the basis, terms, and conditions on which the cost and expense thereof shall be apportioned among and assessed against the tracts and all interests therein, including a detailed accounting procedure governing all charges and credits incident to all operations within the unit. The expense of unit operation shall be chargeable to the separately owned tracts in the same proportion that such tracts share in the unit production, and the expenses chargeable to a tract shall be paid by the person who in the absence of unit operation would be responsible for the expense of developing and operating such tract. Subject to such terms and conditions as to time and rate of interest as may be fair to all concerned, reasonable provisions shall be made in the order for carrying or otherwise financing persons who are unable promptly to meet their financial obligations in connection with the unit repressuring operations, and upon application made prior to the entry of the order, for carrying a nonassenting working interest owner affected by a final order of the supervisor under Section 3321;

(f) A provision for the credits and charges to be made in the adjustment among the owners or operators of tracts within the unit area for their respective investments in wells, tanks, pumps, machinery, materials, and equipment contributed to the unit operation by the respective owners or operators. The net amount chargeable against the owner or operator of a separately owned tract shall be considered expenses of unit operation chargeable against such tract;

(g) A provision appointing an operating committee to have general overall management and control of the unit, including voting procedures, the conduct of its business and affairs and the operations to be carried on by it for the primary purpose of ameliorating or arresting subsidence, subject to the applicable repressuring plan, the specifications therefor and the unit order adopted by the supervisor. Such operating committee shall be composed of the persons primarily liable for the payment of the expenses of unit operation, or their representatives, which committee shall, within the time specified in the order, appoint a person to be known as the "unit operator," who shall, under the direction and supervision of the operating committee, be responsible for the management and conduct of the unit operation;

(h) A provision specifying the method of voting upon any motion before the operating committee and the majority in number of votes necessary in order to carry a motion;

(i) That each vote upon a motion by the operating committee shall have a value corresponding to the percentage of the expense of unit operation borne by the person voting or his principal pursuant to the provisions of subdivision (e) of this section;

(j) If the operating committee fails to appoint the unit operator within the time specified in an order issued pursuant to this article, the supervisor shall appoint the unit operator;

(k) The time the unit operation shall commence, and the manner in which and the circumstances under which the unit operation shall terminate;

(*l*) Such additional provisions not inconsistent with this article which the supervisor deems appropriate for the accomplishment of the proposed plan of repressuring operations for the purpose of arresting or ameliorating subsidence within the unit area and the protection of all interested parties.

Approval of supervisor's order

3322.1. No order of the supervisor creating a unit and prescribing the plan of unitization applicable thereto shall become effective unless and until the plan of unitization has been signed, or in writing ratified or approved, by working interest owners who are entitled to 65 percent of the proceeds of production of oil and gas, prior to the payment of royalties, within the proposed unit area, measured by the production from such area in the calendar year preceding the date of the order of the supervisor creating such unit, and the supervisor has made a finding either in the order creating the unit or in a supplemental order that the plan of unitization has been so signed, ratified or approved by persons owning the required percentage interest in and to the unit area. Where the plan of unitization has not been so signed, ratified or approved by persons owning the required percentage interest in and to the unit area at the time the order creating the unit is made, the supervisor shall, upon petition and notice, hold such additional and supplemental hearings as may be requested or required to determine

if and when the plan of unitization has been so signed, ratified or approved by persons owning the required percentage interest in and to such unit area and shall, in respect to such hearings, make and enter a finding of his determination in such regard. In the event persons owning the required percentage interest in and to the unit area have not so signed, ratified or approved the plan of unitization within a period of six months from and after the date on which the order creating the unit is made, the order creating the unit shall cease to be of further force and effect and shall be revoked by the supervisor.

Notice of hearing

3323. Notice of the time and place of any hearing to be held by the supervisor shall be given by publication in a newspaper of general circulation printed and published in the county in which the subsidence is alleged to be taking place, and notice thereof sent, in the manner prescribed by Section 3303 to the persons mentioned in such section within the area which will be the subject of his order.

Hearing

3324. At such hearings all persons interested are entitled to be heard and present evidence, both oral and written. All such persons shall be sworn, and a transcript of the proceedings shall be kept. The procedure to be followed by the supervisor with respect to the administering of oaths, applying for subpenas for witnesses and for the production of books, records, well logs, production records and other documents, the taking of depositions, and the penalties attaching for failure to comply with any order of the supervisor or subpena issued, shall be in the manner as in this division provided. On the request of the supervisor a hearing officer in the Division of Administrative Procedure may be assigned to assist in conducting such proceedings as provided in Section 110.5 of the Business and Professions Code. Such officer, however, shall not make the determination specified in Section 3321.

The provisions of Section 3234 prohibiting the giving of testimony as to the contents of records on file shall not apply to this article. All of such records shall be available and may be received in evidence in any public hearing or in any judicial proceeding herein provided for.

Rules and regulations

3325. The supervisor shall make and enforce all rules and regulations necessary or proper to accomplish the purposes of this article or to administer or enforce any order issued pursuant thereto. Such rules and regulations shall be adopted in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code.

Amendment of order

3326. An order requiring unit operation may be amended for good cause by a subsequent order entered by the supervisor, except that no such order or amendment shall change the percentage of oil and gas allocated to a separately owned tract by the original order except with the consent of all persons who might be adversely affected thereby. Before issuing any such order, he shall make similar findings as are required for an original order, and such new order shall be

subject to the same requirements and restrictions that are applicable to an original order. The provisions of this section shall not prohibit the establishment of an interim formula for the apportionment and allocation of unit production pursuant to subdivision (d) of Section 3322.

New order

3327. Subject to the limitations in this article governing the creation of the unit previously established, the supervisor, by entry of a new order after a public hearing, may require unit operation in a pool, or a portion thereof, which embraces a unit area established by a previous order. Such new order, in providing for allocation of unit production from the enlarged unit area, shall first treat the unit area previously established as a single tract, and the portion of unit production so allocated thereto shall then be allocated among the separately owned tracts included in such previously established unit area in the same proportions as those specified therefor in the previous order.

Unit production

3328. (a) The portion of unit production allocated to a separately owned tract shall be deemed, for all purposes, to have been actually produced from such tract, and operations conducted pursuant to the order of the supervisor shall be deemed for all purposes, to be the conduct of operations for the production of oil and gas from each separately owned tract in the unit area in the fulfillment of all the express or implied obligations, trust or otherwise, of the owner or any person interested in such tract under a lease, or any contract, or any trust or trust obligations applicable to such tract, insofar as they relate to the pool, or pools, or portions thereof, covered by such order.

(b) Such unit production shall be distributed among or the proceeds thereof paid to the several persons entitled to share in the production from such separately owned tract in the same manner, in the same proportions, and upon the same conditions that they would have participated and shared in the production or proceeds thereof from such separately owned tract had not said unit been organized. The share of the unit production allocated to each separately owned tract shall be delivered in kind to the persons entitled thereto by virtue of ownership of oil and gas rights therein or by purchase from such owners, subject to the right of the unit operator to a lien thereon for payment of unit expenses pursuant to the order of unitization.

(c) Operations carried on under and in accordance with the order of unitization shall be regarded and considered as a fulfillment of and compliance with all of the provisions, covenants, and conditions, express or implied, of the several oil and gas leases, contracts, other agreements or trusts pertaining to the development of lands included within the unit area. Wells drilled or operated on any part of the unit area no matter where located shall, for all purposes, be regarded as wells drilled on each separately owned tract within such unit area.

Development and operations

3329. The unit operator shall be authorized on behalf of and for the account of all the respective owners or possessors of the mineral rights within the unit area to supervise, manage and conduct the further development and operations for the production of oil, gas and other hydrocarbon substances from the unit area pursuant to the powers conferred, and subject to the limitations imposed by the provisions of this article and by the order of unitization.

The obligation or liability of the lessee or other owners of the mineral rights in the several separately owned tracts for the payment of unit expense shall at all times be several and not joint or collective and in no event shall a lessee or other owner of the mineral rights in the separately owned tract be chargeable with, be obligated or liable, directly or indirectly, for more than the amount apportioned, assessed or otherwise charged to his interest in such separately owned tract pursuant to the order of unitization and then only to the extent of the lien provided for in this section.

Subject to the provisions in the order of unitization, the unit operator shall have a lien upon all drilling and production equipment in and to each separately owned tract, and upon the portion of the unit production allocated to the working interest therein, to secure the payment of the amount of the unit expense chargeable to and assessed against such separately owned tract. Such lien may be enforced by the unit operator, as the agent of the respective owners or possessors of the mineral rights within the unit area, as against non-carried working interest owners, in the manner set forth in Section 3330. The interest of the lessee or other person who by lease, contract or otherwise is obligated or responsible for the costs and expenses of developing and operating a separately owned tract for the production of oil, gas and other hydrocarbon substances in the absence of unitization shall be solely responsible for and chargeable with any assessment for unit expense made against such tract.

Lien

3330. When unit expenses incurred by a unit operator on behalf of the unit have not been paid, the unit operator may, in order to secure payment of the amount due the unit operator, fix a lien upon the interest of the debtor in all drilling and production equipment of the debtor on the premises and upon his allocated portion of the unit production as and when produced from the unit area, by filing for record, with the recorder of the county where the property or a portion thereof involved is located, an affidavit setting forth (1) in general terms the kind of materials, tools, equipment or supplies furnished, labor or services performed, or expenditure incurred, and (2) a description of the land involved, the name of the debtor and his interest in the production from the unit area, and (3) the amount which is still due and unpaid, and (4) a statement that at least 20 days prior to the date of the affidavit the unit operator gave written notice to the debtor by registered mail at his last known address, setting forth the

information required under subdivisions (1), (2) and (3) above. Any such affidavit shall be filed for record not later than 90 days after the delivery of the property or the completion of the labor or the incurring of the expenditure. The lien shall not be construed as constituting a lien upon real property as such, except as to the recoverable oil and gas lying thereunder, but otherwise shall be of the same nature and subject to foreclosure in the same manner and within the same time as mechanics' liens. In any case where a unit operator is in possession of the production which is subject to the lien, he may sell such production or so much thereof as may be necessary to satisfy said lien; provided, that he shall hold or arrange for the holding of the proceeds of such sale for appropriate distribution upon the determination of the controversy.

Effect of order

3331. Any order issued by the supervisor pursuant to this article, from its effective date, shall be binding upon each person owning or claiming any legal or equitable interest in the area which is the subject of such order or in the oil and gas produced or to be produced therefrom or a right to participate in a share of the proceeds thereof. From the effective date of such an order it shall be unlawful for a person to drill, redrill, operate, work on or produce any well within such area otherwise than in conformity with the order.

Rehearing

3332. Within 30 days after the written notice of the entry of a final order of the supervisor, or within such further time as the supervisor may grant for good cause shown, but in no event shall such time be extended more than 60 days from the written notice of entry of such final order, any person affected thereby may file with the supervisor an application for a rehearing in respect to any matter determined by such order, setting forth the particulars in which such order is considered to be objectionable. The supervisor shall grant or deny any such application in whole or in part within 30 days from the date of the filing thereof, and failure to act thereon within such period shall constitute a denial of such application. In the event that a rehearing is granted, notice to such effect shall be given to all persons affected by such order, advising them of the date of such rehearing and of their right to appear and be heard thereon. The date set for any such rehearing shall be not less than 30 days nor more than 60 days from the date the application for rehearing is granted, unless, upon good cause shown, the time is extended by the supervisor, but in no event shall such time be extended more than 90 days from the date such application for rehearing is granted. The supervisor may enter an amended order or a new order after the rehearing as may be required under the circumstances. The provision of Article 6, Chapter 1, Division 3 (commencing with Section 3350) of this code relating to appeals to and review by the Board of District Commissioners shall not apply to this article.

Judicial review

3333. (a) A final order of the supervisor shall be subject to judicial review by filing a petition for a writ of mandate in accordance with the provisions of Chapter 2 (commencing at

Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure in the superior court of any county in which all or any part of the area affected is located, except that any such proceedings shall be instituted within 30 days from the date that a certified copy of the transcript of the proceedings before the supervisor has been delivered to the applicant; otherwise, the findings and determination of the supervisor shall be deemed final and conclusive. Any action so filed shall incorporate therein a certified copy of the transcript of the proceedings before the supervisor.

(b) Notice of intention to petition the superior court for judicial review shall be filed by the applicant or applicants with the supervisor within 60 days after the entry of the final order complained of or within 60 days following the final disposition of any application for rehearing. The notice must identify the order and state the grounds of objection thereto. Immediately upon the filing of such notice the supervisor shall certify to the applicant or applicants the estimated cost of preparing the transcript of the proceedings before the supervisor. The amount of the estimated cost shall be deposited with the supervisor within 10 days after the mailing of the certification of such cost to the applicant or applicants. Upon the deposit of the cost the supervisor shall order the preparation of the transcript. A certified copy of the transcript shall be delivered to the applicant or applicants within 60 days from the date of the filing of said notice of intention unless such time is extended for good cause by the supervisor, but in no event later than 90 days from the date of filing of such notice.

Same

3334. The pendency of actions before the superior court or proceedings for review before any other court of competent jurisdiction of itself shall not stay or suspend the operation of any order; however, the superior court or such other court in its discretion, upon its own motion or upon proper application of any party thereto, may, for good cause, stay or suspend, in whole or in part, the operation of any order pending consideration or review thereof.

Orders re noncomplying owners

3335. If an action for judicial review has not been commenced within the time prescribed for such action, or, if filed, the time within which to process an appeal by the petitioner from any judgment or order rendered therein has expired, or if such an appeal has been timely perfected and there has been an affirmance of such judgment or order, the supervisor may order that the production by noncomplying owners or operators of oil or gas from any pool or pools or portions thereof cease or be curtailed until such noncomplying owners or operators comply with said unit order.

Public hearing

3336. The supervisor upon his own motion may, or shall upon the application of any interested person, hold a public hearing for the purpose of determining and establishing the exterior boundaries encompassing the lands referred to in Section 3317. If, after a public hearing and from the evidence adduced therefrom, the supervisor determines that the lands,

or a portion thereof, come within the category of those lands referred to in Section 3317, he shall adopt an order fixing and establishing the exterior boundaries thereof. The supervisor shall retain jurisdiction in this regard, and shall, if it be made to appear necessary, hold further hearings for the purpose of determining whether the boundaries previously established should be enlarged or otherwise altered. Any such change or alteration in said boundaries shall be made by order of the supervisor.

Charges

3337. The charges directed to be levied pursuant to subdivision (b) of Section 3339 are necessary in the exercise of the police power of the State and to provide a means by which subsidence in those areas as defined in Section 3317, and in which the State has a direct interest, may be arrested or ameliorated.

Assessment uniformly applied

3338. (a) Any assessment or charge which may be levied, assessed or collected under subdivision (b) of Section 3339 shall apply uniformly to all oil and gas produced from all property, both publicly and privately owned. No exception to any such assessment or charge shall be made with respect to oil or gas produced from any lands, including tide and submerged lands, belonging to any person as defined in Section 3316 1 No assessment or charge shall be made against any interest of the United States

(b) Any assessment or charge which may be levied or assessed under subdivision (b) of Section 3339 against oil or gas produced from tide or submerged lands which may have been granted to any city, county, city and county, or district, and any proportionate assessment of costs or expenses for development and operation of a unit area in which is included tide or submerged lands granted to any city, county, city and county, or district, as provided in Section 3322, shall be a charge against such tide or submerged lands attributable to the extraction and sale of oil, gas or other hydrocarbon substances produced therefrom, and may be properly paid by the grantee, its operator or lessee of such lands from the gross receipts derived from the sale of such oil, gas or other hydrocarbon substances, as a charge attributable to, or accruing from, such lands.

"Subsidence Abatement Fund"

3339. (a) The proceeds from the charges levied, assessed and collected pursuant to subdivision (b) of this section shall be paid to the State Treasurer and shall be deposited to the credit of the "Subsidence Abatement Fund" which is hereby created. The money in said fund shall be used exclusively for the support and maintenance of the offices and personnel of the supervisor insofar as his costs and expenses directly attributable to the administration of subsidence operations herein provided are concerned. The supervisor shall determine the apportionment of costs. Such charges authorized by this article are in addition to any and all charges, taxes, assessments, or licenses as provided in Article 7 (commencing at Section 3400), Chapter 1, Division 3 of this code, or of any other

kind or nature paid by or upon the properties assessed hereunder.

(b) The charges referred to in subdivision (a) of this section shall be annually imposed upon the person operating each well producing oil, gas or other hydrocarbon substances within the boundaries determined and established pursuant to Section 3336. Such charges shall be based upon the oil and gas produced from such wells. The charge for oil shall be computed at a uniform rate per barrel of oil produced from each such well during the preceding calendar year. The charge for gas shall be computed at a uniform rate per thousand cubic feet of gas produced from each such well during the preceding calendar year. Such charges shall be deemed to be apportioned among the operator and all other persons owning royalty or other interests in the production from such well in fractional amounts proportionate to their respective fractional interests, but the whole of such charges shall be payable by the operator, who shall thereupon be entitled to withhold their respective proportionate share of such charges from the amounts otherwise payable or deliverable to such owners of royalty or other interests.

Incorporation of other provisions

3340. Sections 3405 to 3433, inclusive, of this division are hereby incorporated and the provisions of said sections shall apply to this article as though set forth in full except, that as used in said sections, "department" means the "supervisor," "Petroleum and Gas Fund" means the "Subsidence Abatement Fund," "Record of Assessments and Charges for the Petroleum and Gas Fund" means "Record of Assessments and Charges for the Subsidence Abatement Fund," "this article" means "Article 5.5" and "Division of Oil and Gas" means "Office of the Supervisor."

Any provisions for publication of notices in the sections herein incorporated shall be limited to those counties in which the lands included within an order of the supervisor establishing exterior boundaries, adopted pursuant to Section 3336, are located. Any and all charges or expenses incurred by the various departments in the administration and enforcement of the sections herein incorporated shall be a proper charge against the "Subsidence Abatement Fund."

Eminent domain

3341. At the termination of oil and gas production from a unit area established or approved pursuant to this article and the abandonment of attempts to obtain production therefrom, any interested municipal corporation or other public agency may acquire by eminent domain, in the manner provided by law for the condemnation of property for public use by the State, municipal corporation or other public agency, such oil production properties or facilities within the unit area as such municipal corporation or other public agency may deem necessary or essential to the maintenance of such pressures as will continue to arrest or ameliorate subsidence. Such municipal corporation or other public agency shall proceed in its name, under the provisions of Title 7 (commencing at Sec-

tion 1237) of Part 3 of the Code of Civil Procedure, which provisions are hereby made applicable for that purpose, and the use of the property which may be condemned, taken or appropriated under the provisions of this section is a public use.

Leases, contracts, etc. modified to conform

3342. To the extent necessary to conform to the provisions and requirements of this article, and to any order of unitization or other order, rule or regulation of the supervisor, made and adopted pursuant hereto, all leases, contracts, and all other rights and obligations shall be regarded as modified and amended, but otherwise to remain in full force and effect. Nothing contained in this article shall be construed to extend the term of any lease or other agreement.

Nothing contained in this article shall be construed to require a transfer to or vesting in the unit operator, or in persons other than those owning the same at the time of the creation of the unit, of title to the separately owned tracts or to any leases or other drilling and operating agreements thereon within the unit area, other than the right to use and operate the same to the extent set out in the order of unitization; nor shall the unit operator or the working interest owners jointly be regarded as owning the unit production Each respective share of the unit production and the proceeds from the sale thereof shall be severally owned by the persons to whom the same is allocated pursuant to the order of unitization. All property, whether real or personal, which the unit operator may in any way acquire, hold or possess, the cost of which is chargeable to the working interest owners, shall not be acquired, held or possessed for the unit operator for his own account but shall be so acquired, held and possessed by the unit operator for the account of and as agent for each of the several working interest owners and shall be the property of each of such persons as their respective interests may appear under the order of unitization, subject, however, to the right of the unit operator to the possession, management, use or disposal of the same in the proper conduct of the affairs of the unit, and subject to any lien the unit operator may have thereon to secure the payment of unit expense.

No unit order made by the supervisor shall be construed to have the effect of, result in, or in any manner require or provide for the alienation, transfer, conveyance or change of any title or ownership, whether legal or equitable, of any person in or to any separately owned tract of land included in the said order, or to the mineral rights therein, to any other person owning or possessing a separately owned tract of land which may likewise be included in said unit order.

Penalty

3343. (a) Any person who wilfully violates any provision of this article or any rule, regulation or order of the supervisor, shall be subject to a penalty of one thousand dollars ($1,000) for each act of violation and for each day that such violation continues.

(b) The penalty provided in this section shall be recoverable by suit filed by the Attorney General in the name and on behalf of the supervisor in the superior court of the State of California for the county in which the defendant resides, or in which any defendant resides, if there be more than one defendant, or in the superior court of any county in which the violation occurred. The payment of any such penalty shall not operate to relieve a person on whom the penalty is imposed from liability to any other person for damages arising out of such violation. Such penalty, when recovered, shall be paid to the State Treasurer and shall be deposited to the credit of the "Subsidence Abatement Fund."

(c) Any person knowingly aiding or abetting any other person in the violation of any provision of this article, or any rule, regulation or order of the supervisor shall be subject to the same penalty as that prescribed by this section for the violation by such other person.

Suit re violations

3344. (a) Whenever it appears that any person is violating or threatening to violate any provision of this article, or any rule, regulation or order of the supervisor, the supervisor may bring suit against such person in the superior court of any county where the violation occurs or is threatened, to restrain such person from continuing such violation or from carrying out the threat of violation. Upon the filing of any such suit, summons issued to such person may be directed to the sheriff or his deputies. In any such suit, the court shall have jurisdiction to grant to the supervisor, without bond or other undertaking, such prohibitory and mandatory injunctions either preliminary or final as the facts may warrant.

(b) If the supervisor shall fail to bring suit to enjoin a violation or threatened violation of any provision of this article, or any rule, regulation or order of the supervisor within 10 days after receipt of written request to do so by any person who is or will be adversely affected by such violation, the person making such request may bring suit in his own behalf to restrain such violation or threatened violation in any court in which the supervisor might have brought suit. If in such suit, the court should hold that injunctive relief should be granted, then the supervisor shall be made a party and shall be substituted for the person who brought the suit, and the injunction shall be issued as if the supervisor had at all times been the plaintiff.

(c) No civil action for damages shall lie against any person for the violation of this article or any rule, regulation or order of the supervisor, except against an owner of the working interest, and particularly no such suit or action shall lie against any lessor, royalty owner, contractor or purchaser of the oil and gas, and no such suit or action shall lie against an owner of the working interest, except suits or actions for damages occurring subsequent to the entry of an order or decision of the supervisor which result from a failure to comply with such order or decision.

(d) If the supervisor brings a suit or action pursuant to this article, no defendant or intervenor therein shall be permitted to cross-complain or otherwise bring an action in the same proceeding against any other person for damages or for any other purpose.

Evidence

3345. No finding or determination made by the supervisor under the provisions of this article or by any court in proceedings involving the enforcement or review of the orders of the supervisor shall be received in evidence or be binding upon any person in any other proceeding not directly related to the making, enforcement or review of the orders of the supervisor under this article.

Superseding of conflicting provisions

3346. The provisions of this article shall supersede any conflicting provisions contained in any legislative grant of tide and submerged lands, or in any law amendatory or supplemental thereto, or any other laws affecting such granted lands.

Severability clause

3347. If any section, subsection, subdivision, sentence or clause of this article is adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of the remaining portion of this article. It is hereby declared that this article would have been passed, and each division, section, subsection, subdivision, sentence or clause thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences or clauses might be adjudged to be unconstitutional, or for any other reason invalid.

Appropriation

SEC. 2. There is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, the sum of two hundred fifty thousand dollars ($250,000), which said sum shall be immediately transferred by the State Controller on the books of his office from the Investment Fund to the "Subsidence Abatement Fund" created by subdivision (a) of Section 3339 of this article.

The above-mentioned funds shall be available for the use of the supervisor for the necessary expenses in carrying out the provisions of this article. When the unencumbered balance of collections paid to the State Treasurer, as provided in subdivision (a) of Section 3339, equal the sum of four hundred thousand dollars ($400,000), then said sum of two hundred fifty thousand dollars ($250,000) shall be retransferred from the "Subsidence Abatement Fund" to the Investment Fund. The moneys received into the State Treasury through the provisions of this article are hereby appropriated for the uses and purposes herein specified.

CHAPTER 74

An act to amend Section 467 of, to repeal Article 3 (commencing at Section 30680) of Chapter 2, Division 17 of, and to add Article 3 (commencing at Section 30680) to Chapter 2, Division 17 of, the Streets and Highways Code, relating to the financing and construction of a bridge from San Pedro to Terminal Island.

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.] In effect July 23 1958

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

SECTION 1. Section 467 of the Streets and Highways Code is amended to read:

467. Route 167 is from Route 165 in San Pedro to Huntington Drive via Long Beach, and including a bridge, with at least four lanes, from San Pedro at or near Boschke Slough to Terminal Island. Route 167

SEC. 2. Article 3 (commencing at Section 30680) of Chapter 2, Division 17 of said code is repealed. Repeal

SEC. 3. Article 3 (commencing at Section 30680) is added to Chapter 2, Division 17 of said code, to read:

Article 3. San Pedro-Terminal Island Bridge

30680. As used in this article, "toll bridge" means a toll bridge, with at least four lanes, across Los Angeles Harbor from San Pedro at or near Boschke Slough to Terminal Island, and the approaches thereto. "Toll bridge"

30681. As soon as surveys, plans, specifications, and estimates of cost are completed for the toll bridge and the project has qualified for immediate construction under any governmental restrictions then in effect, the authority shall undertake the financing and construction of the toll bridge pursuant to Chapter 1 (commencing at Section 30000) of this division as promptly as possible and without unnecessary delay. Financing and construction

30682. For the purpose of providing funds for all engineering, traffic, and financial studies and expenses in connection with the financing and the preparation of the necessary surveys, plans, specifications, and estimates of cost for the construction of the toll bridge, and for the purpose of providing such additional funds, over and above the amount which can be raised through the issuance of revenue bonds, as may be necessary in order to complete the financing of the toll bridge (and according to present estimates additional funds in the amount of from four million dollars ($4,000,000) to nine million dollars ($9,000,000) will be necessary), the authority may, from time to time, direct the Controller to transfer to the authority, for expenditure by the department, the following amounts: Transfers of funds

(a) Not to exceed the total of five million dollars ($5,000,000) from money in the State Highway Fund required to be

expended for the construction of state highways in the County of Los Angeles pursuant to Section 188.4.

(b) Not to exceed the total of two million dollars ($2,000,000) from money in the Highway Users Tax Fund available for apportionment to the County of Los Angeles. Any amount so transferred shall be deemed to be in the Highway Users Tax Fund for the purpose of making the apportionments from such fund, but the amount payable to the County of Los Angeles from the Highway Users Tax Fund shall be reduced by an amount equal to the transfers so made.

(c) Not to exceed the total of two million dollars ($2,000,000) from money in the State Highway Fund available for allocation and expenditure for city streets within the City of Los Angeles pursuant to Section 194. Any amount so transferred shall be deemed to be in the State Highway Fund for the purpose of making the allocations mentioned in Section 194, but the amount expended from the State Highway Fund for city streets within the City of Los Angeles shall be reduced by an amount equal to the transfers so made.

The transfers shall be made ratably from the above sources and the amounts so transferred shall be paid out or disbursed solely for the studies and expenses above mentioned and the preparation of the necessary surveys, plans, specifications, and estimates of cost, and for the construction of the toll bridge and the acquisition of the necessary lands and easements therefor. Any amount of such transfers not so expended shall be returned to the particular portion of the fund from which transferred and from it be apportioned or allocated and expended as if the transfer had not been made.

Repayment

30683. The amounts transferred pursuant to Section 30682 shall be repaid to the respective funds from which transferred, but no repayment thereof shall be made until all obligations issued by the authority for the construction of the toll bridge have been fully redeemed and paid, and then only out of the tolls and revenues received from the operation of the toll bridge.

Tolls

30684. After all bonds issued for the construction of the toll bridge have been fully redeemed and paid, the authority shall continue to collect tolls and other revenues for the use of the toll bridge for the purpose of repaying the respective funds from which money has been transferred pursuant to Section 30682. The amount so repaid to any such fund shall be returned to the particular portion of such fund from which transferred and from it be apportioned or allocated and expended as if the transfer had not been made. Upon repayment of all such funds the bridge shall thereafter be maintained and operated free of tolls or the rate of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper operation, maintenance and insurance of the toll bridge under economical management.

CHAPTER 75

An act to add Article 2.5 (commencing with Section 9035) to Chapter 1 of Division 2 of Title 2 of the Government Code, relating to convening of sessions of the Legislature during or after a disaster in this State resulting from enemy or war-caused action.

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.]

In effect July 23, 1958

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

SECTION 1. Article 2.5 is added to Chapter 1 of Division 2 of Title 2 of the Government Code, to read:

Article 2.5. Legislative Session After War or Enemy-caused Disaster

"Disaster"

9035. As used in this article, "disaster" means a war or enemy-caused calamity within this State, such as an attack by nuclear weapons.

Extraordinary session

9036. If a disaster occurs, the Legislature shall convene itself in extraordinary session immediately after such disaster first occurs, which session shall convene at the permanent seat of government in the City of Sacramento or at the temporary seat of government as established by law if the session cannot be held in the City of Sacramento. At such extraordinary session the Legislature may fill any vacancies in its membership, pursuant to law, and may consider and act upon any subject of legislation that is designed to relieve or alleviate the consequences of such disaster or to restore or continue state and local government in connection therewith, together with such other subjects within the scope of legislative regulation or control as are specified by concurrent resolution adopted by both houses of the Legislature.

Concurrent resolution

9037. At any time after such convening the Legislature may convene itself in general session by the adoption of a concurrent resolution by both houses of the Legislature providing for the holding of a general session.

The Legislature may consider and act upon any subject within the scope of legislative regulation and control at such general session. The concurrent resolution may provide that all measures introduced or acted upon at the regular session shall be deemed introduced at the general session authorized by this section and that they shall have the same status at the general session as they had in the regular session as of the date on which the general session is convened as provided by this section.

None of the provisions of Article IV of the State Constitution relating to length of general sessions, or requiring a recess thereof, or imposing restrictions upon the introduction or ac-

tion upon bills shall apply to general sessions convened pursuant to this section.

Regular session

9038. If the Legislature is convened in extraordinary or general session pursuant to this article on the date specified by the State Constitution for the convening of a regular session, the Legislature may convene in such regular session without adjourning the general or extraordinary session or it may either call a general session to act upon as provided in Section 9037 or, if in general session may provide by concurrent resolution that the subjects to be considered at the regular session may be acted upon at the general session, and in such case the regular session shall not be convened.

Operative date

SEC. 2. This act shall not become operative unless and until the people approve the constitutional amendment of the 1958 Extraordinary Session adding Section 38 to Article IV of the Constitution of this State.

CHAPTER 76

An act to add Section 468 to the Penal Code, relating to sniperscopes.

In effect July 23, 1958

[Approved by Governor April 15, 1958. Filed with Secretary of State April 16, 1958.]

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

SECTION 1. Section 468 is added to the Penal Code, to read:

468. Any person who knowingly buys, sells, receives, disposes of, conceals, or has in his possession a sniperscope shall be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

As used in this section, sniperscope means any attachment, device or similar contrivance designed for or adaptable to use on a firearm which, through the use of a projected infrared light source and electronic telescope, enables the operator thereof to visually determine and locate the presence of objects during the nighttime.

This section shall not prohibit the authorized use or possession of such sniperscope by a member of the armed forces of the United States or by police officers, peace officers, or law enforcement officers authorized by the properly constituted authorities for the enforcement of law or ordinances; nor shall this section prohibit the use or possession of such sniperscope when used solely for scientific research or educational purposes.

CHAPTER 77

An act to amend Sections 1518 and 1518.2 of, and to add Section 1507.5 to, the Military and Veterans Code, relating to preparedness for and mitigation of disasters.

[Approved by Governor April 17, 1958. Filed with Secretary of State April 17, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 1518 of the Military and Veterans 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. The California Disaster Office is the State Civil Defense Agency. California Disaster Office

SEC. 2. Section 1518.2 of said code is amended to read:

1518.2. 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. The Director of the Disaster Office is the State Director of Civil Defense. The Director of the Disaster Office shall receive an annual salary as provided for by Chapter 6 (commencing at Section 11550) of Part 1 of Division 3 of Title 2 of the Government Code and he 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 co-ordinator of all state disaster activities in connection with such emergency, and every state agency and officer shall co-operate 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 co-ordinators 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. Director

SEC. 3. Section 1507.5 is added to said code, to read:

1507.5. The State of California Civil Defense and Disaster Plan shall be in effect in each political subdivision of the State, and the governing body of each such political subdivision shall take such action as may be necessary to carry out the provisions thereof. Disaster Plan

CHAPTER 78

An act to amend Section 5302.5 of the Streets and Highways Code, relating to the payment of assessments for public works and improvements, declaring the urgency thereof, to take effect immediately.

In effect Immediately

[Approved by Governor April 17, 1958. Filed with Secretary of State April 17, 1958.]

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

SECTION 1. Section 5302.5 of the Streets and Highways Code is amended to read:

5302.5. If the legislative body, in the resolution of intention, declares that any lot or parcel of land owned and used as provided in Section 5301 shall be included in the assessment, or if no declaration is made respecting any such lot or parcel of land then any assessment upon such lot or parcel of land, except any lot or parcel owned by the United States or any department thereof or by the State of California or any department thereof, shall be an enforceable obligation against the owner of such property and shall be paid, within 30 days after the date of recording the assessment, by the officer, officers, or board having charge of the disbursement of the funds of the owner of such lot or parcel of land and, if not paid within said 30 days, shall bear interest until paid at the rate stated in the resolution of intention for the bonds proposed to be issued, and if no bonds are proposed to be issued then at the rate of six percent (6%) per annum until paid; provided, however, that if said assessment is not paid within said 30-day period the city may, and if the city has so provided in its resolution of intention shall, at the expiration thereof, forthwith advance the necessary sum and pay the assessment and shall collect the amount of said assessment and interest thereon from the said obligated owner and may enforce the collection thereof by writ of mandate or other proper remedy. If for any reason there are no moneys available for the payment of said assessment, then the officer, officers or board whose duty it is to levy taxes for said obligated owner, including school districts but not limited thereto, shall include in the next tax levy an amount, in addition to moneys for all other purposes, sufficient to pay one-fifth (1/5th) or more of the principal of said assessment with interest on the unpaid principal of the assessment to date of the payment and shall include in each succeeding tax levy a like one-fifth (1/5th) amount or more in addition to moneys for all other purposes until the principal of said assessment and all interest on unpaid portions thereof shall be paid. Said tax levy shall be made notwithstanding that said tax levy, exceeds the maximum tax rate which may otherwise be imposed by law. In the event the officer, officers or board whose duty it is to levy taxes fails to provide for a tax levy to pay and discharge the principal of the assessment and the interest thereon,

the owner of the assessment may compel the levy thereof in the manner hereinabove set forth by writ of mandate. No statute of limitations shall bar any right provided for herein to enforce the collection of an assessment of the type described herein and any interest due thereon until 12 years after the recording of the assessment. The owner of an assessment described herein may use mandamus or other appropriate remedy to compel the officer, officers or board whose duty it is to levy taxes for said obligated owner to levy an amount in a given year equal to one-fifth (1/5th) of said assessment and interest on the unpaid portion thereof, and may continue to use mandamus or other remedy to cause a like one-fifth (1/5th) amount and interest to be levied each year until the whole of said assessment and all interest due have been paid.

If the owner of an assessment is successful in any action to compel the levy of a tax under this section he shall be awarded reasonable attorneys' fees as fixed by the court and costs and said attorneys' fees and costs shall be included in said tax levy.

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 requirement of Section 5302.5 of the Streets and Highways Code that an assessment levied against publicly owned property included within an assessment district be paid within thirty (30) days after the date of recording the assessment imposes a serious financial hardship upon those public agencies whose property is included within an assessment district pursuant to Section 5302.5. Many public agencies are unable to pay the assessment within thirty (30) days of the date of recording the assessment, and to compel such public agencies to levy a tax to pay the assessment in one payment imposes an unjust tax burden upon the taxpayers thereof. That by reason thereof it is essential that this act go into effect immediately.

CHAPTER 79

An act to add Section 374.2 to the Vehicle Code, relating to the registration of motor vehicles.

[Approved by Governor April 17, 1958. Filed with Secretary of State April 17, 1958.]

In effect July 23, 1958

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

SECTION 1. Section 374.2 is added to the Vehicle Code, to read:

374.2. The fees specified in this code, except fees for duplicate license plates, certificates or cards, need not be paid for any vehicle of a type subject to registration hereunder which is operated by the Civil Air Patrol, when such vehicle has been

transferred to the Civil Air Patrol by the United States Government, or any agency thereof, if by federal regulation or directive the use of such vehicle is restricted to defined activities of the Civil Air Patrol, and if by federal regulation or directive such vehicle must be returned to the United States Government when no longer required or suited for use by the Civil Air Patrol. Such vehicles shall be registered as otherwise required under this code by the Civil Air Patrol and the Civil Air Patrol shall display upon such vehicle a license plate or plates bearing distinguishing marks or symbols as specified in this code, which said plate or plates shall be furnished by the department free of charge.

CHAPTER 80

An act to amend Sections 32130, 32202, 32203, and 32221 of, and to add Section 32135 to, the Health and Safety Code, relating to local hospital districts, declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 17, 1958. Filed with Secretary of State April 17, 1958.]

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

SECTION 1. Section 32130 of the Health and Safety Code is amended to read:

Power to incur indebtedness

32130. The district may borrow money and incur indebtedness in anticipation of the estimated tax revenue and other income for the current year in which the indebtedness is incurred. Such indebtedness shall not exceed 50 percent of the total amount of the estimated tax revenue and other income for the current year.

The district is further authorized when funds shall be needed to meet current expenses of maintenance and operation, to borrow money on certificates of indebtedness or other evidence of indebtedness in an amount not to exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation of the district, said certificates of indebtedness to run for a period not to exceed five years and to bear interest not to exceed 5 percent per annum.

All such certificates of indebtedness or other evidence of indebtedness shall be issued after the adoption by a three-fifths vote of the board of directors of the district of a resolution setting forth the necessity for such borrowing and the amount of the assessed valuation of the district and the amount of funds to be borrowed thereon. All such certificates of indebtedness or other evidence of indebtedness shall be offered at public sale by the board of directors of the district after not less than 10 days advertising in a newspaper of general circulation within the district and if no newspaper of general circulation is printed within the district, then in a newspaper of general

circulation within the county in which the district is located. Each such sale shall be made to the bidder offering the lowest rate of interest or whose bid represents the lowest net cost to the district; provided, however, that the rate of interest shall not exceed 5 percent per annum.

Such certificates of indebtedness or other evidences of indebtedness shall be signed on behalf of the district by the presiding officer and attested by the secretary of the board of directors of the district. The board of supervisors of the county in which the district lies shall, at the time of fixing the general tax levy, sometimes called the annual assessment or regular annual assessment for such district, and in the manner for such general tax levy provided, levy and collect annually each year until said certificates of indebtedness or other evidences of indebtedness are paid or until there shall be a sum in the county treasury of said county set apart for that purpose sufficient to meet all sums coming due for principal and interest on such certificates of indebtedness or other evidence of indebtedness, a tax sufficient to pay the interest on such certificates of indebtedness as the same becomes due and also, to constitute a sinking fund for the payment of the principal thereof at maturity. Said tax shall be in addition to all of the taxes levied for district purposes and shall be placed in a certificate of indebtedness, interest and sinking fund of the district and, until all of the principal of the interest and certificates of indebtedness is paid, the money in said fund shall be used for no other purpose than the payment of said certificates of indebtedness and accruing interest thereon.

Notwithstanding any limitation as to the amount, nature or purpose of any indebtedness or other obligations referred to in this section, a district may also incur obligations and indebtedness pursuant to and make all rental, purchase, and other payments provided for in any agreement entered into by it pursuant to Section 32135.

SEC. 2. Section 32202 of said code is amended to read:

32202. The board of supervisors shall thereupon levy upon the taxable property of the district within its own county a tax sufficient in amount to maintain the district but not to exceed the twenty-cent ($0.20) limit provided in Section 32203 and, in addition, a tax sufficient to pay the interest on all outstanding bonds of said district as the same becomes due, and also to constitute a sinking fund for the payment of the principal thereof at maturity, and a tax sufficient to pay rentals and all other sums due or payable under any agreement for the construction and leasing or purchasing of any hospital buildings or facilities entered into by the district pursuant to Section 32135 prior to January 1, 1959. If the district embraces territory lying in more than one county, the amount estimated shall be ratably apportioned among the several counties in the district in proportion to the assessed value of the property in the several counties included within said district as shown upon the last assessment rolls of the said counties, and the esti- Tax levy

mates apportioned to the several counties shall be rendered to their respective boards of supervisors and the tax shall be levied and collected by the officials of each county upon the property of the district lying therein.

SEC. 3. Section 32203 of said code is amended to read:

Tax limitation

32203. The tax, exclusive of the levy for the payment of the principal and interest of bonds and any special assessment voted hereunder, and exclusive of the levy for the payment of rentals and all other sums due or payable under any agreement for the construction and leasing or purchasing of any hospital buildings or facilities entered into by the district pursuant to Section 32135 prior to January 1, 1959, shall in no case exceed the rate of twenty cents ($0.20) on each one hundred dollars ($100) of the assessed valuation of all taxable property within the district, but it may be in addition to all other taxes allowed by law to be levied upon such property.

SEC. 4. Section 32135 is added to said code, to read:

Agreement with nonprofit corporation

32135. Notwithstanding any other provision of law, any district which on March 1, 1958, has been in existence for not less than five years and has been operating a hospital for not less than four years, may enter into a negotiated written agreement or amendment of an existing written agreement, whether or not such agreement was valid or binding at the time it was executed, with any nonprofit corporation formed under the laws of the State of California by individuals who are residents of such district. Each such agreement or existing written agreement as amended shall comply with the provisions of this section and shall be binding and enforceable for its stated term, notwithstanding the subsequent amendment, repeal or expiration of the effective period of this section. Any such agreement or existing written agreement as amended shall provide (1) that the district shall lease to said nonprofit corporation for a term of not to exceed forty (40) years, at such rental or for such other or additional consideration as the board of directors may deem proper, any real property owned by the district; (2) that said nonprofit corporation shall at its own expense construct or contract for the construction and financing of a building or buildings for hospital purposes of the district on said real property; (3) that the total cost of construction and financing of said building or buildings shall be determined by resolution adopted by the board of directors and accepted by said nonprofit corporation; (4) that said real property and said building or buildings shall be subleased to or otherwise made available for the use of the district during the term of said agreement or existing written agreement as amended, upon payment by the district of a rental or other consideration not exceeding, in the aggregate, the total cost of construction and financing of said building or buildings as determined by the board of directors, together with all other sums due or payable under the terms of said agreement or existing written agreement as amended, which rental or other consideration shall be payable monthly, quarterly or semiannually during the term

of said agreement or existing written agreement as amended, beginning not later than the date on which said building or buildings shall first become available for occupancy by the district; and (5) that title to said real property and to said building or buildings shall vest in the district without the payment of any further consideration at the expiration of the term of said agreement or existing written agreement as amended, subject to compliance by the district with the terms and conditions of said agreement or existing written agreement as amended. Said agreement or existing written agreement as amended may provide such other terms and conditions as the board of directors may deem to be in the best interests of the district, including, without limiting the generality of the foregoing, one or more options permitting the district to purchase said building or buildings and the nonprofit corporation's leasehold estate under a ground lease during the term of said agreement or existing written agreement as amended at any time after the execution thereof at a price not exceeding the fair market value of said building or buildings or leasehold estate on the date of exercise of said option. Said agreement or existing written agreement as amended may provide that any installments of rental theretofore paid by the district may be credited against said option price.

The provisions of Section 32132 shall not apply to any agreement or existing written agreement as amended entered into by any district pursuant to this section or to any construction contract for any building or buildings constructed or to be constructed pursuant to said agreement or existing written agreement as amended. The provisions of Section 32221 shall not apply to any sums paid or payable by a district pursuant to any such agreement or existing written agreement as amended.

This section shall remain in effect until January 1, 1959.

SEC. 5. Section 32221 of said code is amended to read:

32221. The board of directors may establish a fund for capital outlays; provided, that no part of said fund except such part as received through gifts, donations, devises, or bequests, or from sources other than the tax levy specified by Section 32202, shall be used for acquisition of additional patient bed capacity by lease or purchase of any hospital buildings or facilities or for new construction of additional patient bed capacity for an existing hospital in excess of fifty thousand dollars ($50,000) over a period of four years (other than remodeling, alteration or conversion of existing facilities) unless a majority of the district electors voting at an election held for that purpose approve such new construction proposal. If such fund is established, it shall include in the estimate required to be furnished to the board of supervisors a statement of the amount to be included in the annual assessment for this purpose. The amount to be raised shall be included in the tax limitation prescribed by Section 32203.

Capital outlay fund

Urgency

SEC. 6. 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:

Hospital districts organized under the Local Hospital District Law have entered into lease-contracts for urgently needed hospital buildings but financing for the construction thereunder is threatened by the possibility that district revenues will be insufficient to meet the payments under the lease-contracts and the costs of operation and maintenance because of existing tax rate limitations.

This act will remedy this situation and enable the districts to eliminate a critical and urgent need for hospitals in the areas served by them without delay.

CHAPTER 81

An act to add Section 9135 to the Government Code, relating to a citizens advisory commission to assist in an investigation of the public schools of this State.

In effect July 23, 1958

[Approved by Governor April 17, 1958. Filed with Secretary of State April 17, 1958.]

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

SECTION 1. Section 9135 is added to the Government Code, to read:

9135. Each member of the Citizens Advisory Commission appointed by the Joint Interim Committee on the Public Education System shall serve without compensation but shall be allowed actual expenses incurred in the discharge of his duties in assisting and advising the Joint Interim Committee on the Public Education System, including travel expenses. Such expenses shall be paid from the funds made available for the charges, expenses, or claims incurred by the Joint Interim Committee on the Public Education System from the Contingent Funds of the Senate and the Assembly, after certification by the chairman of the joint committee, upon warrants drawn by the State Controller upon the State Treasurer.

There is hereby appropriated, from the sum made available by Assembly Concurrent Resolution No 20 (1958 First Extraordinary Session) for the charges, expenses, and claims of the Joint Interim Committee on the Public Education System, the sum necessary to pay the expenses authorized by this section.

CHAPTER 82

An act to amend Sections 5852 and 5853 of the Public Resources Code, relating to the Small Craft Harbors Commission.

[Approved by Governor April 17, 1958. Filed with Secretary of State April 18, 1958.] In effect July 23, 1958

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

SECTION 1. Section 5852 of the Public Resources Code is amended to read:

5852. The commission shall be composed of seven members appointed by the Governor, with the advice and consent of the Senate. Commission

SEC. 2. Section 5853 of said code is amended to read:

5853. The terms of the members of the commission first appointed under this division shall expire as follows: one member January 15, 1959, two members January 15, 1960, two members January 15, 1961. The terms of the two new members added to the commission by the amendment to Section 5852 by the Legislature at the 1958 First Extraordinary Session shall expire January 15, 1962. Thereafter, appointments shall be for a four-year term. Vacancies occurring prior to the expiration of the term shall be filled by appointment for the unexpired term. Terms of members

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CHAPTER 83

An act to amend Section 9300 of the Government Code, relating to the compensation of legislators.

[Approved by Governor April 22, 1958. Filed with Secretary of State April 22, 1958.] In effect July 23, 1958

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

SECTION 1. Section 9300 of the Government Code is amended to read:

9300. The Members of the Legislature shall receive as compensation for their services six thousand dollars ($6,000) annually, during the term for which they are elected, payable at the rate of five hundred dollars ($500) per month.

CHAPTER 84

An act to add Sections 12710, 12711, and 12712 to the Water Code, relating to the plan for flood control on the Truckee River and its tributaries.

In effect July 23, 1958

[Approved by Governor April 22, 1958. Filed with Secretary of State April 22, 1958.]

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

SECTION 1. Section 12710 is added to the Water Code, to read:

Plan re Truckee River

12710. The plan for channel improvements and appurtenant works for flood control on that portion of the Truckee River and tributaries within the State of California, is adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 497, Eighty-third Congress, Second Session, as authorized by Act of Congress approved September 3, 1954, Public Law 780, Eighty-third Congress, Second Session, at an estimated cost to the State of twenty thousand dollars ($20,000).

SEC. 2. Section 12711 is added to said code, to read:

Local co-operation

12711. The department shall give assurances satisfactory to the Secretary of the Army that the local co-operation required by the Act of Congress approved September 3, 1954, Public Law 780, Eighty-third Congress, Second Session, will be furnished by the State in connection with the plan for flood control adopted and authorized in Section 12710.

SEC. 3. Section 12712 is added to said code, to read:

Local responsibility

12712. In conformance with the duty prescribed in Section 12642, it shall be the responsibility and duty of local public agencies, now existing or hereafter formed, including counties and public districts, affected by the plan for flood control adopted and authorized in Section 12710, to give assurances satisfactory to the Secretary of the Army and the department that such local public agencies will maintain and operate said flood control works after their completion and hold and save the State and the United States free from damage due to the construction and operation of said works.

CHAPTER 85

An act to add Section 2189.3 to the Revenue and Taxation Code, relating to taxes on personal property.

In effect July 23, 1958

[Approved by Governor April 22, 1958. Filed with Secretary of State April 22, 1958.]

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

SECTION 1. Section 2189.3 is added to the Revenue and Taxation Code, to read:

2189.3. A tax on personal property belonging to an owner of real property on the secured roll located in the same county as the personal property, where the personal property is not located upon the real property on the lien date, is, on and after the lien date, a lien on the real property, having the force, effect and priority of a judgment lien from and after the lien date, if, on or before the lien date:

(a) The assessor, at the request of the taxpayer, determines and issues to the taxpayer a certificate that the real property is sufficient to secure the payment of the tax.

(b) The taxpayer records the certificate with the county recorder.

Any tax which becomes a lien on the real property in accordance with this section shall be subject to the provisions of this division relating to the rate and date of payment of taxes on the secured roll for the current year; and in the event of any delinquency in the payment of such tax, the personal property on which it has been levied shall be subject to seizure and sale in accordance with Sections 2914 to 2921, inclusive, of this code.

This section does not apply to any tax which became a lien on the first Monday in March of 1958, and shall first be operative with respect to taxes levied for the Fiscal Year 1959-60.

CHAPTER 86

An act to add Article 4, commencing with Section 24676, to Chapter 6 of Division 12 of the Education Code, relating to school records of pupils.

[Approved by Governor April 22, 1958 Filed with Secretary of State April 22, 1958]

In effect July 23, 1958

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

SECTION 1. Article 4, commencing with Section 24676, is added to Chapter 6 of Division 12 of the Education Code, to read:

Article 4. School Records

24676. Whenever a pupil transfers from one school district to another within this State, the cumulative record of the pupil, which shall be available to the pupil's parent for inspection on request, shall be transferred to the district to which the pupil transfers; provided, a request for such cumulative record is received from the district to which the transfer is made. The State Board of Education is hereby authorized to adopt rules and regulations concerning the transfer of cumulative records from one school district to another. The effective date of this section shall be July 1, 1960.

CHAPTER 87

An act to amend Section 23600 of the Government Code, relating to county seats, and providing for temporary county seats for use in case of war or enemy-caused disaster.

In effect July 23, 1958

[Approved by Governor April 22, 1958. Filed with Secretary of State April 22, 1958.]

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

SECTION 1. Section 23600 of the Government Code is amended to read:

23600. The county seats of the respective counties of the State, as fixed by law and designated in this article, are declared to be the county seats of the respective counties. In any case where a county seat is an incorporated city, it includes all territory heretofore or hereafter annexed thereto.

The board of supervisors shall designate by resolution an alternative temporary county seat, which may be outside the boundaries of the county, for use in the event of war or enemy-caused disaster, or the imminence thereof, but real property outside the boundaries of the county shall not be purchased by a county for use as a temporary county seat. A copy of the resolution shall be filed with the Secretary of State. A different temporary county seat may be so designated at any time as circumstances indicate the desirability of such a change.

The board, and any county officer or agency as directed by the board, shall provide such facilities of any kind at the temporary county seat as appear desirable for the functioning of the government of the county at the temporary county seat in the event that it becomes necessary, pursuant to this section.

SEC. 2. This act shall not become operative unless and until the people approve the constitutional amendment of the 1958 First Extraordinary Session adding Section 38 to Article IV of the Constitution of the State.

CHAPTER 88

An act to provide for meeting the building needs of the State by the adoption of a general construction program, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, and making an appropriation therefor.

In effect July 23, 1958

[Approved by Governor April 22, 1958. Filed with Secretary of State April 22, 1958.]

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

SECTION 1. This act shall be known, and may be cited, as the State Construction Program Bond Act of 1958.

SEC. 2. The primary purpose of this act is to provide the necessary funds to meet the major building construction, equipment and site acquisition needs for the departments of the State Government which are financed primarily from general revenues rather than from special funds, as more particularly described in the report submitted by the Department of Finance pursuant to Senate Resolution No. 15 of the 1954 First Extraordinary Session, entitled "Report on State Building Construction Program," as revised from time to time. Nothing in this act is intended to prevent the Legislature from deviating from the specific projects mentioned in said report in utilizing the proceeds of the bonds herein authorized; provided, such funds are not used for purposes specifically excluded from the program contemplated by said report or for purposes not reasonably related thereto. Nothing in this act is intended to bind the Legislature to follow the system of priorities contained in said report.

SEC. 3. Bonds in the total amount of two hundred million dollars ($200,000,000), or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in Section 2 of this act. Said bonds shall be known and designated as State Construction Program bonds and, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California are hereby pledged for the punctual payment of both principal and interest on said bonds as said principal and interest become due and payable.

SEC. 4. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal and interest on bonds issued and sold pursuant to this act, as such principal and interest become due and payable. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, such sum in addition to the ordinary revenues of the State as shall be required to pay the principal and interest on said bonds maturing in said year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum.

SEC. 5. The proceeds of bonds issued and sold pursuant to this act, together with interest earned thereon, if any, shall be deposited in the State Construction Program Fund. The money in the fund may be expended only for the purposes specified in this act and only pursuant to appropriation by the Legislature in the manner hereinafter prescribed.

SEC. 6. A section shall be included in the Budget Bill for each fiscal year bearing the caption State Construction Bond Act Program. Said section shall contain proposed appropriations only for the program contemplated by this act, and no funds derived from the bonds authorized by this act may be expended pursuant to an appropriation not contained in said section of the Budget Act. The Department of Finance,

which is hereby designated as the board for the purposes of this act, shall annually total the Budget Act appropriations referred to in this section and, pursuant to Section 16730 of the Government Code, request the State Construction Program Committee to cause bonds to be issued and sold in quantities sufficient to carry out the projects for which such appropriations were made.

SEC. 7. The bonds authorized by this act shall be prepared, executed, issued, sold, paid and redeemed as provided in the State General Obligation Bond Law (Chapter 4 of Part 3, Division 4, Title 2 of the Government Code), and all of the provisions of said law are applicable to said bonds and to this act, and are hereby incorporated in this act as though set forth in full herein.

SEC. 8. The State Construction Program Committee is hereby created. The committee shall consist of the Governor, the State Controller, the State Treasurer, the Director of Finance, and the Director of Public Works. For the purpose of this act the State Construction Program Committee shall be "the committee" as that term is used in the State General Obligation Bond Law.

SEC. 9. The sum of seventy-five thousand dollars ($75,000) is hereby appropriated from the General Fund to pay the expenses incurred by the State Treasurer in preparing and advertising the sale or prior redemption of bonds issued pursuant to this act, to defray expenses incurred by the State Construction Program Committee pursuant to Section 16758 of the Government Code, and for the payment of legal services, upon approval of the State Board of Control, pursuant to Section 16760 of said code. Out of the first money realized from the sale of bonds issued pursuant to this act there shall be redeposited to the credit of the appropriation made by this section such sums as have been expended for the purposes specified in this section. The amounts so redeposited may be used for the same purposes whenever additional sales of bonds are made pursuant to this act. The appropriation made by this section is made without regard to fiscal years but, when all the bonds authorized by this act have been sold, the unexpended and unobligated balance of this appropriation shall revert to the General Fund.

CHAPTER 89

An act to amend Section 18370 of Article 5, Chapter 4, Part 2, Division 13, Health and Safety Code, relating to plumbing, heating and electrical equipment in trailer coaches.

In effect July 23, 1958

[Approved by Governor April 22, 1958. Filed with Secretary of State April 23, 1958.]

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

SECTION 1. Section 18370 of the Health and Safety Code is amended to read:

18370. It is unlawful for any person to sell or offer for sale, within this State, any trailer coach manufactured after September 1, 1958, containing plumbing, heating or electrical equipment unless such equipment meets the requirements of the Division of Housing for such installations. Such rules and regulations shall be reasonably consistent with recognized and accepted principles for plumbing, heating and electrical installations, respectively, in order to protect the health and safety of the people of this State from dangers inherent in the use of substandard and unsafe plumbing, heating and electrical equipment. The division by rule and regulation may establish a schedule of fees to pay the costs of work related to the work and enforcement of this chapter. The fees collected shall be deposited to the credit of any appropriation for support of the division current at the time of collection.

The Division of Housing may adopt, amend, repeal, and enforce, in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code, such rules and regulations as are reasonably necessary to effectuate the purposes of this section.

All trailer coaches manufactured after September 1, 1958, which are sold or offered for sale within this State, shall bear an insignia of approval by the Division of Housing for plumbing, heating and electrical equipment therein.

The Division of Housing may issue insignia for trailer coaches manufactured prior to September 1, 1958, which meet the standards established by the Division of Housing as provided in this section.

CHAPTER 90

An act to amend Section 7 of the San Benito County Water Conservation and Flood Control District Act (Chapter 1598, Statutes of 1953), relating to the levy of taxes by the San Benito Water Conservation and Flood Control District, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 22, 1958 Filed with Secretary of State April 23, 1958.] In effect immediately

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

SECTION 1. Section 7 of the San Benito Water Conservation and Flood Control District (Chapter 1598, Statutes of 1953) is amended to read:

Sec. 7. The board shall have no power to levy any taxes on a district basis and all taxes shall be levied or imposed only on land, except that in zones created for flood control taxes may be levied or imposed on land and the improvements thereon, benefiting from district activities on a zone basis in zones created for specific benefits in accordance with the provisions of this act. In any zone said taxes shall in no event exceed an amount of twenty-five cents ($0.25) per hundred dollars

($100) of assessed valuation of land taxed; provided, however, that taxes for the service of bonds provided in Section 22 of this act may be in addition to said amount; and provided further, that special taxes to make payments under contracts with other governmental bodies provided in Section 17 of this act may also be in addition to said amount.

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:

This act would remove the limitations in existing law which preclude the San Benito Water Conservation and Flood Control District from securing federal assistance with regard to works immediately needed for the preservation of the health and safety of the residents of the district.

CHAPTER 91

An act to add Article 3 (commencing with Section 6936) to Chapter 4, Part 6, Division 8 of the Harbors and Navigation Code, relating to river port districts.

In effect July 23, 1958

[Approved by Governor April 22, 1958. Filed with Secretary of State April 23, 1958.]

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

SECTION 1. Article 3 is added to Chapter 4, Part 6, Division 8 of the Harbors and Navigation Code, to read:

Article 3. Revenue Bonds

Revenue bond

6936. Pursuant to this article a district may create a revenue bond indebtedness for the acquisition and construction, or acquisition or construction of any improvements or property or facilities contained within its powers.

Authorization

6937. The issuance of said bonds shall be authorized by ordinance adopted by two-thirds of all the members of the board, to take effect upon its publication.

Publication of ordinance

6938. The secretary shall publish said ordinance once in a newspaper of general circulation printed in said district, and if there is none, then in such newspaper published in the county in which said district is located.

Contents of ordinance

6939. Said ordinance shall specify the total amount, denomination, method of maturity, and the rate or maximum rate of interest of said bonds, and in general terms, the acquisitions and improvements to be constructed thereby; and, in addition, shall contain such other and further provisions as in the judgment of the board are deemed advisable.

6939.1. The proceeds of said bonds shall be placed in an account in the treasury of the district to be entitled _____ Port District Revenue Construction Fund No. _____ and used exclusively for the objects and purposes mentioned in the ordinance. Port District Revenue Construction Fund

6939.2. The lien of said bonds of the same issue shall be prior and superior to all revenue bonds subsequently issued. Lien

6939.3. Proceedings for the issuance of said bonds shall be had, the board shall have such powers and duties, and the bondholders shall have such rights and remedies, all in substantial accordance with and with like legal effect as provided in Sections 54344 to 54346, inclusive, 54347, 54348, 54350, 54351, 54352, and in Articles 4 (commencing at Section 54400) to 11 (commencing at Section 54660), inclusive, of Chapter 6, Part 1, Division 2, Title 5 of the Government Code. As used therein the word "resolution" shall mean ordinance, the word "local agency" shall mean district, and the words "legislative body" shall mean board. Powers and duties

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CHAPTER 92

An act making an appropriation for legislative printing, binding, mailing, etc., in augmentation of Item 9 of the Budget Act of 1957, to take effect immediately.

[Approved by Governor April 22, 1958. Filed with Secretary of State April 23, 1958.] In effect immediately

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

SECTION 1. The unexpended and unobligated balance of the appropriation made by Chapter 7, Statutes of 1958 (Regular Session) is hereby reappropriated in augmentation of Item 9 of the Budget Act of 1957, to pay the expense of legislative printing, binding, mailing, etc.

SEC. 2. This act makes an appropriation for the usual current expenses of the State within the meaning of Article IV of the Constitution and shall go into immediate effect.

CHAPTER 93

An act to add Article 5g 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 duties 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, ex-

clusive 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, 1958.

In effect July 23, 1958

[Approved by Governor April 24, 1958. Filed with Secretary of State April 24, 1958.]

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

SECTION 1. Article 5g is added to Chapter 6 of Division 4 of the Military and Veterans Code, to read:

Article 5g. Veterans Bond Act of 1958

Short title

996.60. This article may be cited as the Veterans Bond Act of 1958.

Authority to create debts

996.61. For the purpose of creating 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 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.

Bond specifications

996.62. After adoption of any resolution by the Veterans' Finance Committee of 1943, provided for in Section 996.69 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 three hundred million dollars ($300,000,000) 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 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' Fi-

nance 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.

Payment and cancellation

996.63. The State Treasurer shall, on the respective dates 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 996.64 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.

General obligations of the State

996.64. 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.

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 interest 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 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 resolution approved by the Veterans' Finance Committee of 1943, 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.

Sale of bonds

996.65. The bonds authorized to be issued under this article 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 purchase price of the bonds bid for in case 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, 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.

Publication of time and place of sale

996.66. 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

996.67. The Department of Veterans Affairs is authorized, with approval of the Department of Finance, to invest any sur-

plus 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 governing 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 Veterans' Farm and Home Building Fund of 1943 shall be paid into and credited to said fund.

Determination to issue bonds

996 68. Upon request of the Department of Veterans Affairs, 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.

Resolution

996.69. Whenever the Veterans' Finance Committee of 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:

1. The maximum number of each denomination or denominations, 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.

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

996.70. 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 it advisable to obtain a legal opinion as to the validity of the 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.

Records and reports

996 71. The Controller, the Treasurer and the Veterans' 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 interested, 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.

Survey of financial condition

996.72. So long as any bonds authorized under this article may be outstanding, the Director of the Department of Veterans 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.

Effective date

SEC. 2. Section 1 of this act shall take effect upon the adoption by the people of the Veterans Bond Act of 1958, as set forth in Section 1 of this act. Sections 2 to 5 of this act contain provisions relating to and necessary for the submission

of the Veterans Bond Act of 1958 to the people, and for returning, canvassing, and proclaiming the votes thereon, and shall take effect immediately.

Submission to voters

SEC. 3. The Veterans Bond Act of 1958, as set forth in Section 1 of this act, shall be submitted to the people of the State of California for their ratification at the next general election, to be held in the month of November, 1958, and all ballots at said election shall have printed thereon and in a square thereof, the words: "For the Veterans Bond Act of 1958," and the same square under said words the following in eight-point type: "This act provides for a bond issue of three hundred million dollars ($300,000,000) 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 1958," and in the same square immediately below said words, in eight-point type shall be printed "This act provides for a bond issue of three hundred million dollars ($300,000,000) 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 1958," and "Against the Veterans Bond Act of 1958," 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 1958," and those voting against the said act shall do so by placing a cross opposite the words "Against the Veterans Bond Act of 1958." Provided, that where the voting of said general election is done my 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 the Veterans Bond Act of 1958 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.

CHAPTER 94

An act to amend Sections 36826, 36951, 36952, 36953, 36954, 36955, 36956, 36957, 36958, 36959, 36960, 37050, 37051, 37150, 37151, 37152, 37153, 37154, 37155, 37156, and 37157 of, to repeal Sections 36961, 36962, 37051.5, and 37052 of, and to add Sections 37158, 37159, 37160, 37161, 37162, 37163 and 37164 to, the Water Code, relating to California water districts.

In effect July 23, 1958

[Approved by Governor April 24, 1958. Filed with Secretary of State April 24, 1958.]

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

SECTION 1. Section 36826 of the Water Code is amended to read:

Publication of notice

36826. Within 10 days after each assessment is due and payable, the assessor shall publish in a newspaper of general circulation published in the principal county a notice specifying all of the following:

(a) The date on which the assessments became due and payable to the tax collector.

(b) The time when the assessments will be delinquent.

(c) That upon delinquency a penalty of 5 percent of the assessment will be added thereto and the delinquent property sold to the district.

SEC. 2. Section 36951 of said code is amended to read:

Publication of delinquent taxes

36951. As soon as possible after the assessments become delinquent, the tax collector shall publish once a week for three weeks in a newspaper of general circulation published in the principal county a notice containing:

(a) A description of the delinquent property.

(b) The name of the assessee.

(c) The amount of the assessments and penalties due on the property.

SEC. 3. Section 36952 of said code is amended to read:

Notice of sale

36952. The notice shall also state that the delinquent property will be sold to the district for nonpayment of the assessments and penalties due on the property at the district office on a date stated in the notice, which date shall not be less than 21 nor more than 28 days from the first publication.

SEC. 4. Section 36953 of said code is amended to read:

Error in notice

36953. If any error should occur in the published notice with respect to the description of any delinquent property, the name of the assessee thereof, or the amount of the assessments and penalty due thereon which might invalidate a sale thereof and such error is discovered prior to sale, the collector shall at once republish a notice as to the property affected by the error, making such notice conform to the requirements of Sections 36951 and 36952. If any error should occur in the publication of the notice with respect to the time or place of publication or the requirements of Section 36952, and such error is discovered prior to sale, the collector shall at once republish the notice in

conformity with all the requirements of Sections 36951 and 36952, specifying a date for the sale not less than 21 nor more than 28 days from the date of the first republication.

SEC. 5. Section 36954 of said code is amended to read.

Sale to district

36954. On the day fixed for the sale in the published notice, or in any republished notice, the collector shall sell to the district the whole amount of each parcel of property separately assessed upon which the assessments and penalties due on the property remain unpaid for the amount of such assessment and penalty thereon.

SEC. 6. Section 36955 of said code is amended to read:

Entry of sale

36955. Thereupon the collector shall, as to each parcel sold, make an entry "Sold to the district" in the assessment book, and the date of the sale.

SEC. 7. Section 36956 of said code is amended to read:

Certificate of sale Contents

36956. After the delinquent sale the collector shall make out, in duplicate, and sign a certificate of sale for each parcel separately assessed and sold, setting forth all of the following:

(a) A description of the property sold and the date of the sale.

(b) The name of the assessee.

(c) That the property was sold for the amount of the assessment and penalty thereon, giving the amount and year of the assessment.

(d) The date on which the purchaser will be entitled to a deed.

SEC. 8. Section 36957 of said code is amended to read:

Form

36957. The certificate of sale may be substantially in the following form, the blanks being filled to show the facts in each case:

Certificate of Sale No._____

_____ Water District

I, the collector of _____ Water District, certify that on the _____ day of _____, 19___, after giving the required notice, I sold to _____ Water District, the purchaser, for the sum of _____ dollars ($_____) real property in the County of _____, State of California, described as follows:

(insert description)

This land was assessed to _____. This property was sold for a delinquent assessment levied on it in the year _____ by the district, and the sale price was the sum due and unpaid on the assessment and penalty thereon. The purchaser will be entitled to a deed to the property at any time after three years from the date of sale, unless in the meantime the property is redeemed.

WITNESS MY HAND and the seal of the district this _____ day of _____, 19___.

(DISTRICT SEAL)

_____

Collector of _____ Water District

SEC. 9. Section 36958 of said code is amended to read:

Duplicate certificate of sale

36958. Of each of the duplicate certificates of sale one shall be retained by the collector and the other shall be recorded in the office of the county recorder of the county in which the property is situated.

SEC. 10. Section 36959 of said code is amended to read:

Recordation

36959. On receiving the certificate of sale the county recorder shall record it and prepare an index in which in separate columns he shall enter all of the following:

(a) Name of the assessee recited in the certificate.

(b) Name of the assessing district.

(c) Date of sale.

SEC. 11. Section 36960 of said code is amended to read:

Effect of mistake

36960. When property is sold for assessments imposed on it as the property of a particular person, no misnomer of the owner, or supposed owner, or any other mistake relating to the ownership, affects the sale or renders it void or voidable.

Repeal

SEC. 12. Sections 36961 and 36962 of said code are hereby repealed.

SEC. 13. Section 37050 of said code is amended to read:

Assessment after sale

37050. All property sold for delinquent assessments to the district shall subsequently be assessed for district purposes as though it had never been sold, until the collector has made and delivered to the district a collector's deed, but shall not again be sold for delinquent assessments until after the property has been redeemed or has been sold by the district.

SEC. 14. Section 37051 of said code is amended to read:

Statement of sale

37051. If the property is sold to the district for delinquent assessments, the collector in making his accounting with the treasurer shall furnish a statement of the property sold to the district and the amount for which the property was sold. The treasurer shall thereupon estimate that portion of the amount belonging to the general obligation bond fund and shall charge the general fund with that portion and pay it from the general fund into the general obligation bond fund.

Repeal

SEC. 15. Sections 37051.5 and 37052 of said code are hereby repealed.

SEC. 16. Section 37150 of said code is amended to read:

Redemption period

37150. Property sold to the district for delinquent assessments may be redeemed by the redemptioner within three years from the date of sale, or thereafter before a collector's deed of the property has been delivered, by payment in lawful money of the United States to the collector of the amount for which the property was sold, together with interest thereon at the rate of 9 percent per year from the date of sale (but not less than $\frac{3}{4}$ of 1 percent for any portion of a month), plus the amount of assessments against the property assessed subsequent to sale, plus the amount of the recorder's fees in recording the certificate of sale and the certificate of redemption. The "redemptioner" is the person whose estate has been sold, or his successor in interest.

SEC. 17. Section 37151 of said code is amended to read:

37151. On receipt of the redemption money the collector shall make out duplicate certificates of redemption reciting the payment and stating the date and number of the certificate of sale to which the redemption applies. Redemption certificate

SEC. 18. Section 37152 of said code is amended to read:

37152. One of the duplicate certificates of redemption shall be given to the redemptioner. Same

SEC. 19. Section 37153 of said code is amended to read:

37153. The collector shall present the other duplicate certificate of redemption to the county recorder in whose office the certificate of sale is on record, and the recorder shall either: Recorder's entry

(a) Attach the certificate of redemption to the certificate of sale to which it relates.

(b) Record the certificate of redemption and mark the word "redeemed" and the date, and by whom redeemed, on the margin of the certificate of sale.

SEC. 20. Section 37154 of said code is amended to read:

37154. The county recorder shall collect a fee of fifty cents ($0.50) for recording each certificate of redemption and making the marginal notations. Fee

SEC. 21. Section 37155 of said code is amended to read:

37155. If the property sold for delinquent assessments has not been redeemed and three years have elapsed from the date of its sale, the collector, upon demand, shall deliver a collector's deed to the property to the district. Collector's deed to district

SEC. 22. Section 37156 of said code is amended to read:

37156. A collector's deed shall be made by the collector in duplicate; shall contain the date of sale and his statement that no person redeemed the property during the time allowed for its redemption; and may be in substantially the following form, the blanks being filled to show the facts in each case: Deed's contents

Collector's Deed

_____ Water District

On the _____ day of _____, 19____, the collector of _____ Water District sold to _____ Water District, for a delinquent assessment, real property situated within the district and in the County of _____, State of California, described as follows:

(insert description)

No person has redeemed the property from the sale; the time for redemption has elapsed; and the purchaser has demanded a deed to the property.

Wherefore, I, the collector of _____ Water District, grant to _____ Water District all of the real property aforesaid.

WITNESS MY HAND and the seal of the district this _____ day of _____, 19____.
(DISTRICT SEAL)

_____
Collector of _____ Water District

SEC. 23. Section 37157 of said code is amended to read:

Certification

37157. Both of the duplicate deeds shall be delivered by the collector to the secretary, and the secretary shall certify on both duplicates of the collector's deed that it has been accepted by the board. Such certificate entitles the deed to be recorded. One of the duplicates of the collector's deed so certified may be delivered by the secretary to the county recorder of the county where the property is situated and recorded in the usual manner of recording deeds, or the secretary may deliver both of the duplicates to the county recorder of said county for recording in the following manner:

(a) The county recorder shall retain one of the duplicate deeds and use it as a printed form for the purpose of making a record in his office of the recorded collector's deed. This duplicate is a printed form of deed within the meaning of Section 27230 of the Government Code.

(b) The recorder shall note on the duplicate deed retained in his office all of the following:

(1) Its filing number.

(2) Exact time of its reception.

(3) Name of the person at whose request it was recorded.

(4) Notation by the comparer that the record has been compared.

(c) The duplicate collector's deed retained by the recorder when properly noted as provided by this chapter and securely placed in the record books of his office is recorded within the meaning of the law and is constructive notice to all persons.

(d) The recorder shall on the other duplicate of each collector's deed make the same notations as on the one retained in his office and return the unrecorded duplicate to the district.

SEC. 24. Section 37158 is added to said code, to read:

Title conveyed

37158. The collector's deed conveys to the district title to the property described therein free of all encumbrances, except liens for taxes and assessments levied for state, county, municipal or other district purposes, unless the property is owned by the United States or this State in which case it is prima facie evidence of the right of possession. The title acquired by the district may be sold at public auction or private sale and conveyed by deed executed and acknowledged by the president and secretary. Authority to convey shall be conferred by resolution of the board entered on its minutes fixing the sales price in the best interest of the district. The district may also lease or otherwise deal with the property as is in the best interest of the district.

SEC. 25. Section 37159 is added to said code, to read:

37159. A collector's deed when acknowledged or proved is prima facie evidence that: Effect of acknowledged deed

(a) The land was assessed as required by law.

(b) The land was equalized as required by law.

(c) The assessments were levied in accordance with law.

(d) The assessments were not paid.

(e) At a proper time and place the property was sold as prescribed by law.

(f) The property was not redeemed.

(g) The person who executed the deed was the proper officer.

SEC. 26. Section 37160 is added to said code, to read:

37160. Except as against actual fraud a collector's deed acknowledged or proved is conclusive evidence of the regularity of all of the proceedings from the assessment by the assessor, inclusive, up to the execution of the deed. Conclusive evidence

SEC. 27. Section 37161 is added to said code, to read:

37161. An action, proceeding, defense answer, counterclaim, or cross complaint based on the alleged invalidity or irregularity of any collector's deed executed to the district or based on the alleged ineffectiveness of the deed to convey the absolute title to the property described in it may be commenced or interposed only within one year after the recordation of the deed. Limitation of actions

SEC. 28. Section 37162 is added to said code, to read:

37162. An action, proceeding, defense, answer, counterclaim, or cross complaint based on the alleged invalidity or irregularity of any agreement of sale, deed, lease, or option executed by a district in connection with property deeded to it by its collector or based on the alleged ineffectiveness of the instrument to convey or affect the title to the property described in it may be commenced or interposed only within one year after the execution by the district of the instrument. Same

SEC. 29. Section 37163 is added to said code, to read:

37163. The provisions of Sections 37161 and 37162 do not apply in the following cases: Exceptions

(a) Where the assessments for which the property was sold were paid before the sale.

(b) Where the property was redeemed after the sale.

(c) Where the land was not subject to assessment at the time it was assessed.

(d) Where no assessments were due on the land at the time of sale.

(e) Where fraud is established.

(f) Where the deed is void on its face.

(g) Where the owner of the land was at the time of the sale a minor or insane person, in which case the earliest time that the statute of limitations begins to run is when the disability is removed.

SEC. 30. Section 37164 is added to said code, to read:

Burden of proof

37164. The burden of proof shall be upon the party urging the invalidity, irregularity, or ineffectiveness of an agreement, deed, lease, or option described in Sections 37161 and 37162 or of any assessments, sales, or assessment deeds of which he complains to show the invalidity, irregularity, or ineffectiveness, and he shall be required to plead specifically the grounds upon which he urges the invalidity, irregularity, or ineffectiveness.

CHAPTER 95

An act to add Section 986.4 to, to amend Sections 986.5, 986.6, and 987.15 of, and to repeal Section 987.13 of, the Military and Veterans Code, relating to veterans' farm and home purchases, and declaring the urgency thereof, to take effect immediately.

In effect immediately

[Approved by Governor April 25, 1958. Filed with Secretary of State April 25, 1958.]

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

SECTION 1. Section 986.4 is added to the Military and Veterans Code, to read:

Market value

986.4. The department shall not acquire a home under the provisions of this article the market value of which exceeds the sum of twenty-five thousand dollars ($25,000), to be determined by an appraiser or an authorized representative of the department.

This section shall not apply to applications filed with the department prior to its effective date.

SEC. 2. Section 986.5 of said code is amended to read:

Maximum cost to department

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, subject to the provisions of Section 986.4, 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 department in fixing the selling price of the farm to the veteran.

SEC. 2.5. Section 986.6 of said code is amended to read:

986.6. The department may acquire a farm in which the veteran to whom such farm is to be sold has theretofore acquired an interest. Prior interest

SEC. 3. Section 987.15 of said code is amended to read:

987.15. The department shall not acquire a home in which the veteran has an interest of record except in the following instances: Conditions

(a) Where the application is for aid for the construction of a home upon unimproved real property owned by the applicant.

(b) Where, after July 2, 1957, the veteran had no interest of record in the property at the time of filing his application and thereafter secured interim financing pending the processing and approval of his application by the department.

(c) Where the application has been filed with the department prior to July 2, 1957, and the department has funds available to it in excess of those needed to enable it to process all applications for the purchase of property in which the applicants do not have interests of record.

SEC. 4. Section 987.13 of said code is repealed. Repeal

SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: Urgency

Due to the recent increase in the maximum amount which may be loaned to a veteran under the Veterans Farm and Home Purchase Act of 1943, a large number of loan applications have been received by the Department of Veterans Affairs from veterans who desire to finance homes. Approximately 75 percent of these applications have been made by veterans who wish to refinance homes which they were able to acquire originally under other financing. It is only fair that the needs of the veteran who now has no home and who in this time of tight credit restrictions is seriously handicapped in the financing of a home purchase should be considered. The continuation of the program is seriously threatened by the large number of applications for loans to refinance homes owned by the applicants. It will be impossible to market the amount of bond issues demanded by the present program. For these reasons it is necessary to immediately discontinue loans for refinancing homes to provide the many veterans who do not now own homes the opportunity to acquire them.

CHAPTER 96

An act to add Chapter 12 (comprising Sections 21801 to 21803) to Division 10 of the Education Code, relating to the participation of the State in a federal scholarship program.

In effect July 23, 1958

[Approved by Governor April 25, 1958. Filed with Secretary of State April 25, 1958.]

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

SECTION 1. Chapter 12 is added to Division 10 of the Education Code, to read:

CHAPTER 12. FEDERAL SCHOLARSHIP PROGRAM

Federal Scholarship Program

21801. Whenever by the provisions of any act of Congress a program of scholarships for undergraduate students is established which permits administration of such program within a state by a state agency, the State Scholarship Commission, as established by Section 21705, shall administer such act within the State if the Governor and the State Scholarship Commission, by a majority vote of its entire membership, determine that the participation by the State in the Federal Scholarship Program under such act would not interfere with or jeopardize the continuation of the scholarship program established under Chapter 11 of this division. For the purposes of this chapter the State Scholarship Commission shall, notwithstanding the provisions of Section 21716, be continued in existence after July 1, 1962, and until it has completed its duties in administering the Federal Scholarship Program.

State Scholarship Commission

21802. The State Scholarship Commission shall constitute the State Commission on Federal Scholarships and is hereby empowered to formulate a plan for development and administration of the Federal Scholarship Program within the State.

Powers

21803. Subject to the provisions of this chapter, the State Scholarship Commission is hereby vested with all necessary power and authority to co-operate with the Government of the United States, or any agency or agencies thereof. in the administration of the act of Congress establishing a scholarship program and the rules and regulations adopted thereunder.

Before adopting a state plan the State Commission on Federal Scholarships shall hold public hearings as provided in the California Administrative Procedure Act.

The State Scholarship Commission shall not grant any scholarship arising under any federal scholarship program after the ninety-first day after the close of the 1959 Regular Session of the Legislature.

CHAPTER 97

An act to validate the organization and reorganization of local fire districts.

[Approved by Governor May 1, 1958. Filed with Secretary of State May 1, 1958.] In effect July 23, 1958

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

SECTION 1. The existence of any district organized or reorganized under Chapter 1 (commencing with Section 14001) Part 3, Division 12 of the Health and Safety Code, is confirmed, validated, and declared legally effective if, on or before November 11, 1958, such district has filed the affidavit required by Section 14017 of the Health and Safety Code.

CHAPTER 98

An act to add Chapter 25 (commencing with Section 7990) to Division 3 of the Education Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

[Approved by Governor May 1, 1958. Filed with Secretary of State May 1, 1958.] In effect July 23, 1958

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

SECTION 1. Chapter 25 is added to Division 3 of the Education Code, to read:

CHAPTER 25. STATE SCHOOL BUILDING AID BOND LAW OF 1958

7990. This act may be cited as the State School Building Aid Bond Law of 1958. Short title

7991. The State General Obligation Bond Law is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this chapter, and the provisions of that law are included in this chapter as though set out in full in this chapter. All references in this chapter to "herein" shall be deemed to refer both to this chapter and such law. Applicable law

Definitions

7992. As used in this chapter, and for the purposes of this chapter as used in the State General Obligation Bond Law, the following words shall have the following meanings:

(a) "Committee" means State School Building Finance Committee, created by Section 5108.

(b) "Board" means State Allocation Board.

(c) "Fund" means State School Building Aid Fund.

Funds

7993. For the purpose of creating a fund to provide aid to school districts of the State in accordance with the provisions of the State School Building Aid Law of 1952, and of all acts amendatory thereof and supplementary thereto, and to provide funds in the total amount of thirty million dollars ($30,000,000) for transfer to the Investment Fund pursuant to Chapter 15 of the 1958 First Extraordinary Session, the committee shall be and is hereby authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of two hundred twenty million dollars ($220,000,000) in the manner provided herein, but not otherwise nor in excess thereof.

Bonds

7994. 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 chapter, as said principal and interest become due and payable.

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 collection 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 interest in each fiscal year, there shall be transferred to the General Fund in the State Treasury, all of the money in the fund, not in excess of the principal of and interest on the said bonds then due and payable, except as herein provided for the prior redemption of said bonds, and, in the event such money so returned on said dates of maturity is 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 the fund as soon thereafter as it shall become available.

Transfer of funds

7995. All money deposited in the fund under Section 7731 of this code and pursuant to the provisions of Part 2, commencing with Section 16300, of Division 4, Title 2 of the Gov-

ernment Code, shall be available only for transfer to the General Fund, as provided in Section 7994. When transferred to the General Fund such money shall be applied as a reimbursement to the General Fund on account of principal and interest due and payable or paid from the General Fund on the earliest issue of school building bonds for which the General Fund has not been fully reimbursed by such transfer of funds.

Revolving fund

7996. The sum of seventy-five thousand dollars ($75,000) is hereby appropriated out of the General Fund to be used as a revolving fund to pay the expenses incurred by the State Treasurer in having the bonds prepared and in advertising their sale or their prior redemption, for expenses incurred by the committee pursuant to Government Code Section 16758, and for legal services, upon approval of the State Board of Control, pursuant to Government Code Section 16760. Whenever bonds are sold, out of the first money realized from their sale, there shall be redeposited in the revolving fund such sums as have been expended for the above purposes, which may be used for the same purpose and repaid in the same manner whenever additional sales are made. Whenever all the bonds authorized by this chapter have been sold, the amount of the appropriation made by this section shall revert to the unappropriated surplus in the General Fund.

Bonds Issue

7997. Upon request of the board, supported by a statement of the apportionments made and to be made under Chapter 19 of Division 3, the committee shall determine whether or not it is necessary or desirable to issue any bonds authorized under this chapter in order to make such apportionments, and, if so, the amount of bonds then to be issued and sold. A sufficient number of bonds authorized under this chapter shall be issued and sold so that in addition to the amount to be transferred to the Investment Fund pursuant to Chapter 15 of the 1958 First Extraordinary Session, the sum of eight million dollars ($8,000,000) will be available for apportionment on January 5, 1959, or as soon thereafter as such bonds can be issued and sold, and so that eight million dollars ($8,000,000) additional will become available for apportionment on February 5, 1959, and on the fifth day of each month thereafter until a total amount of one hundred ninety million dollars ($190,000,000) has become available for apportionment. Successive issue of bonds may be authorized and sold to make such apportionments progressively, and it shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

Sale

7998. In any resolution determining that the sale of all or any part of the bonds herein authorized is necessary or desirable, the committee may in its discretion adopt provisions 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. If authentication is so required, no bond authorized herein shall be valid unless so authenticated in the manner so required.

Interest

7999. In computing the net interest cost under Section 16754 of the Government Code, interest shall be computed 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, such computation to be made on a 360-day year basis.

Authority of State Treasurer

7999.1. The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the State Treasurer, and no direction of the Governor shall be required. The provisions of Sections 16750 and 16754 of the Government Code respecting the direction of the Governor shall not be applicable to such sale.

Proceeds

7999.2. All proceeds from the sale of the bonds herein authorized deposited in the fund, as provided in Section 16757 of the Government Code, except those derived from premium and accrued interest, shall be available for the purpose herein provided, but shall not be available for transfer to the General Fund pursuant to Section 7994 to pay principal and interest on bonds.

Applicable law

7999.3. With respect to the proceeds of bonds authorized by Section 19, Article XVI of the California Constitution, all the provisions of Chapter 19 of this division shall apply except:

(a) Any reference in Chapter 19 to "Section 16.5, Article XVI of the Constitution of this State" shall be deemed a reference to "Section 19, Article XVI of the Constitution of this State."

(b) Any reference in Chapter 19 to "Section 7903" shall be deemed a reference to "Section 7994."

CHAPTER 99

An act to add Section 7996.5 to the Education Code, relating to the State School Building Aid Bond Law of 1958, and making an appropriation therefor.

In effect July 23, 1958

[Approved by Governor May 1, 1958. Filed with Secretary of State May 1, 1958.]

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

SECTION 1. Section 7996.5 is added to the Education Code, to read:

7996 5. For the purposes of carrying out the provisions of this chapter the Director of Finance may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which the committee has by resolution authorized to be sold for the purpose of carrying out this chapter, and the amount necessary to carry out this section is hereby appropriated. The appropriation made by this section is made without regard to fiscal years. Any amounts withdrawn shall be deposited in a revolving fund to be allocated by the board in accordance with this chapter. Any moneys made available under this section to the board shall be returned by the board to the General Fund from moneys received from the sale of bonds sold for the purpose of carrying out this chapter.

SEC. 2. This act shall become operative only if the State School Building Aid Bond Law of 1958 (Assembly Bill No. 59) is enacted by the Legislature during the 1958 First Extraordinary Session.

CHAPTER 100

An act to add Section 10057 to the Education Code relating to science education programs.

[Approved by Governor May 1, 1958. Filed with Secretary of State May 1, 1958.]

In effect July 23 1958

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

SECTION 1. Section 10057 is added to the Education Code, to read:

10057. The county superintendent of schools may, with the approval of the county board of education, enter into an agreement with the governing board of any school district to provide programs and classes in outdoor science education and conservation education for pupils in the district of the sixth grade or any higher grade. The agreement shall provide for the payment by the district of the actual cost of providing such programs or classes. The county superintendent of schools shall transfer from the funds of the district to the county school service fund the amounts set forth in the agreement.

All of the powers and duties authorized for governing boards of school districts by Section 10056 are powers and duties of the county superintendent of schools whenever, pursuant to this section, he provides programs and classes in outdoor science education and conservation education.

CHAPTER 101

An act to add Article 7 (commencing at Section 345) to Chapter 2.5 of Division 1 of the Water Code, relating to development of recreational facilities.

In effect July 23 1958

[Approved by Governor May 1, 1958. Filed with Secretary of State May 1, 1958.]

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

SECTION 1. Article 7 (commencing at Section 345) is added to Chapter 2.5 of Division 1 of the Water Code, to read:

Article 7. Recreation

345. The Department of Water Resources shall (a) plan recreation development associated with state-constructed water projects in consultation with local public agencies and affected state and federal agencies, (b) thereafter acquire land necessary to implement and execute plans for such development pursuant to specific legislative authorization. Such authorization shall specify to what extent, if any, the power of eminent domain may be used.

It is hereby declared to be the intention of the Legislature, in enacting this section, that no water resources development funds will be appropriated for the purpose of acquiring land for recreation development associated with state-constructed water projects, exclusive of land required for storage and conservation of water for such projects.

In carrying out its duties under this section, the Department of Water Resources may enter into contracts, leases, and agreements with other state agencies, the Federal Government, local public agencies, and persons; and the Department of Fish and Game, the Division of Beaches and Parks of the Department of Natural Resources and all other affected state and local agencies shall co-operate with the Department of Water Resources to that end.

CHAPTER 102

An act to amend Sections 14522, 14601, 14602, 14603, 14605, and 14640 of the Education Code, relating to the State Teachers' Retirement System.

In effect July 23. 1958

[Approved by Governor May 2, 1958. Filed with Secretary of State May 2, 1958.]

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

SECTION 1. Section 14522 of the Education Code is amended to read:

Request for refund

14522. Repayments pursuant to Section 14521 to a member shall be made upon request of the member, unless it appears to

the Retirement Board that the employment is permanently terminated and unless the member is entitled to be credited with less than five years of service rendered in this State immediately prior to the termination of employment, in which case payment may be made without request.

However, such repayments shall not be made without request to any member who becomes a state member of the State Employees' Retirement System or becomes subject to the Retiring Annuities System of the University of California while he continues to be a state member of the State Employees' Retirement System or a participant in the Retiring Annuities System of the University of California, until he is retired thereunder.

SEC. 2. Section 14601 of said code is amended to read:

Retirement for service

14601. Any member who comes within any of the following descriptions may be retired for service at his option upon written application therefor to the Retirement Board.

(a) Who is credited with at least five years of service, all of which have been served in this State immediately preceding retirement, and has attained the age of 55 years or more.

(b) Who is credited with service rendered in this State, and which is not used as a basis for benefits under any other public retirement system, except a local system; provided, he has retired since June 30, 1953, or retires concurrently, under the State Employees' Retirement System as a state member of that system, or as an employee of a local school district or of a county superintendent of schools, or under the retirement system of the University of California. In the calculation of allowances of members who qualify for retirement under this subdivision, and who are not qualified for retirement under subdivision (a) of this section, there shall be excluded any service rendered in other states of the United States, its territories and possessions or in the Dominion of Canada. Application for retirement under this subdivision may be made at any time, but applicants shall not otherwise be subject to the provisions of Section 14606.

SEC. 3. Section 14602 of said code is amended to read:

Retirement for disability

14602. (a) Any member who is credited with five or more years of service, the last five of which have been served in this State, and who by reason of bodily or mental infirmity becomes incapacitated for further service, may be retired for disability by the Retirement Board upon his application or upon the application of his employer.

(b) Any member who is credited with less than five years of service, all of which has been served in this State, and who by reason of bodily or mental infirmity becomes incapacitated for further service, may be retired for disability by the Retirement Board upon his application or upon the application of his employer, if he is retired concurrently under the State Employees' Retirement System as a state member of that system or under the Retiring Annuities System of the University of California. In the calculation of allowances of members who

qualify for retirement under this subdivision, and who are not qualified for retirement under subdivision (a) of this section, there shall be excluded any service rendered in other states of the United States, its territories and possessions or in the Dominion of Canada. Application for retirement under this subdivision may be made at any time, and shall not be subject to the provisions of Section 14606.

(c) Retirement shall not be made under this section except upon determination, on the basis of competent medical opinion secured by the Retirement Board, that the disability or incapacity is of permanent duration or of extended and uncertain duration.

SEC. 4. Section 14603 of said code is amended to read:

Over-age member

14603. Any member who applies for retirement after attaining an age at which the classification of persons as permanent employees of school districts ceases and who at the time is credited with five or more but less than 30 years of service, the last four years of which have been served in this State, shall, for the purposes of this chapter, be deemed to be incapacitated for further service and shall be retired upon his application.

Any such member who, at the time of the application, is credited with 30 or more years of service, the last four years of which have been served in this State, shall be retired under Section 14601, upon his application.

SEC. 5. Section 14605 of said code is amended to read:

Permitted absence from service

14605. The last five years of service in this State immediately preceding retirement, as required in Sections 14601 and 14602, may be broken by periods of absence from service, or by periods of service in universities, colleges, or private schools within this State, or by service outside of this State during a year in which the person has served the minimum time required for a year of service in this State, or by a year of service outside this State if five of the six final years of service have been in this State.

SEC. 6. Section 14640 of said code is amended to read:

Disability annuity

14640. (a) If the retiring member has attained the age of 60 years at the effective date of his retirement, the amount of disability annuity payable under subdivision (b) of Section 14639 shall be the same as the amount of the annuity which would have been payable to him under subdivision (b) of Section 14632 if his retirement were for service instead of for disability.

(b) If the retiring member has not attained the age of 60 years at the effective date of his retirement, the amount of disability annuity payable under subdivision (b) of Section 14639 shall be:

(1) Ninety percent (90%) of the sum of the annuity payable to him under subdivision (b) of Section 14632 at the age of 60 years, on the basis of his final compensation at retirement, and service rendered up to the effective date of his retirement, or

(2) If the retiring member is entitled to be credited with at least 10 years of service in this State, and the resulting disability retirement allowance does not exceed one-fourth of his final compensation, ninety percent (90%) of the sum of the annuity payable to him under subdivision (b) of Section 14632 at the age of 60 years, on the basis of his final compensation at retirement, and the service which would be creditable to him were his service to continue until attainment by him of age 60, but in such case, the retirement allowance shall not exceed one-fourth of such final compensation.

(c) In no event shall the disability annuity under this section be more than sufficient to make the disability retirement allowance, exclusive of any annuity provided by accumulated annuity deposits, exceed the service retirement allowance, exclusive of any annuity purchased by accumulated annuity deposits, receivable by the member should he continue until retirement at age 60.

CHAPTER 103

An act to add Part 4 (commencing with Section 3900) to Division 6 of the Harbors and Navigation Code, to provide for the preparation, issuance and sale of state bonds to create a fund to provide for harbor development; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; to make an appropriation for the expense of printing the bonds; and to repeal Chapter 2238 of the Statutes of 1957, relating to harbor development.

[Approved by Governor May 2, 1958. Filed with Secretary of State May 5, 1958.]

In effect July 23 1958

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

SECTION 1. Part 4 (commencing with Section 3900) is added to Division 6 of the Harbors and Navigation Code, to read:

PART 4. HARBOR DEVELOPMENT BOND LAW OF 1958

CHAPTER 1. GENERAL PROVISIONS

3900. This part may be cited as the Harbor Development Bond Law of 1958. Short title

3901. As used in this chapter the following words shall have the following meanings: Definitions

(a) "Committee" means the Harbor Improvement Bond Committee.

(b) "Authority" means the San Francisco Port Authority, as the same is constituted by Part 1 (commencing at Section 1690) of Division 6 of the Harbors and Navigation Code, or any successor thereof.

(c) "Commission" means the Small Craft Harbors Commission, as the same is constituted by Division 5.7 (commencing at Section 5801) of the Public Resources Code, or any successor thereof.

(d) "San Francisco Harbor Improvement Fund" means the fund now existing in the State Treasury and created by Section 1706.

Funds

3902. The following funds are created in the State Treasury for the purposes of this part:

(a) Harbor Bond Sinking Fund.

(b) Fifth San Francisco Seawall Fund.

(c) Small Craft Harbor Bond Fund.

(d) Small Craft Harbor Improvement Fund.

Harbor Improvement Bond Committee

3903. There is in the State Government the Harbor Improvement Bond Committee. The committee shall consist of the State Controller, the State Treasurer, and the Director of Finance. The Director of Finance shall be the chairman of the committee. A majority of the members of the committee shall be empowered to act for the committee. The committee shall hold meetings at such times and places as the chairman shall direct or upon the written request of any two members of the board.

Compensation

3904. The members of the committee shall not receive additional compensation for their services under this part.

Authority to create debt

3905. For the purpose of creating funds to provide for the construction, improvement and development of harbors in this State as provided in this part, the Harbor Improvement Bond Committee 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.

Duties of State Treasurer

3906. After adoption of any resolution by the committee, provided for in Section 3907, 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 part shall not exceed the sum of sixty million dollars ($60,000,000).

The authorization to issue bonds as herein set forth shall be a continuing authorization until all of said bonds shall have been issued and sold, but no bonds shall be issued or sold pursuant to this part subsequent to July 1, 1999.

Bonds Resolution, issuance, etc

3907. Whenever the authority pursuant to Section 3940 or the commission pursuant to Section 3950 determines by resolution that a bond issue under this part is necessary or desirable in order to make any of the expenditures authorized by this part, and so certifies to the committee, then the said committee shall approve or disapprove said resolution, and if

it approves said resolution, the committee shall adopt a resolution authorizing and directing the State Treasurer to arrange for the preparation of the requisite number of suitable bonds and shall specify as to such bonds then to be sold:

(a) The aggregate number, aggregate par value, denominations and the date of the bonds to be then sold. The bonds may be issued in series or divisions of the total authorized issue. Such denominations shall be in the sum of one thousand dollars ($1,000), or multiples thereof. The date appearing on the bonds or series or division shall be deemed to be the date of issuance of such series or division for all purposes of this part, irrespective of the actual date of delivery of such bonds of such series or division and the payment of the purchase price thereof.

(b) The dates of maturity, and the amount and numerical sequence of the bonds maturing at each date of maturity, which amounts need not be equal, but which dates shall be at annual or semiannual intervals, and the first of which dates of maturity shall be not more than five years, and the last of which dates of maturity shall be not more than 50 years, after the date of the bonds or any series or division thereof.

(c) Whether or not the bonds are to be subject to redemption at the option of the authority or the commission, as the case may be, prior to maturity, and, if so, the provisions for such redemption, the manner of the call thereof, and the price or prices at which the bonds shall be subject to redemption.

(d) The annual rate, or rates, of interest which the bonds to be issued shall bear, which rate, or rates, at the discretion of the committee, may be determined by the bidder at the time of sale of said bonds, not to exceed 6 percent per annum. Such interest may be payable at such periods as may be fixed by the committee.

(e) The technical form and language of the bonds and interest coupons.

(f) Whether or not the right is reserved to make delivery in the form of temporary or interim bonds, certificates, or receipts, exchangeable for definitive bonds when executed and available for delivery, and if such right is reserved the denominations and form of such temporary securities.

(g) Whether or not the bonds are to be subject to registration, the denominations of registered bonds and 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 form and all of the terms and conditions of such registration and of such exchange. If such registration is provided for, all of the provisions of this part with reference to the payment of bonds and interest coupons shall be subject to the terms and conditions of such registration with respect to the payment of registered bonds and the interest thereon.

(h) All other terms and conditions of the bonds and of the execution, issuance and sale thereof, which shall be consistent with all of the provisions of this part.

(i) The committee may authorize the State Treasurer to sell all or any part of the bonds herein authorized at such time or times as may be fixed by the State Treasurer.

Aggregate par value

3908. The aggregate par value of all bonds issued under this part at the instance of the authority shall not exceed fifty million dollars ($50,000,000) and the aggregate par value of all bonds issued under this part at the instance of the commission shall not exceed ten million dollars ($10,000,000).

General obligation of the State

3909. All bonds issued under this part shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer by facsimile signature and the bonds shall be signed, countersigned and endorsed by the officers who shall be in office on the date of the adoption of the resolution of the committee, and each of the bonds shall bear a facsimile 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 the adoption of the resolution of the committee. The bonds and coupons so signed, countersigned, endorsed and sealed, when sold and delivered, shall be and constitute a valid and binding 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 the bonds, or any or either of such officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing such bonds. Each bond issued under this part shall contain a clause or clauses stating that interest shall cease to accrue thereon from and after the date of maturity thereof, and referring to the resolution of the committee, by virtue of which the bond is issued.

Appropriation

3910. 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 any available moneys in the account established in the Harbor Bond Sinking Fund pursuant to subdivision (a) of Section 3918 5, or if such moneys are insufficient, then from the General Fund of the State of California, such sum annually as will be necessary to pay the principal of and interest on the bonds issued and sold at the instance of the authority pursuant to the provisions of this part, as such principal and interest become due and payable. There is hereby appropriated from any available moneys in the account established in the Harbor Bond Sinking Fund pursuant to subdivision (b) of Section 3918.5, or if such moneys are insufficient then from the General Fund of the State of California, such sum an-

nually as will be necessary to pay the principal of and interest on the bonds issued and sold at the instance of the commission pursuant to the provisions of this part, as such principal and interest become due and payable. Any sums withdrawn from the General Fund for the payment of principal of or interest on the bonds shall be returned to the General Fund as soon as moneys are available for that purpose in the Harbor Bond Sinking Fund account for the benefit of which the appropriation had been made from the General Fund, together with interest thereon at the same rate as, at the time of appropriation, is earned by short term current investments through the pooled money investment account, such earnings to be determined by the Controller.

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.

Maturity dates

3911. In determining the dates of maturity of the bonds, and the amount thereof to mature at each date of maturity, the committee shall be guided, so far as it may deem to be practicable, by the amounts of the revenue estimated to accrue to the Harbor Bond Sinking Fund. The committee shall fix and determine the dates and amounts of such maturities in such manner that, together with the dates and amounts of interest payments on the bonds, they shall coincide, as nearly as it may deem to be practicable, with the dates and amounts of such estimated revenue.

Interest rate

3912. The rate of interest to be borne by the bonds need not be uniform for all bonds of the same issue, series or division and shall be the rate or rates fixed and determined by the committee in a resolution adopted prior to the sale of the bonds or as specified in the bid accepted by the State Treasurer if the bonds are sold on the basis of the bidder naming the interest rate or rates, in which event the State Treasurer shall fix such rate or rates in conformity with the bid of the successful bidder.

Payment

3913. Both principal of and interest on the bonds 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 fiscal agent of the State.

Call or redemption

3914. Each bond shall contain a reference to this part and if subject to call or redemption prior to maturity, a recital to that effect.

Sale of bonds

3915. The bonds authorized to be issued under this part shall be sold by the State Treasurer to the highest bidder for cash, either at public auction or upon sealed bids as the committee may by resolution determine. Highest bidder shall be the bidder whose bid will result in the lowest net interest cost

on account of said bonds. If the State Treasurer determines that the bids received are not satisfactory as to price or responsibility of the bidders, the State Treasurer may reject all bids received. 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 the 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 one-half of one percent (0.5%) of the par value of the bonds so offered for sale, but not exceeding one hundred thousand dollars ($100,000), 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 Fifth San Francisco Seawall Fund with respect to bonds issued at the instance of the authority and to the credit of the Small Craft Harbor Bond Fund with respect to bonds issued at the instance of the commission, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case 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 the bonds or by reason of such bid, or to the recovery of the deposit accompanying the 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, 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 facsimile or signature stamp.

Notice of sale

3916. Due notice of the time and place of sale of all bonds shall be given by the State 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.

All money secured from the sale of bonds issued at the instance of the authority, other than such amount as may have been paid as premium or accrued interest thereon, and excluding any amount paid pursuant to Section 3916.5, shall be placed in the State Treasury to the credit of the Fifth San Francisco Seawall Fund. All money secured from the sale of bonds issued at the instance of the commission, other than such amount as may have been paid as premium or accrued interest thereon, and excluding any amount paid pursuant to Section 3916.5 shall be placed in the State Treasury to the credit of the Small Craft Harbor Bond Fund. Any premium or accrued interest received on the sale of bonds issued and sold at the instance of the authority shall be deposited in the account established in the Harbor Bond Sinking Fund pursuant to subdivision (a) of Section 3918.5, and any premium or accrued interest received on the sale of bonds issued and sold at the instance of the commission shall be deposited in the account established in the Harbor Bond Sinking Fund pursuant to subdivision (b) of Section 3918.5.

Appropriation

3916 5. The sum of seventy-five thousand dollars ($75,000) is hereby appropriated out of the General Fund to be used as a revolving fund to pay the expenses incurred by the State Treasurer in having the bonds prepared and in advertising their sale or their prior redemption, for expenses incurred by the committee, and for legal services. Whenever bonds are sold at the instance of the authority out of the first money realized from their sale, there shall be redeposited in the revolving fund such sums as have been expended for the above purposes with respect to such bonds, which may be used for the same purpose and repaid in the same manner whenever additional sales are made. Whenever bonds are sold at the instance of the commission, out of the first money realized from their sale, there shall be redeposited in the revolving fund such sums as have been expended for the above purposes with respect to such bonds, which may be used for the same purpose and repaid in the same manner whenever additional sales are made. Whenever all the bonds authorized by this part have been sold, the amount of the appropriation made by this section shall revert to the unappropriated surplus in the General Fund.

Refunding bonds

3917. The committee may provide for the issuance, sale or exchange of refunding bonds out of the bonds issued under this part for the purpose of redeeming or retiring any bond issued by the committee if, under the terms of that issue, the bonds issued thereunder may be redeemed or retired. Any bonds issued hereunder may be redeemed or retired if the resolution under which the bonds are issued so permits.

Harbor Bond Sinking Fund

3918. For the payment of the principal and interest of the bonds the Harbor Bond Sinking Fund shall consist of the following:

(a) Payments from any available moneys in the San Francisco Harbor Improvement Fund, from time to time on order of the authority, of amounts equaling, in the aggregate:

(1) That required under this part to be expended from the Harbor Bond Sinking Fund and the General Fund, to pay the principal and interest on all bonds issued at the instance of the authority;

(2) Plus interest as required to be paid to the General Fund under Section 3910 on any amounts paid from the General Fund by reason of insufficient payments having been made from the San Francisco Harbor Improvement Fund to pay, when due, the principal and interest on any bonds issued at the instance of the authority;

(3) Less the amount equal to any interest that accrues from the investment of money in the Harbor Bond Sinking Fund which has been paid into that fund from the San Francisco Harbor Improvement Fund.

(b) Payments from any available moneys in the Small Craft Harbor Improvement Fund from time to time, on order of the commission, of amounts equaling, in the aggregate:

(1) That required under this part to be expended from the Harbor Bond Sinking Fund and the General Fund, to pay the principal and interest on all bonds issued at the instance of the commission;

(2) Plus interest required to be paid to the General Fund under Section 3910 on any amounts paid from the General Fund by reason of insufficient payments having been made from the Small Craft Harbor Improvement Fund to pay, when due, the principal and interest on any bonds issued at the instance of the commission.

(3) Less the amount equal to any interest that accrues from the investment of money in the Harbor Bond Sinking Fund which has been paid into that fund from the Small Craft Harbor Improvement Fund.

Separate account

3918.5. (a) A separate account shall be established in the Harbor Bond Sinking Fund, in which shall be deposited all money paid into such fund from the San Francisco Harbor Improvement Fund. The money deposited in such account shall be expended only for the purposes described in subsections (1) and (2) of subdivision (a) of Section 3918.

(b) A separate account shall be established in the Harbor Bond Sinking Fund, in which shall be deposited all money paid into such fund from the Small Craft Harbor Improvement Fund. The money deposited in such account shall be expended only for the purposes described in subsections (1) and (2) of subdivision (b) of Section 3918.

Investment

3919. The State Treasurer shall on Controller's warrants duly drawn for that purpose, invest the moneys in the Harbor Bond Sinking Fund in the purchase of the bonds of the United States, or of the State of California, including any bonds authorized, issued and theretofore sold under authority of this part or of the several counties, municipalities, school districts,

or other public agencies of the State of California, which bonds shall be kept in a proper receptacle, appropriately labeled; but he shall keep on hand a sufficient amount of money in the sinking fund with which to pay the principal and interest on such of the state bonds as the same become due. The State Treasurer may only purchase such bonds authorized and issued under authority of this part with moneys in the sinking fund as have been theretofore sold.

Interest accruing upon investment made from moneys in the Harbor Bond Sinking Fund shall be deposited in the respective accounts thereof from which the money invested was derived unless otherwise required under any resolution providing for the issuance of revenue bonds to be credited to the San Francisco Harbor Improvement Fund.

Investment of surplus

3919.3. The authority is authorized with the approval of the Department of Finance, to invest any surplus moneys in the Fifth San Francisco Seawall Fund in bonds or other obligations of the United States, or of the several counties, municipalities, school districts, or other public agencies of the State of California, and to sell such bonds or obligations, or any of them, at the governing market rates, upon approval of the Department of Finance; or the authority 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 (commencing at Section 16500), Part 2, Division 4, Title 2 of the Government Code, of money of any of the funds subject to the control of the authority or appropriated for their use.

Interest accruing upon the deposit of money of the fund shall be paid into and credited to the San Francisco Harbor Improvement Fund.

Legal opinion

3920. Whenever the committee deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, a legal opinion, other than that of the Attorney General, as to the validity of the bonds, the committee may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made from the proceeds of the sale of the bonds, or any other funds available to the authority with respect to bonds authorized pursuant to Section 3940 or the commission with respect to bonds authorized pursuant to Section 3950.

Payment

3921. The State Treasurer directly or through a state fiscal agent, or agents, shall, on the respective dates of maturity of all bonds, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said

bonds, other than coupons canceled because of the redemption of any of said bonds prior to maturity, or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such state fiscal agent, or agents, pay the same.

Cancellation

3922. Upon the payment of any such bond or coupon, the State Treasurer, or such state fiscal agent, or agents, shall perforate the same with a suitable device in a manner to indicate such payment and a record of such payment shall be made thereof. The State Treasurer, or such state fiscal agent, or agents, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold. After proceedings set forth in Section 3907 new bonds conforming to the directions of the committee may be prepared and executed in lieu of any bonds so canceled, and may be sold and issued in the same manner as provided for other bonds in this part.

Destruction of bonds

3923. The State Treasurer, or such state fiscal agent, or agents, with the approval of the State Treasurer, may destroy or cremate any or all bonds and any or all coupons pertaining thereto which have been previously paid or canceled as provided herein in accordance with the provisions of Government Code Section 16772.

Duty to pay interest

3924. It shall be the duty of the State Treasurer to pay the interest of said bonds, when the same falls due, out of the moneys provided for in this part, on Controller's warrants duly drawn for that purpose.

Maturity

3925. All bonds issued under this part and sold shall be deemed to have been called in at their respective dates of maturity and the State Treasurer shall, on the respective dates of maturity of said bonds, or as soon thereafter as said matured bonds are surrendered to him, pay the same upon Controller's warrants duly drawn for that purpose. The provisions of this section shall be applicable also to the interest coupons pertaining to the bonds authorized by this part to be issued.

Redemption

3926. Whenever the committee shall determine that any bonds then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available at the time proposed for such redemption, it may, by resolution, direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem the bonds in accordance with the provisions for redemption provided for in the resolution of the committee adopted under Section 3907 pursuant to which the bonds were issued.

Records and reports

3927. The State Controller and the State Treasurer shall keep full and particular account and record of all their proceedings under this part, 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 part shall at all times be open to the inspection of any party interested, 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.

Transfer of moneys

3928. All money remaining in the account of the Harbor Bond Sinking Fund, established pursuant to subdivision (a) of Section 3918.5, after the principal of and interest upon all bonds issued under this part at the instance of the authority have been paid in full and after all such bonds and interest coupons therefrom have been canceled, shall be paid into the San Francisco Harbor Improvement Fund to be expended in accordance with law. All money remaining in the account of the Harbor Bond Sinking Fund, established pursuant to subdivision (b) of Section 3918 5, after the principal of and interest upon all bonds issued under this part at the instance of the commission have been paid in full and after all such bonds and interest coupons therefrom have been canceled, shall be paid into the Small Craft Harbor Improvement Fund to be expended in accordance with law.

CHAPTER 2. SAN FRANCISCO HARBOR

San Francisco Harbor. Bonds

3940. Whenever the authority determines by resolution that it is necessary or desirable to obtain funds through the sale of bonds as provided for in this part to provide for the improvement of San Francisco Harbor and its facilities, including wharves, piers, seawalls, railroads, spurs, streets, and appurtenances to any of the foregoing, and personal or real property used in connection therewith, and any necessary dredging and filling in connection therewith by the authority, and to redeem bonds authorized prior to the enactment of this part and outstanding, the authority shall so certify to the committee. Funds so secured shall not exceed, in the aggregate, fifty million dollars ($50,000,000).

Improvements and purchases

3941. The authority may make improvements or purchases specified in Section 3940 and expend from the Fifth San Francisco Seawall Fund, in the manner authorized by law, any and all funds therein, derived from the sale of bonds as provided in this part.

Payments

3942. The authority shall make payments from the San Francisco Harbor Improvement Fund to the Harbor Bond Sinking Fund as required under Section 3918.

CHAPTER 3. SMALL CRAFT HARBORS

Small Craft Harbors: Bonds

3950. Whenever the commission determines by resolution that it is necessary or desirable to obtain funds through the sale of bonds as provided for in this part to provide loans to cities, cities and counties, counties, and districts having power to acquire, construct, and operate small craft harbors, for the planning, acquisition, construction, improvement, maintenance, or operation of small craft harbors and facilities in connection therewith, and connecting waterways, in accordance with the provisions of the Small Craft Harbors Law (commencing at Section 5801 of the Public Resources Code), the commission shall so certify to the committee. Funds so secured shall not exceed, in the aggregate, ten million dollars ($10,000,000).

Expenditures

3951. The commission may expend from the Small Craft Harbor Bond Fund in the manner authorized by law any and all funds therein derived from the sale of bonds as provided in this part for the purposes specified in Section 3950.

Repayment

3952. All money received by the commission in repayment of the principal and interest of any loan made from funds secured under this part shall be paid into the State Treasury to the credit of the Small Craft Harbor Improvement Fund.

Transfer of money

3953. The commission shall make payments from the Small Craft Harbor Improvement Fund to the Harbor Bond Sinking Fund as required under Section 3918.

Repeal

SEC. 2. Chapter 2238 of the Statutes of 1957 is repealed.

Operative date

SEC. 3. Section 1 of this act shall not become operative unless and until the people approve the constitutional amendment proposed by the 1958 First Extraordinary Session of the Legislature adding Section 8½ to Article XVI of Constitution of the State authorizing the issuance and sale of bonds and ratifying and validating the Harbor Development Bond Law of 1958.

CHAPTER 104

An act to add Section 7910.2 to the Education Code, relating to the sale of state school building aid bonds.

In effect July 23, 1958

[Approved by Governor, May 24, 1958. Filed with Secretary of State May 24, 1958.]

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

SECTION 1. Section 7910.2 is added to the Education Code, to read:

7910.2. Notwithstanding the provisions of Section 7910.1, upon order of the Director of Finance, made when in his opinion such action is necessary to meet the needs of the General Fund, the State School Building Finance Committee shall issue and sell bonds in the amount of twenty million dollars ($20,000,000) authorized by Article XVI, Section 16.5 of the

Constitution. Proceeds of such bonds shall be used to repay the money appropriated from the General Fund at the 1952 Second Extraordinary Session for state school building aid, and shall be deposited in the General Fund.

The Legislature hereby declares that it has authority by virtue of Section 16.5 of Article XVI of the Constitution to authorize the sale of bonds referred to in the preceding paragraph irrespective of the adoption of the constitutional amendment of the 1958 First Extraordinary Session of the Legislature adding Section 19 to Article XVI of the Constitution, which confirms such authority.

CONCURRENT AND JOINT RESOLUTIONS

AND

CONSTITUTIONAL AMENDMENTS

FIRST EXTRAORDINARY SESSION

1958

CONCURRENT AND JOINT RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

ADOPTED AT THE 1958 FIRST EXTRAORDINARY SESSION OF THE LEGISLATURE

CHAPTER 1

Senate Concurrent Resolution No. 1—Relative to the Joint Rules of the Senate and Assembly for this 1958 First Extraordinary Session.

[Filed with Secretary of State March 14, 1958.]

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 1958 Regular Session are hereby adopted as the Joint Rules of the Senate and Assembly for the 1958 First Extraordinary Session.

CHAPTER 2

Assembly Concurrent Resolution No. 2—Relative to the preparation and printing of a cumulative Statutory Record.

[Filed with Secretary of State March 21, 1958]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislative Counsel is directed to complete the preparation of a cumulative Statutory Record of all legislation enacted during the years 1949 to 1958, inclusive; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of said cumulative Statutory Record, the cost thereof to be paid from the legislative printing appropriation; and be it further

Resolved, That the distribution and sale of said Statutory Record shall be made as provided by law for the distribution and sale of the laws, resolutions and journals of the Legislature (Sections 9791, 9792, Government Code) and that, in addition thereto, 100 copies each shall be distributed to the Secretary of the Senate and to the Chief Clerk of the Assembly for the use of the Members of the Legislature.

CHAPTER 3

Assembly Concurrent Resolution No. 1—Relative to the preparation and printing of a Summary Digest and Subject List.

[Filed with Secretary of State March 21, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislative Counsel prepare in one volume a Summary Digest of statutes enacted and constitutional amendments proposed, and a Subject List of all bills, constitutional amendments, joint and concurrent resolutions introduced, at the 1958 Regular Session of the Legislature and at any extraordinary session of the Legislature that may be held concurrently therewith, and that copies be distributed to all Members of the Legislature as soon as possible after printing; and be it further

Resolved, That the Chief Clerk of the Assembly cause 1,000 copies of this document to be printed, the cost thereof to be paid from the legislative printing appropriation.

CHAPTER 4

Assembly Concurrent Resolution No. 5—Relative to Fire Service Day.

[Filed with Secretary of State March 26, 1958.]

WHEREAS, Firemen throughout the State of California are dedicated to the saving of lives and the protection of property in a degree unknown to any other peacetime agency; and

WHEREAS, It is just, fitting, and right that each individual gain an appreciation of the devotion of these men who are ever ready to come to the assistance of their fellow citizens; and

WHEREAS, The fire departments of the various political subdivisions in this State are tax-supported agencies; and

WHEREAS, These fire departments depend upon the co-operation and understanding of the people of this State to secure maximum facilities with which to perform their much needed functions; and

WHEREAS, The average citizen has had little opportunity to observe the facilities, the organizational structure, and the operations of his fire department and to become familiar with the services available to him; and

WHEREAS, It would prove beneficial for each fireman to gain a face-to-face understanding of the individual citizen's wishes and thinking in order that he may better evaluate the community need and adjust his individual and collective actions and services to fit these needs; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in order to make it possible for our citizens to gain a greater respect and appreciation of

the integrity and devotion of the fireman and to gain a more complete understanding of the facilities and services of their local departments, and to make it possible for our firemen to gain a better understanding of the needs and thinking of our citizens, Saturday, the third day of May, 1958, be declared "Fire Service Day" and a suitable program to develop this mutual respect and understanding between the fireman and the citizen be planned in each and every area and community throughout the State of California.

CHAPTER 5

Senate Concurrent Resolution No. 3—Relative to the Port of Stockton.

[Filed with Secretary of State March 27, 1958.]

WHEREAS, This year marks the twenty-fifth anniversary of the founding of the Port of Stockton; and

WHEREAS, During the year 1933, 311,546 tons of cargo were handled by the port, which through careful planning, supervision and farsightedness of the port commissioners and personnel, has increased to a total of 3,086,548 tons in 1957; and

WHEREAS, The $3,000,000 bond issue to finance the port has been almost entirely repaid; and

WHEREAS, The port district now has approximately 1,500 full-time employees whose payroll contributes greatly to the economy of the Central Valley, together with an estimated additional $2.64 in payroll from allied industries that serve the port for every dollar of payroll of the port district itself; and

WHEREAS, The permanent establishment of homes, local purchasing, and the security of jobs in industries allied to the port proves the soundness of the investment that the citizens made 25 years ago; 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 hereby congratulates the Port of Stockton on its twenty-fifth anniversary and commends the past and present commissioners, officers and employees of the district for their part in the success of its operations, and particularly the present Port Director, Elmo E. Ferrari, and the present Commissioner, Colonel H. E. Sanderson, W. L. Maxwell, J. D. Turner, Sr., R. L. Eberhardt, and Norman E. McGurk; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the Port of Stockton, and to the Port Director and each of the members of the Port Commission.

CHAPTER 6

Assembly Concurrent Resolution No. 19—Relative to the passing of Joseph Scott.

[Filed with Secretary of State March 28, 1958.]

WHEREAS, The Members of the Legislature have been deeply grieved to learn of the death of Joseph (Joe) Scott, one of the foremost citizens of Los Angeles and of this State; and

WHEREAS, Residing for many years in Los Angeles County, Mr. Scott contributed greatly to civic affairs, holding office as a member of the Los Angeles Board of Education for 10 years and president for five years, cofounder and president of the Los Angeles Chamber of Commerce for 11 years, president of the Los Angeles Community Chest for three years, and chairman of the Los Angeles County Relief Committee in 1931, winning an award in that same year from the Los Angeles Realty Board as Los Angeles' Most Useful Citizen; and

WHEREAS, A man of very great learning, Mr. Scott was educated at Ushaw College in Durham, England, and at London University before coming to the United States in 1889, and was the recipient of many degrees and honors in the educational field, including an A.M. degree in 1893 from Saint Bonaventure College in Allegany, N. Y., the Gaudet Medal in 1928 from that same institution, a Ph.D. degree in 1907 from Santa Clara University, an LL.D. degree in 1915 and the Laetare Medal in 1918 from Notre Dame, and an LL.D. degree in 1936 from Georgetown University; and

WHEREAS, Deeply devoted to his religion, Mr. Scott was noted for his work as a cofounder of the Knights of Columbus in California in 1902, being elected as that organization's first deputy in 1903, and making nationwide tours lecturing on behalf of the Supreme Board of the Knights of Columbus; and

WHEREAS, For his outstanding achievements as a Catholic layman, Mr. Scott was decorated by Pope Pius XI as Knight of St. Gregory, promoted by Pope Benedict XV to Knight Commander of St. Gregory, with diplomatic star, and was made Private Chamberlain with cape by Pope Pius XII; and

WHEREAS, Sympathetic throughout his life to the Irish cause, he was the oldest living member of the Los Angeles Division No. 1 of the Ancient Order of Hibernians, of which he was president in 1911; and

WHEREAS, His activities extended also to politics where he served as chairman of the Los Angeles County Republican Central Committee, and was the person chosen in 1932 to nominate Herbert Hoover at the party convention in Chicago; and

WHEREAS, Among his other activities are included membership in the California Bar since 1894, and membership in the California Club, Newman Club, Uplifters, Los Angeles Athletic Club, Pasadena Club, and Sunset Club, serving as president of the latter in 1923 and 1924; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature, by this resolution, desire to express their admiration of Joseph Scott, a leader in his community, his State, and his Nation, worthy of all the honor that has been paid to him during his lifetime, and to extend their heartfelt sympathy to his family on his passing; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Bertha Roth Scott, his widow, Judge A. A. Scott, Monsignor George M. Scott, and Cuthbert J. Scott, his sons, and Mary Ebbets, Josephine Jacqua, and Helen Ziemann, his daughters.

CHAPTER 7

Senate Joint Resolution No. 1—Relative to California's pre-eminent position in higher education, science and technology, its effect upon future economic growth and upon the State's contribution to worldwide scientific achievement.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, California has a total of 143 public and private educational institutions of collegiate and professional level; and

WHEREAS, Sixty-two junior colleges train technicians in large numbers for California business and industry; and

WHEREAS, Eleven state colleges train specialists in applied science and kindred callings, with instructional emphasis on practical aspects of various occupations found in a commercial and industrial society; and

WHEREAS, California offers adult education opportunities to all kinds, including professional, scientific and technical training, at all levels, and in all parts of the State, through its junior colleges, state colleges, state university, and private colleges and universities; and

WHEREAS, California's broad and well-rounded programs of graduate and professional training and fundamental and practical research assure a constant flow of research data, and the availability of facilities and personnel for application and assistance in the solution of the problems of business and industry of California; and

WHEREAS, In 1957, the University of California and Stanford University were ranked among the top 10 universities in the United States. The same survey ranked the University of California's Berkeley engineering school, Stanford University's engineering school, and the California Institute of Technology among the eight best engineering schools. (Survey for Chicago Tribune, published in issue of April 21, 1957.); and

WHEREAS, More than one-fifth (119) of the (578) members of the National Academy of Science, the elite body of the Country's outstanding scientists, are resident in California,

and are associated with one or another of its institutions of higher learning; and

WHEREAS, Eleven winners of the Nobel Prize in the sciences are members of the faculty of California's institutions of higher learning; and

WHEREAS, Nearly half (414,428) or about 47 percent, of the total (869,720) United States enrollment in junior colleges, is in California; and

WHEREAS, In California, more than half of the young people of college age attend a college or university while, in the United States, only one out of every four goes on to college; and

WHEREAS, While California accounts for between 7 and 8 percent of the total United States population, it enrolls nearly 12 percent of the Nation's higher education enrollment; and

WHEREAS, The facts above outlined place California in an advantageous position among the states for growth and development in today's world of science and technology; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That groups engaged in the promotion of economic growth throughout California are hereby urged to disseminate widely to American industry and to affected agencies of the Federal Government the existence and achievements of the aforestated educational facilities and their eminent faculties, in order to better acquaint the Nation with their unceasing contributions to world technology and to emphasize the capability of our State's institutions of higher education to supply ample highly trained professional, scientific and technical personnel for California's continued rapid economic growth; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit suitable copies of this resolution to appropriate agencies of the Federal Government and to groups throughout California engaged in the promotion of economic growth.

CHAPTER 8

Senate Concurrent Resolution No. 2—Relative to commending the University of California, Los Angeles, for its contribution to the better world understanding of the United States.

[Filed with Secretary of State March 31, 1958.]

WHEREAS, The careful and objective reporting of American news to countries abroad is essential to this Nation's position of world leadership; and

WHEREAS, Most of this reporting to newspapers abroad is done by their correspondents stationed in the United States; and

WHEREAS, The encouragement of fair and excellent reporting by such correspondents will help the United States in its world relationships; and

WHEREAS, The furnishing of opportunity for outstanding representatives of foreign newspapers to see California, and thus, to become aware of the particular assets and problems of the West is of particular benefit to California; and

WHEREAS, The University of California, Los Angeles, through its Graduate Department of Journalism and a donation of the David E. Bright Foundation, has established a biennial series of foreign press awards to be given to outstanding correspondents of foreign newspapers who are now stationed in the United States; and

WHEREAS, Such awards will be given at the University of California, Los Angeles, each biennium beginning this spring, and will bring the winning foreign correspondents to the State of California to receive these honors; 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 commends the University of California, Los Angeles, together with its Graduate Department of Journalism, for its contribution to the better world understanding of the United States and of the State of California; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to the Graduate Department of Journalism, University of California, Los Angeles, and to the David E. Bright Foundation.

CHAPTER 9

Assembly Concurrent Resolution No. 8—Relative to Invest in America Week.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The standard of living in this Country, which is higher than that of any other nation in the world, is the product of the American system of free enterprise; and

WHEREAS, More and finer products for consumers while assuring greater opportunities and higher wages for all have come about through the investment of the savings of the men and women of America; and

WHEREAS, The greater the understanding of the citizens respecting investments in the form of savings accounts, ownership of property, life insurance, local businesses and larger business organizations, the greater the amount of their investment; and

WHEREAS, Invest in America Week has been celebrated yearly as a means of focusing the attention of all citizens on the basic fact that it is through the combined efforts of the American people that free enterprise prospers; and

WHEREAS, The Northern California Invest in America community program has received national recognition through its receipt of the George Washington Honor Medal of the Freedom Foundation for its work in interpreting the American way of life; and

WHEREAS, Invest in America Week is supported and encouraged by all segments of our society, including business, labor, religious, educational, and governmental groups throughout the Nation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the week of April 27th through May 3d be Invest in America Week throughout the State of California, and all citizens be encouraged to join in recognizing the outstanding merits of our American way of life.

CHAPTER 10

Assembly Concurrent Resolution No. 9—Relative to the retirement of John Anson Ford.

[Filed with Secretary of State April 2, 1958]

WHEREAS, On December 1, 1958, John Anson Ford will end 24 consecutive years of service as a member of the Los Angeles County Board of Supervisors; and

WHEREAS, Prior to his first election to the board in 1934, Mr. Ford had had a varied career as a high school teacher, news reporter for the Chicago Tribune, employee of the Departments of Labor and Agriculture in Washington, D. C., assistant editor of Popular Mechanics magazine, and had conducted an advertising and public relations business in Los Angeles for 14 years; and

WHEREAS, In his long career as county supervisor Mr. Ford has gained a wide reputation as an effective advocate of the arts, under whose guidance such cultural institutions as the Los Angeles County Art Institute, the county-owned Hollywood Bowl, and the County Music Commission were established as vital parts of community life; and

WHEREAS, His unflagging interest in obtaining adequate recreation sites for public use is largely responsible for the preservation of many points of historical interest and for the purchase and development of the numerous parks throughout Los Angeles County, including the Los Angeles Plaza in the Civic Center area, the State and County Arboretum, and the Fort Moore Pioneer Memorial; and

WHEREAS, In the course of his many years of devoted public service, he has been honored by election and appointment to numerous offices, and for his outstanding record as a civic leader, editor, and statesman has been awarded honorary degrees and citations by Beloit College in Wisconsin, Los Angeles Conservatory of Music, Los Angeles College of Chiro-

practic, Los Angeles County Conference on Community Relations, Los Angeles Jewish Community Council, and the South American country of Ecuador; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members commend Hon. John Anson Ford for his long career of distinguished public service, and extend their sincere good wishes on the occasion of his retirement as county supervisor; 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. Ford.

CHAPTER 11

Assembly Concurrent Resolution No. 12—Relative to the dedication of Meadows Field Terminal.

[Filed with Secretary of State April 2, 1958]

WHEREAS, The Kern County Board of Supervisors and the Bakersfield City Council have proclaimed the twenty-sixth and twenty-seventh of April, 1958, as Meadows Field Terminal Dedication Days; and

WHEREAS, Kern County Airport, now Meadows Field Terminal, was founded in 1925, under the sponsorship of the Bakersfield Chamber of Commerce; and

WHEREAS, The new air terminal is named in memory of and in respect to Mr. Cecil Critenden Meadows who was a pioneer in aviation in Kern County, a founder of the Civil Aeronautics Administration, a President of the American Airport Directors Association, Aviation Director of the Kern County Airport System at the time of his death, and who is proclaimed the man responsible for developing Meadows Field into the first and largest county airport in the Nation; and

WHEREAS, It is fitting and proper for the Legislature to congratulate all who have shared in the development of Meadows Field Terminal, including the Bakersfield Junior Chamber of Commerce which will be host to the many persons attending the dedication; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature congratulates and commends Kern County on its new air terminal and commends those persons who are responsible for naming the terminal after their own aviation pioneer, Mr. Cecil Critenden Meadows; 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. Cecil Meadows, the Kern County Board of Supervisors, the Bakersfield City Council, the Greater Bakersfield Chamber of Commerce, and the Bakersfield Junior Chamber of Commerce.

CHAPTER 12

Assembly Joint Resolution No. 1—Relative to federal aid for education.

[Filed with Secretary of State April 2, 1958]

WHEREAS, The State of California has, during the past decade, experienced the greatest growth in population in its history; and

WHEREAS, This tremendous increase in population has taxed the capacity of the public schools to the extent that it has been necessary to maintain double sessions in many of the classrooms during this period; and

WHEREAS, In order to relieve this constant need for additional classrooms the people of the State of California have authorized the issuance of state bonds in a total sum of six hundred thirty-five million dollars ($635,000,000) since 1949 to provide funds with which to construct school buildings and to purchase necessary school furniture and equipment. In addition, local school districts have bonded themselves to capacity in order to secure funds for school construction and equipment; and

WHEREAS, Despite the amount that has been expended for classroom construction, many school districts are still on double sessions due to lack of a sufficient number of classrooms in which to conduct school and classes in the district; and

WHEREAS, Estimates of needs for the foreseeable future are that four hundred million dollars ($400,000,000) annually will be required for schoolhouse construction if any semblance of the present shortage is to be alleviated; and

WHEREAS, Such amount will have to be raised by the issuance of state and local school district bonds in a market which is presently saturated with bonds and obligations of the State and local governmental agencies; and

WHEREAS, Under present market conditions, the sale of additional state and local school district bonds will result in the payment of excessive interest rates for funds to construct needed classrooms and facilities; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to enact legislation to authorize the Federal Government, or an agency thereof, to purchase state and local school district bonds which are issued to provide funds for the construction of schools and classrooms; and be it further

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

CHAPTER 13

Assembly Concurrent Resolution No. 21—Relative to the death of Art Cohn.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, It was with the most profound sorrow and sincere regret that the Members of the Legislature of the State of California learned of the death of Art Cohn, and

WHEREAS, Cohn, an outstanding newspaperman and the writer of more than twoscore movies, magazine articles, and books, had just joined the San Francisco Examiner as a columnist in January; and

WHEREAS, A native of New York, his newspaper career started at the age of 16 in Schenectady, New York. Subsequently, he worked for the Long Beach Press-Telegram, the Oakland Tribune, the International News Service, and the New York Mirror; and

WHEREAS, He was the writer of the movie "The Joker Is Wild," which was adapted from his book about the life of the comedian Joe E. Lewis, and no less than 20 screen plays including: "Carbine Williams," "Men of the Fighting Lady," "Glory Alley," "Illegal Entry," "Tomorrow Is Another Day," "The Girl Who Had Everything," and the current hit "Seven Hills of Rome"; and

WHEREAS, In addition to writing a daily column for the Examiner, Cohn, at the time of his death, was working on Mike Todd's biography; and

WHEREAS, To mourn his passing and receive the heartfelt sympathy of all Art Cohn leaves his widow and two sons, Ian and Ted Cohn; 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 to the bereaved widow and family of Art Cohn the most sincere and profound condolences; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the widow and family of Art Cohn.

CHAPTER 14

Assembly Concurrent Resolution No. 26—Welcoming the National Confectioners' Association.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, The National Confectioners' Association, the national trade association of the candy industry, comprising candy manufacturers from every section of our Country, is this year celebrating its seventy-fifth year of organization; and

WHEREAS, The association will hold its diamond jubilee convention in San Francisco from July 6th through July 9th; and

WHEREAS, This is the first time the National Confectioners' Association has held its annual convention west of Chicago; and

WHEREAS, The association through its membership, the candy manufacturers of the United States, annually utilizes 70 percent of the California almond crop, 40 percent of the walnut crop, and substantial quantities of many other products of California agriculture such as sugar, raisins, citrus fruits, dairy products, cottonseed and other oils; and

WHEREAS, This organization endows and sponsors research seeking to more fully utilize California agricultural products, diminish surpluses, and discover new agricultural products for use by the candy industry; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members extend a hearty welcome to the National Confectioners' Association on the occasion of their forthcoming diamond jubilee convention; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the President of the National Confectioners' Association.

CHAPTER 15

Assembly Concurrent Resolution No. 27—Relative to congratulating Karl Holton.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, Karl Holton, Chief Probation Officer of Los Angeles County, is to be honored at a reception at the Statler Hotel on Thursday, April 10, 1958, on completion of 30 years of distinguished public service in the State of California; and

WHEREAS, Karl Holton entered the Los Angeles County Probation Department in 1928 as a deputy probation officer, served in that department as personnel director, chief of the juvenile division, chief of the adult division, chief deputy probation officer, and chief probation officer until he was appointed as one of the first members of the California Youth Authority and subsequently as the first Director of the California Youth Authority, in which position he organized the new state agency taking charge of all the correctional schools of the State and providing a statewide consultation and advisory service on probation, detention, juvenile delinquency, and juvenile police work; and

WHEREAS, He served on the Governor's Council which assisted in the prison investigation which resulted in the creation of the State Department of Corrections, assisted in the reorganization of the State Department of Mental Hygiene, and

was active in supporting the creation of the State Recreation Commission; and

WHEREAS, He has represented the State of California in the last two White House Conferences on Children and Youth, served as Chairman of the Delinquency Section of the United States Attorney General's Conference in 1944, represented the United States at the first United Nation's Congress on Crime and Delinquency held in Geneva in 1955, and presently continues as a member of the State Board of Corrections, and the Governor's Advisory Committee on Children and Youth; and

WHEREAS, In addition to serving the State of California as the Director of the Youth Authority for 12 years, he has served in the Probation Department of Los Angeles County for 18 years and continues as the chief probation officer of the largest probation department in existence, and is recognized throughout the State and Nation as a leading authority in the field of child welfare and especially in the area of juvenile corrections and delinquency, and is a member of the Board of Trustees of the National Probation and Parole Association, a member of the Board of Directors of the Welfare Planning Council of Metropolitan Los Angeles, a member of the Advisory Committee of the Delinquency Control Institute of the University of Southern California, a member of the Advisory Committee of the School of Criminology of the University of California at Berkeley, a member of the Advisory Committee of the School of Social Welfare of the University of California at Los Angeles, and is participating in many other important services throughout the State and Nation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature hereby commends Mr. Karl Holton for his distinguished public service and expresses its sincere hope for future good health and success; and be it further

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

CHAPTER 16

Assembly Concurrent Resolution No. 28—Relative to commending and congratulating Grace S. Stoermer.

[Filed with Secretary of State April 2, 1958]

WHEREAS, There occasionally comes to the attention of the Legislature a record of personal accomplishment and community service so outstanding as to require public commendation by the Legislature; and

WHEREAS, Such a record has been made by Grace S. Stoermer, whose accomplishments in the business world, in government, and in civic, political, professional, patriotic, and

charitable organizations have been so great and so numerous that it is really quite remarkable that they can all be credited to one person; and

WHEREAS, Her business activities have included leadership of the Women's Department of the Bank of Italy, an Assistant Vice Presidency of the Bank of America, and her present services in the investment field for the First California Company; and her career in government has included service in the County Recorder's Office, County of Los Angeles, service as Assistant Secretary of the California Senate, and membership on the California Commission, National Statuary Hall, Washington, D. C.; and

WHEREAS, Her activities on behalf of the Native Daughters of the Golden West would by themselves be accomplishments that would make Miss Stoermer's career notable, for she became, in 1914, President of Los Angeles Parlor No. 124, her home parlor, and in the period 1917-1918, she was elevated to the highest office of this statewide organization, that of Grand President, and indeed, her personal attributes and efforts contributed to the increased prominence of the Native Daughters of the Golden West; and

WHEREAS, Her activities in behalf of the Business and Professional Women's Clubs have been equally notable, for she is a past president of the Los Angeles Club, and during her term inaugurated "Girls Day," later to become "Girls Week," an institution that was to be adopted throughout the Nation and for which, this year, she received an award from the Los Angeles City Council; and

WHEREAS, Other positions Miss Stoermer has held include Chairman of the Women's Division, Republican National Committee for California, President, Los Angeles Soroptimist Club, State Chairman for the Serra Sesquicentennial in California, Vice Chairman, Women's Division, Pasadena Tournament of Roses, Hostess for California during the Tenth Olympiad, Chairman of the Women's Division, National Foundation for Infantile Paralysis, Chairman of the Women's Division, Los Angeles Stock Exchange, and Member of the Retirement Board, Los Angeles City School System; and

WHEREAS, The foregoing recitals are not a catalog but a sampling of the achievements of this amazing citizen; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature extends to Miss Grace S. Stoermer—a great woman, a great Californian, a great American—its commendation and congratulations for a full and outstanding career of public service; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Miss Stoermer.

CHAPTER 17

Assembly Concurrent Resolution No. 30—Relative to James H. Corley.

[Filed with Secretary of State April 2, 1958.]

WHEREAS, James H. Corley, one of the ablest and most efficient persons devoted to aiding the legislators' understanding of pending measures has recently been taken ill; and

WHEREAS, James H. Corley has unselfishly devoted his life to the service of the public in his career on the staff of the University of California in Berkeley since shortly after his graduation from the university in 1926; and

WHEREAS, Since 1948, as vice president in charge of business affairs, he has made a tremendous contribution to the welfare of this State and to the Nation by his direction and aid in the great expansion of the facilities of the University of California at Berkeley, thus providing the opportunity so greatly needed in these troubled times for the betterment and education of our youth; and

WHEREAS, One of his greatest contributions has been his untiring and generous assistance to the Members of the Legislature in the bringing about an understanding of the intricacies of the university budget; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature wish to take this opportunity to congratulate James H. Corley on his past contribution to the people of his State and the University of California and to wish him a speedy recovery from his present illness so that the Members of the Legislature may again secure the benefits of his wisdom and counsel in legislative matters; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Mr. James H. Corley.

CHAPTER 18

Assembly Joint Resolution No. 7—Relative to a sea water conversion plant on Santa Catalina Island.

[Filed with Secretary of State April 4, 1958.]

WHEREAS, Legislation is pending before the Congress of the United States to establish a demonstration plant on Santa Catalina Island, California, for the production of fresh water from salt water; and

WHEREAS, In addition to the fact that the location is ideal for such a plant, a serious water shortage on the island would be alleviated; 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 and the President of the United States to enact legislation for the purpose stated in this resolution substantially as contained in the provisions of H. R. 11405 by the Honorable Cecil R. King, Representative, Seventeenth District, California; 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 19

Assembly Concurrent Resolution No. 18—Relative to school districts affected by increased enrollments due to state construction projects.

[Filed with Secretary of State April 4, 1958.]

WHEREAS, The State Legislature, by the enactment of Chapter 2031 of the Statutes of 1957, has provided for the granting of increased financial assistance to school districts bearing increased pupil enrollments due to their proximity to construction projects under the jurisdiction of the State Department of Water Resources; and

WHEREAS, The Legislature has also in 1957 enacted the "State Project Area School Construction Law" (Stats. 1957, Ch 2383), providing for additional financial aid to school districts in which are located certain major state construction projects, to enable the districts to construct additional facilities to serve the children of workers employed on such projects; and

WHEREAS, There is now in process at a number of state institutions, including the California Men's Colony, a program of development and expansion which requires the employment of a great number of construction workers and other personnel, who have moved with their families to the areas concerned; and

WHEREAS, The influx of these workers and their families has caused a substantial increase in school populations, which it is anticipated will become even greater with the arrival of additional families; and

WHEREAS, The burden on the school districts in which these institutions are located has given rise to a problem seemingly no less serious than that which confronted those districts which were granted additional assistance by the Legislature in 1957; and

WHEREAS, It is essential that an immediate study be undertaken by the Legislature to determine the scope of the problem in those districts to ascertain whether additional state assistance should be granted to them; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Assembly Committee on Education and the Senate Committee on Education are hereby directed to study, in addition to the subjects now assigned to them, all facts relating to the problems stated in this resolution, and to determine whether there is a need for legislation providing financial and other assistance to all school districts which are affected by increased school populations due to projects at state institutions, including the California Men's Colony.

CHAPTER 20

Assembly Concurrent Resolution No. 17—Relative to commending the Ledger of Montrose, California, and its editor, Don Carpenter.

[Filed with Secretary of State April 7, 1958]

WHEREAS, "The Ledger" of Montrose, California, was given the California Newspaper Publishers Association editorial citation for its outstanding public service in 1957; and

WHEREAS, Its editor, Don Carpenter, and his excellent series of editorials entitled "Narcotics, the Assassin of Youth" were the subject of the award; and

WHEREAS, This editorial series was the result of exhaustive research and study, and has been recognized statewide and nationally for its authenticity and factual forcefulness; and

WHEREAS, This series of narcotic editorials has informed many parents in clear detail so that they might help and warn their children of the dangers of narcotic addiction to marijuana, the threshhold drug, and heroin, the vicious killer; and

WHEREAS, The La Crescenta Lions Club, under the tireless and devoted direction of pharmacist member, Eugene Wiggenhorn, inspired these editorials by the club sponsorship of 1957 narcotic control legislation; and

WHEREAS, The alarming increase of juvenile arrests for narcotic violations in California should give every citizen cause for deep concern; and

WHEREAS, Editor Don Carpenter's final editorial states so clearly:

> "Communism knows that America is the last great bastion of freedom; it is the only hope for a free and God-fearing world. Communism has reasoned that a frontal attack would not be successful. If America is to fall, she must be destroyed from within. The sale of dope to Americans has one major primary purpose—to weaken and thereby destroy. Young America has become the first objective of attack and the first line of defense. There could be no more dramatic battle than the battle against the dope traffic. There are spies and traitors and stooges and addicts and hijackers and degenerates on the side of dope. There

are fine American people on the other side—ministers, policemen, judges and legislators and federal agents and pharmacists and doctors and—most important, parents. No one person wants the credit for fighting dope and the crime that goes with it. No one person can do the job; it is a job for all. Let's get with it!"

now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature of California hereby commend the Ledger and its editor, Don Carpenter, for rendering extraordinary public service in the highest tradition of journalism; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Ledger and to its editor, Don Carpenter.

CHAPTER 21

Assembly Concurrent Resolution No. 20—Relative to the creation of the Joint Interim Committee on the Public Education System.

[Filed with Secretary of State April 7, 1958.]

WHEREAS, There is a universal interest of parents and other thoughtful adults in the content of the courses being taught today in the public schools; and

WHEREAS, In this modern competitive and technical society it is absolutely vital that a child receive a solid basic education if he is to enter any field of endeavor requiring higher education; and

WHEREAS, Over a period of years there has been a growing interest in the problems confronting the public schools of California and the extent of the knowledge gained by children during their elementary and high school years; and

WHEREAS, Enormous sums of money are being spent each year for the education of the youth of this State in an effort to provide them with a sound education and to give them the fundamental equipment to face a competitive world; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, As follows:

1. The Joint Interim Committee on the Public Education System is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the public schools of this State, including but not limited to a study of the curricula, textbooks and instructional materials employed in the public schools, the present teaching methods for instructing pupils, school finances and equipment, teaching personnel and administrative procedures, educational goals and administrative structure in the public schools. Such study shall also be

devoted to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature. including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Senate appointed by the Committee on Rules thereof, and seven Members of the Assembly, appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1959 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To appoint a citizens advisory commission consisting of not less than 15 persons who shall be selected in such a fashion that the interests of various groups throughout the State are represented on said commission to the fullest extent possible. The advisory commission shall assist and advise the Joint Interim Committee on the Public Education System in their deliberations on the subjects assigned to the committee for study.

6. The sum of fifty thousand dollars ($50,000) 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 committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent funds equally and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

CHAPTER 22

Assembly Concurrent Resolution No. 24—Relative to augmenting the funds of the Joint Interim Committee on Law Revision.

[Filed with Secretary of State April 7, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the sum of four hundred dollars ($400), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Assembly and Senate for the expenses of the Joint Interim Committee on Law Revision (created by Section 10301 of the Government Code) and its members and for any charges, expenses, or claims it may lawfully incur, 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 23

Assembly Joint Resolution No. 3—Relative to the University of California Band.

[Filed with Secretary of State April 7, 1958.]

WHEREAS, The University of California Marching Band has accepted an invitation to represent the United States at the forthcoming world's fair in Brussels, Belgium; and

WHEREAS, This 120-piece band under the able leadership of its director, Mr. James Berdahl, has become one of the leading collegiate groups of its kind in this Country; and

WHEREAS, A drive is now being conducted for voluntary donations to defray the expenses of the trip; and

WHEREAS, The purpose of the band's performance at the fair is to create good will for the United States, and the members will make every effort to put on a show that will be worthy of their reputation; 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 appropriate funds sufficient to pay the expenses of the Uni-

versity of California Marching Band on its forthcoming trip to Europe, or to pay the difference between the cost of the trip and the amount of funds received from voluntary donations; and be it further

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

CHAPTER 24

Assembly Concurrent Resolution No. 16—Relative to augmenting the funds of the Joint Interim Committee on Water Resources Development Problems.

[Filed with Secretary of State April 7, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Assembly and the Senate for the expenses of the Joint Interim Committee on Water Resources Development Problems (created by Assembly Concurrent Resolution No. 211, 1957 Regular Session) 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 25

Senate Concurrent Resolution No. 9—Relative to the accreditation of, and graduate instruction in engineering at, state colleges.

[Filed with Secretary of State April 7, 1958.]

WHEREAS, There has been and continues to be a serious shortage of engineers and this need is reflected in classified advertisements for engineers in the daily newspapers in California and in intensive recruiting for engineers, and the need is particularly acute for engineers with graduate degrees; and

WHEREAS, California has had an unprecedented growth of a type of industry in the electronics, missile, nuclear, and similar advanced technical fields which require an unusually large number of highly trained engineers, the ratio of engineers to technical personnel in some of these industries being as high as one to one; in the Santa Clara-San Mateo area, for

example, there are now over 80 firms engaged in development and manufacture of electronics equipment, and employment in that area in this type of industry has increased 33 percent in the past year; one firm in Santa Clara County is engaged in design and production of the Polaris missile; one such firm in Santa Clara County will have 3,000 engineers employed by the end of this year; and one firm doing business in California plans to recruit one-half of all recipients of M.S. and Ph.D. degrees in engineering and allied fields this year in the United States;

WHEREAS, The state colleges in response to the needs of California industry and their respective communities now give a high quality of engineering training at eight of the state colleges to over 4,700 students leading to a bachelor of science degree; and

WHEREAS, The State Board of Education has a policy of long standing which prohibits the state colleges from offering any graduate study in engineering, although graduate curricula in the master's degree have been approved for state colleges in such closely allied fields as nuclear physics, mathematics, chemistry, and electronics when included in physics; there are several major centers of this electronics, missile, and nuclear industry in California in areas served by state colleges which have a well-developed faculty and curricula in engineering, including San Diego and Santa Clara Counties; and

WHEREAS, These industries conduct extensive in-plant training programs at their expense in a wide range of subjects ranging from electric soldering technique to Ph.D. seminars in electronics; and

WHEREAS, Engineers employed in these industries benefit further by numerous extension courses of both the University of California and the state colleges, but there is a great need in this industry for graduate facilities in engineering leading to the master's degree; that this need cannot be satisfied by in-plant training or extension courses and is not now met by any institution of higher education in several of these key industry centers because of the aforesaid restrictions on the state colleges; that these problem areas include Santa Clara and San Diego Counties; and

WHEREAS, Recruiting for engineers for these California industries is conducted nationwide, but many graduating engineers with outstanding potentialities do not wish to work in an area where they will not have an opportunity to pursue an advanced degree at an institution of higher learning located nearby; that this situation has become so intense nationwide that over 11,208 engineers in the United States and Canada are taking evening courses for the M.S. degree in institutions accredited by the Engineers Council for Professional Development (E. C. P. D.) in the United States and Canada comprising 46.8 percent of all engineering enrollments for the M.S. degree in such institutions; and

WHEREAS, The pressure for engineers in electronics, missiles and nuclear fields is so great that engineers in these fields seeking graduate work at the master's level while employed, must do so if at all in the evenings and within commuting distance from their homes; it is only at the Ph D. level that appreciable numbers of such engineers are given leave of absence for attendance at a more distant institution; and

WHEREAS, In addition to the in-plant training conducted by these various industries they have repeatedly offered to contribute classroom space, instructors, and equipment to institutions of higher learning in these problem areas for the conduct of graduate education in engineering leading to the master's degree; and

WHEREAS, Due to the advanced state of the industry an increasing number of engineering students at the state colleges are in need of and qualified to do graduate work in engineering at the master's degree level and will not be able to get this education unless it is made available at certain of the state colleges; and

WHEREAS, The San Francisco Council of West Coast Electronics Manufacturers Association, representing 80 companies concentrated in San Mateo-San Jose area engaged in electronic development and manufacturing, has recommended that San Jose State College be permitted to apply for E. C. P. D. accreditation and to give graduate education in engineering at the master's degree level, and has also requested the University of California to provide off-campus graduate instruction in these fields in these problem areas to assist in meeting these urgent requirements of industry; and that the need in these fields is so great that immediate action by both the university and state colleges is required to meet the need; and

WHEREAS, The facts above outlined require immediate action by the State Board of Education to remove past restrictions on the state colleges in the engineering field and by the Regents of the University of California to extend the services of the University in this field; now therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State Board of Education is requested to take such action as may be appropriate to permit the several state colleges with departments in engineering to apply for E. C. P. D. accreditation and to consider and approve programs for graduate instruction in engineering leading to the master of science degree at those state colleges where the development of faculty and curricula and the needs of the students and of industry in the area demonstrate the need therefor; and in addition, the Regents of the University of California and the liaison committee are requested to exert all possible efforts to assist in the filling of the said needs for higher education in engineering; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the Director of Education, to each member of the State Board of Education, and to the secretary and each member of the Board of Regents of the University of California.

CHAPTER 26

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding Section 38 to Article IV thereof and by amending Section 16 of Article V thereof, relating to state and local government, authorizing the Legislature to enact laws for the preservation of government in the event of war or enemy-caused disaster, and providing for succession to the Office of Governor.

[Filed with Secretary of State April 8, 1958]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1958 First Extraordinary Session, commencing on the fourth day of March, 1958, two-thirds of all 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 Section 38 be added to Article IV thereof, to read:

SEC. 38. Nothing in this Constitution shall limit the power of the Legislature to provide by law at any time for:

(a) The filling of the offices of members of either house of the Legislature and Governor should the incumbent Governor or at least one-fifth of the incumbent members of either house of the Legislature as a result of a war or enemy-caused disaster occurring in the State of California be either killed, missing or so seriously injured as to be unable to perform their duties until said incumbent or incumbents are able to perform their duties or until successors are chosen.

(b) The convening of the Legislature into general or extraordinary session during or after a war or enemy-caused disaster occurring in this State, and to specify subjects that may be considered and acted upon at any such extraordinary session. At any such general session the Legislature may consider and act upon any subject within the scope of legislative regulation and control. Nothing in this Constitution limiting the length of general or budget sessions, or requiring a recess thereof, or restricting the introduction of bills shall apply to general sessions convened pursuant to this section.

(c) The calling and holding of elections to fill offices that are elective under this Constitution and which, as a result of

a war or enemy-caused disaster occurring in this State, are either vacant or are being filled by persons not elected thereto.

(d) The selection and changing from time to time of a temporary seat of government of this State, and of temporary county seats, to be used, if made necessary by enemy attack.

Second—That Section 16 of Article V thereof be amended to read:

SEC. 16. In case of vacancy in the Office of Governor the Lieutenant Governor shall become Governor and the last duly elected President pro Tempore of the Senate shall become Lieutenant Governor, for the residue of the term; but, if there be no such President pro Tempore of the Senate, the last duly elected Speaker of the Assembly shall become Lieutenant Governor for the residue of the term. In case of vacancy in the Office of Governor and in the Office of Lieutenant Governor, the last duly elected President pro Tempore of the Senate shall become Governor and the last duly elected Speaker of the Assembly shall become Lieutenant Governor, for the residue of the term; or if there be no President pro Tempore of the Senate, then the last duly elected Speaker of the Assembly shall become Governor for the residue of the term; or if there be none, then the Secretary of State; or if there be none, then the Attorney General; or if there be none, then the Treasurer; or if there be none, then the Controller; or if, as the result of a war or enemy-caused disaster, there be none, then such person designated as provided by law. If at the time this amendment takes effect a vacancy has occurred in the Office of Governor or in the Offices of Governor and Lieutenant Governor, within the term or terms thereof, the provisions of this section as amended by this amendment shall apply. In case of impeachment of the Governor or officer acting as Governor, his absence from the State, or his other temporary disability to discharge the powers and duties of office, then the powers and duties of the Office of Governor devolve upon the same officer as in the case of vacancy in the Office of Governor, but only until the disability shall cease.

In case of the death, disability or other failure to take office of the Governor-elect, whether occurring prior or subsequent to the returns of election, the Lieutenant Governor-elect shall act as Governor from the same time and in the same manner as provided for the Governor-elect and shall, in the case of death, be Governor for the full term or, in the case of disability or other failure to take office, shall act as Governor until the disability of the Governor-elect shall cease.

In case of the death, disability or other failure to take office of both the Governor-elect and the Lieutenant Governor-elect, the last duly elected President pro Tempore of the Senate, or in case of his death, disability, or other failure to take office, the last duly elected Speaker of the Assembly, or in case of his death, disability, or other failure to take office, the Secretary of State-elect, or in case of his death, disability, or other failure to take office, the Attorney General-elect, or in case of

his death, disability, or other failure to take office, the Treasurer-elect, or in case of his death, disability, or other failure to take office, the Controller-elect shall act as Governor from the same time and in the same manner as provided for the Governor-elect. Such person shall, in the case of death, be Governor for the full term or in the case of disability or other failure to take office shall act as Governor until the disability of the Governor-elect shall cease.

In any case in which a vacancy shall occur in the Office of Governor, and provision is not made in or pursuant to this Constitution for filling such vacancy, the senior deputy Secretary of State shall convene the Legislature by proclamation to meet within eight days after the occurrence of the vacancy in joint convention of both houses at an extraordinary session for the purpose of choosing a person to act as Governor until the office may be filled at the next general election appointed for election to the Office of Governor.

At such a session the Legislature may provide for the necessary expenses of the session and other matters incidental thereto.

CHAPTER 27

Assembly Joint Resolution No. 4—Relating to memorializing the Congress of the United States to enact legislation to extend the unemployment insurance benefit period, increase the benefit amounts, and make other necessary changes in the law to increase the effectiveness of the unemployment insurance program.

[Filed with Secretary of State April 8, 1958.]

WHEREAS, The economy of the Nation is currently undergoing an economic readjustment which has resulted in an increase in unemployment among the Nation's working population; and

WHEREAS, The unemployment insurance program was originally conceived as a means of alleviating the hardship of those who are temporarily unemployed; and

WHEREAS, In the present economic situation this 26-week benefit period is resulting in the exhaustion of benefit entitlement for an increasing number of workers at a time when it is important to maintain purchasing power and production at high levels; and

WHEREAS, The President of the United States, in a special message issued on March 25, 1958, has recommended that Congress enact legislation to extend the unemployment insurance benefit period and thus provide additional benefit amounts through federal assistance; and

WHEREAS, Legislation has been introduced in the Eighty-fifth Congress by a number of distinguished members thereof to this same end; 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 to provide emergency benefits to supplement unemployment insurance benefits substantially beyond the present 26-week benefit period, such supplemental benefits to be financed by a grant of federal funds; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to the President and Vice President of the United States, and to each member of the Congress of the United States representing the State of California.

CHAPTER 28

Assembly Concurrent Resolution No. 32—Relative to the American Pharmaceutical Association.

[Filed with Secretary of State April 8, 1958]

WHEREAS, The Members of the Legislature of the State of California were sincerely pleased to learn that the American Pharmaceutical Association will hold its 105th convention in Los Angeles, California, during the week of April 20, 1958; and

WHEREAS, Organized in 1852, the American Pharmaceutical Association is the oldest organization of its kind in this Country; and

WHEREAS, The purpose of the association is to advance the science and art of pharmacy and to improve the standards of pharmaceutical practice; and

WHEREAS, It has an active membership in excess of 16,000 members, branches in virtually every state, and 73 student branches in the 74 colleges and universities in the United States which have schools of pharmacy; and

WHEREAS, The American Pharmaceutical Association is to be commended upon its long and illustrious history and is to be congratulated upon its forthcoming 105th convention; 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 welcome the American Pharmaceutical Association and its members and extend to them best wishes for an enjoyable and successful 105th convention in Los Angeles, California; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the American Pharmaceutical Association, 2215 Constitution Avenue, N.W., Washington, D. C.

CHAPTER 29

Senate Concurrent Resolution No. 10—Relative to the "America Safety Good Turn Program" of the Boy Scouts of America.

[Filed with Secretary of State April 8, 1958]

WHEREAS, Traffic accidents continue to increase on highways throughout the Nation resulting in great loss of life, injury to persons, and financial losses running into the billions of dollars; and

WHEREAS, Approximately 10 percent of the deaths, injuries and financial losses occur on California streets and highways; and

WHEREAS, The Boy Scouts of America have undertaken the "America Safety Good Turn Program" as their major 1958 project; and

WHEREAS, A major portion of this program will be devoted to highway safety; and

WHEREAS, The Boy Scouts plan to visit every California home and family in the fall of 1958 with a highway safety message; and

WHEREAS, The Department of Motor Vehicles of the State of California has a prime responsibility in keeping the California motorist informed on safe driving practices and accident prevention measures; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Motor Vehicles is urged to take an active part in this program and give such assistance as is necessary to assure its success; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Governor, the Department of Motor Vehicles and the California Executive Council of the Boy Scouts of America.

CHAPTER 30

Assembly Concurrent Resolution No. 15—Relative to the compiling, publishing, and distribution of the official State Roster.

[Filed with Secretary of State April 9, 1958]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Secretary of State compile and publish eight thousand (8,000) copies of the official roster of the state and local public officials of California for distribution singly and free of charge to Members of the Legislature of the State of California and to any person upon request therefore, the cost thereof, not to exceed three thousand five hundred dollars ($3,500) payable from the Legislative Printing Fund.

CHAPTER 31

Assembly Concurrent Resolution No. 33—Commending the Institute on Government sponsored by the California State Employees Association.

[Filed with Secretary of State April 9, 1958.]

WHEREAS, The Institute on Government sponsored by the California State Employees Association in co-operation with state, federal, city and county employees has become an outstanding example of the conscientious effort of such employees to improve their services to the public; and

WHEREAS, In addition to the annual institute held in Sacramento, similar institutes are now held annually in San Francisco, Los Angeles, and San Diego; and

WHEREAS, The general purpose of the Institute on Government is to assist employees in the public service to perform their work in a more satisfactory manner and with credit to their agency and themselves; and

WHEREAS, In accomplishing this goal, the institute becomes a means of stimulating the interest of employees in the functions and importance of public service and of helping them to fulfill to the best of their abilities the responsibilities and the trust attached to positions in public service; and

WHEREAS, Closely related to these goals is the endeavor to impress upon the individual employee the importance of his conscientious and sincere participation in the business of good government; and

WHEREAS, The immediate objective of the institute is twofold; namely, to provide opportunity for all employees in public service in California to increase their efficiency in performing their jobs, and to develop their understanding of public service work; and

WHEREAS, The voluntary participation in such institutes by such capacity crowds of state employees on their own time in the attainment of such objectives is worthy of public recognition; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature heartily congratulates the California State Employees Association on the outstanding success of its Institute on Government; commends most highly the principles of improvement in public service which is fostered and encouraged by such institutes; and extends its best wishes to the continued success of the Institute on Government and all other activities of the C. S. E. A. which are designed to contribute to a better government; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Carl M. Yost, President of the California State Employees Association, and to Samuel G. Hanson, General Manager.

CHAPTER 32

Assembly Concurrent Resolution No. 35—Relative to the death of W. C. Handy.

[Filed with Secretary of State April 9, 1958.]

WHEREAS, The Members of the Legislature of the State of California desire, hereby, to pay homage to the memory of W. C. Handy, eminent composer of the immortal "St. Louis Blues"; and

WHEREAS, Other classics among some 60 blues melodies Handy composed during his lifetime include "Memphis Blues" and "Beale Street Blues," the latter named for the famous street in Memphis; and

WHEREAS, He was the man who drew from the great well of the folk music of our Nation and shaped it into the syncopated tempo of the blues; and

WHEREAS, He based his blues composition on "looking life straight in the face * * * and finding something wonderful wherever" he was, in southern streets, southern railroad yards, and southern factories; and

WHEREAS, This man, despite failing eyesight throughout his life, saw music "in the ripple of a brook, the sigh of the wind in the trees," and brought pleasure and inspiration into the lives of others; and

WHEREAS, His songs have truly placed his name among composers who are called America's immortals; 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 pay tribute to the memory of one of America's greatest song writers, W. C. Handy.

CHAPTER 33

Assembly Joint Resolution No. 5—Relative to discrimination in employment.

[Filed with Secretary of State April 10, 1958.]

WHEREAS, There is widespread discrimination against older workers in our economy; and

WHEREAS, This discrimination works particular hardships upon thousands of older workers during times of recession such as we are presently suffering from; and

WHEREAS, This discrimination represents a vast waste of qualified manpower and talent; and

WHEREAS, This discrimination tends to violate the dignity of older workers and reduce them to the status of second-class citizens; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President, the Government Contract Committee, and the President's Committee on Government Employment Policy to take appropriate action to prevent discrimination in employment because of age; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President of the United States, to the Government Contract Committee, to the President's Committee on Government Employment Policy, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 34

Assembly Concurrent Resolution No. 38—Relative to the commendation and congratulation of Edgar L. Buttner.

[Filed with Secretary of State April 10, 1958]

WHEREAS, The distinguished career of Edgar L. Buttner, a native of San Francisco, has recently come to the attention of the Assembly of the State of California; and

WHEREAS, Edgar L. Buttner's activities in the fields of business and engineering, state service and civic responsibility have won for him the admiration and respect of the people throughout the State of California as well as in the Bay area; and

WHEREAS, The accomplishments of Edgar L. Buttner may be briefly summarized as follows:

He served as a pilot during World War I after which he returned to graduate from the University of California with an engineering degree,

He founded, with W. E. Scott, the Scott-Buttner Electrical Company of Oakland which has grown until it is presently recognized as one of the West Coast's principal electrical contracting firms,

His major electrical engineering projects have included the Naval Research Base at Inyokern, work for the Atomic Energy Commission at Richland, Washington, the United Airline Maintenance Base at San Francisco and the Oak Knoll Naval Base Hospital, Oakland,

He was appointed to the State Contractors' License Board by Governor Earl Warren in 1951 and served as chairman of the board in 1955 and 1956,

He has participated actively in Oakland civic life including the holding of important posts in the Oakland Chamber of Commerce, California College of Arts and Crafts, Oakland Boys Clubs and the Salvation Army,

He has further demonstrated his outstanding abilities and leadership qualities by his work in connection with the North-

ern California Electric Bureau, the Piedmont Men's Club, the National Electrical Contractors Association and the Oakland Businessmen's Garden Club; and

WHEREAS, Edgar L. Buttner continues to be one of our State's outstanding citizens; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature take this opportunity to commend Edgar L. Buttner and congratulate him on his outstanding career; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mr. Edgar L. Buttner.

CHAPTER 35

Assembly Concurrent Resolution No. 25—Relative to the continuation of the experimental program of establishment of roadside rests.

[Filed with Secretary of State April 10, 1958.]

WHEREAS, The Legislature, in Item 405 of the Budget Act of 1956, appropriated four hundred fifty thousand dollars ($450,000) from the State Park Fund for the acquisition of sites, construction, improvements, and equipment for a system of roadside rests; and

WHEREAS, In 1957 the Legislature added Article 7 (commencing at Section 5080) to Chapter 1 of Division 5 of the Public Resources Code to provide for a program of establishment of roadside rests, to be administered by the Division of Beaches and Parks of the Department of Natural Resources in accordance with policies established by the State Park Commission; and

WHEREAS, It was expressly declared in this law that it was the intent of the Legislature that the locating, constructing, equipping, and maintaining of roadside rests be instituted on a statewide experimental basis with minimum equipment and facilities, other equipment and facilities to be added to existing rests and included in new construction when and to the extent it is justified by experience; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the State Park Commission and the Division of Beaches and Parks of the Department of Natural Resources be requested to continue the expenditure of the funds appropriated by Item 405 of the Budget Act of 1956 for the purpose of continuing the statewide experimental program as provided in the 1957 legislation, establishing roadside rests with minimum equipment and facilities to the extent that funds are available to the commission and the division to operate and maintain such additional roadside rests; and be it further

Resolved, That the Assembly Interim Committee on Conservation, Planning, and Public Works be directed to conduct a thorough investigation and study of the entire program of establishment of roadside rests throughout the State and to report thereon to the Legislature in January of 1959 in order that the Legislature may make the necessary appropriations of funds required to continue the program of establishment of roadside rests throughout the State; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the Governor of the State of California, the Chairman of the State Park Commission, the Director of Natural Resources, the Chief of the Division of Beaches and Parks, and the Director of Public Works.

CHAPTER 36

Senate Joint Resolution No. 3—Relative to the school lunch program.

[Filed with Secretary of State April 10, 1958.]

WHEREAS, The school lunch program today faces a serious curtailment as a result of changing conditions; and

WHEREAS, The reduction in crop surpluses with the accompanying decrease in surplus foods available to school cafeterias has forced the school districts to buy on the climbing open market; and

WHEREAS, The federal subsidy has dropped from nine cents a plate in 1946 to only four cents today in California because more children are participating in the program; and

WHEREAS, Raising lunch prices to make up the losses forces away children whose families are receiving less and less take home pay; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes Congress to increase its appropriation to the federal school lunch program so that the schools may continue to offer the high quality low cost lunches which they have in the past; 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 37

Senate Joint Resolution No. 4—Relative to air service to City of Yreka.

[Filed with Secretary of State April 10, 1958]

WHEREAS, It has come to the attention of the Legislature of the State of California that Pacific Airlines (formerly Southwest Airways) has applied to the Civil Aeronautics Board for permission to discontinue its air service to the City of Yreka; and

WHEREAS, This service is of great importance to the people of this State as the most convenient and rapid means of access to the City of Yreka and its environs; and

WHEREAS, A hearing on this application is scheduled to be held in Sacramento, California, on May 12, 1958 (case Docket No. 9251); 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 Civil Aeronautics Board to give careful consideration to the air transportation needs of the people of California as well as the residents of the City of Yreka and its environs in considering the petition of Pacific Airways to discontinue air service to the City of Yreka, California; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit a copy of this resolution to the Civil Aeronautics Board.

CHAPTER 38

Senate Joint Resolution No. 5—Relative to expanding the federal construction program.

[Filed with Secretary of State April 10, 1958]

WHEREAS, A subcommittee of the Committee on Interior and Insular Affairs of the United States Senate will meet on March 31, 1958, to consider ways and means of expanding the program for the construction of reclamation projects; and

WHEREAS, There are, at the present time, projects within the State of California upon which construction can and should proceed in the immediate future; and

WHEREAS, The expediting of said projects will assist in achieving the objective sought in expanding a federal construction program to enhance the economic welfare of the United States; and

WHEREAS, Among said projects which should and can be constructed in the immediate future are the following:

Auburn Dam Project

Folsom South Canal Project

Yolo Zamora Project
Nashville Dam Project
Any additional project or projects for which studies have been completed or can be completed to the point that their construction can be commenced before April 1, 1962;

and

WHEREAS, Said projects are vitally needed for water conservation and flood control within this State; now, therefore, be it

Resolved, by the Senate and the Assembly of the State of California jointly, That the Congress of the United States is respectfully memorialized to provide authorization, in any expanded federal reclamation construction program, for the early construction of the following projects:

Auburn Dam Project
Folsom South Canal Project
Yolo Zamora Project
Nashville Dam Project
Any additional project or projects for which studies have been completed or can be completed to the point that their construction can be commenced before April 1, 1962;

and urges the Congress of the United States to enact legislation to accomplish this objective; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Honorable Clinton Anderson, Chairman of the Subcommittee of the United States Senate Committee on Interior and Insular Affairs, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 39

Assembly Concurrent Resolution No. 13—Relative to the retirement of Assemblyman Albert I. Stewart.

[Filed with Secretary of State April 14, 1958]

WHEREAS, Assemblyman Albert I. Stewart has announced his intention to retire from the Legislature on the expiration of his present term after 14 years of continuous service; and

WHEREAS, During eight of those years he was Chairman of the Committee on Governmental Efficiency and Economy which under his capable leadership sponsored much constructive and progressive legislation, including the badly needed smog prevention program; and

WHEREAS, In addition to his distinguished record as a legislator he has been a director of the Department of Professional and Vocational Standards, public relations counsel for the Civil Defense Program, has served as mayor as well as a member

for 18 years of the Board of City Directors of Pasadena, and was a director of the League of California Cities for 12 years and formerly president of that organization; and

WHEREAS, In the field of private industry he has built an enviable reputation as an organizer and general superintendent of the nationwide Safeway chain of stores; and

WHEREAS, These impressive accomplishments were achieved despite physical incapacities which necessitated a change in the plans for his entire life and would easily have discouraged a lesser man; and

WHEREAS, His wisdom and integrity, his patience and good nature, and his kindliness and gentle humor have endeared him not only to his fellow Assemblymen but to all who have known and worked with him, and his absence will be keenly felt in the coming sessions of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members take this occasion to express their gratitude and appreciation for the invaluable services rendered the State by Albert I. Stewart, to extend to him a fond and affectionate farewell, and to wish him many years of good health and happiness in his forthcoming retirement; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably engrossed copies of this resolution to Albert I. Stewart, his wife, Laura Fiske Stewart, and his son, Harold Stewart.

CHAPTER 40

Assembly Concurrent Resolution No. 31—Relative to Assemblyman Donald D. Doyle.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, The Members of the Legislature have learned that Assemblyman Donald D. Doyle representing Contra Costa County, the Tenth Assembly District, has announced his intention not to run for re-election to the State Assembly; and

WHEREAS, Donald D Doyle was born in Dinuba, California, in 1915, grew up as one of a family of 10 children on a small farm near Sanger, where he attended high school, and, after attending Fresno State College, Mr. Doyle began his service to his State and Country as a United States Marine in World War II; and

WHEREAS, Mr. Doyle was first elected to the Assembly out of a field of eight in 1952, and, during his first session in the Legislature, authored 14 bills, 13 of which were signed by Governor Warren; and

WHEREAS, He was re-elected in 1954, and again in 1956, and, at present, in addition to being Chairman of the Assembly Committee on Education, he is Vice Chairman of the Joint

Committee on School Visitations and a member of the Conservation, Planning, and Public Works, the Finance and Insurance, the Public Utilities and Corporations Committees, and the State Allocation Board; and

WHEREAS, During his six years of service in the Assembly, he has worked tirelessly for better education facilities in the interest of the children of the State of California; and

WHEREAS, Mr. Doyle is a recognized leader in the Legislature and is considered responsible for increasing freeway construction, an accelerated highway building program, plans for future rapid transit systems, flood control aid, expanding mental health services, creation of a California Commission on Drug Addiction, increasing unemployment insurance benefits, welfare plans for civil service workers, guaranteeing teachers freedom to conduct off-duty political activity, improved teacher retirement benefits, child care centers, a scholarship program for needy students, and improved efficiency measures in education; and

WHEREAS, In recognition of his outstanding legislative ability, he was voted by the Capital Correspondents Association one of California's 10 top legislators and was named "Layman of the Year" by the California Business Educators Association; and

WHEREAS, He was a member of the Governor's Conference and President Eisenhower's White House Conference on Education; and

WHEREAS, He was awarded an Honorary Life Membership in the California Congress of Parent and Teachers, Inc. and an Honorary Membership in the California Association of Secondary School Administrators; and

WHEREAS, Mr. Doyle is an active participant in community affairs and service groups, as Chairman of the Contra Costa County March of Dimes, Past Vice President of the National Safety Council, and as a member of the Athens Club, Elks, Moose, Lions' Club, Dads' Club, Lafayette Improvement Club, the Committees Association of Contra Costa County, Castlewood Golf and Country Club, the Scottish-Rite Bodies in Oakland, and Aahmes Temple of the Shrine; and

WHEREAS, His business activities include a successful partnership in the firm of Cross and Doyle, General Insurance Brokers, in Oakland for the past 15 years; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature congratulate Donald D. Doyle on his distinguished career as a legislator and express their sincere wishes for his future success; and be it further

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

CHAPTER 41

Assembly Concurrent Resolution No. 37—Relative to Assemblyman Roy J. Nielsen.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, One of California's senior statesmen, Roy J. Nielsen, is retiring from the Assembly at the end of his present term; and

WHEREAS, Roy has served the people of Sacramento in public office continuously for 34 years, commencing in 1924 when he was first elected to the State Legislature; and

WHEREAS, After 12 years as an Assemblyman, Roy was elected to the Senate where he remained until he became a councilman for the City of Sacramento in 1940; and

WHEREAS, After 12 years in that position Roy again was returned to the State Assembly, which office he has continued to hold until the present time; and

WHEREAS, Over the period of his long career, he has gained a richly deserved reputation as a legislator of ability, integrity and foresight, guided always by his sincere interest in the welfare and prosperity of the people whom he represents; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members take this opportunity to bid a fond farewell to Roy J. Nielsen, a conscientious and truly dedicated public servant, a distinguished and exceptionally capable legislator, and above all a kind, considerate gentleman and humanitarian; 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. Nielsen.

CHAPTER 42

Assembly Concurrent Resolution No. 39—Commending the Rancheros Visitadores.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, It was in the spring of 1930 that the colorful trail-riding band known as Los Rancheros Visitadores was formally organized at Juan y Lolita on the third day of the first trek; and

WHEREAS, This group of modern day businessmen assembles for one week each spring to ride the range together and in the pleasures of the campfire, the barbecue, and the wholesome outdoor life, to shrug off the cares of the long year past; and

WHEREAS, They follow in the tradition of the early day rancheros who met in the spring of the year for mutual assistance with the roundups and cattle branding and who looked

forward to the annual chore as a festive occasion for celebrating and renewing old friendships around the chuckwagon; and

WHEREAS, This band which started with 90 rancheros, now has members in almost every state in the Union, in France, Canada, Mexico, and Hawaii, and has become so popular that it was necessary to divide the members into smaller camping units in order to accommodate them all on their annual treks; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members congratulate Los Rancheros Visitadores and their founding member and leader —John J. Mitchell, as well as their present officers, George J. O'Brien, Joe D. Paxton, Homer C. Thompson, Hobart O. Skofield, Horace W. Rupp and Laurence W. Lane, Sr., and members of the Board of Directors, Elmer M. Awl, Dick Dickson, Paul Grafe, Charles H. Jackson, Jr., Laurence W. Lane, Sr., Edward C. Maxwell, John J. Mitchell, George J. O'Brien, Thomas M. Parks, Joe D. Paxton, and John E. Porter, on their fine organization and hope that they continue for many years to carry on the traditions and way of life of the early California range; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to John J. Mitchell and the above-named officers and directors of Rancheros Visitadores.

CHAPTER 43

Assembly Concurrent Resolution No. 41—Relative to congratulating the Paulist Fathers on the occasion of the 100th anniversary of the establishment of the Society of Missionary Priests of St. Paul the Apostle.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, It has come to the attention of the Legislature of the State of California that the Society of Missionary Priests of St. Paul the Apostle will celebrate the 100th anniversary of its founding during the week of June 8th to 15th, 1958; and

WHEREAS, The society came into existence on June 7, 1858, in New York City, when the founder, Father Isaac Thomas Hecker, obtained approval of the program of rule which he had prepared following the receipt of authorization from Pope Pius IX to found the new society, the first American religious community of priests; and

WHEREAS, The Society of Missionary Priests of St. Paul the Apostle is a convert apostulate and was founded in America by American priests and was dedicated principally to bringing the teachings of Christ to those people of the United States outside of the fold of the Church; and

WHEREAS, From the early modest beginnings in New York City when the first parish, the Church of St. Paul the Apostle at 59th Street and Columbus Avenue, which continues to this day as the mother church and headquarters of the society, was joined with the first foundation, the society through the dedicated and religious efforts of the Paulist Fathers has expanded the area of its great and beneficial influence in behalf of all mankind to many places in the United States, Canada, Italy, and South Africa; and

WHEREAS, The work of the Paulist Fathers in teaching the words and works of Christ has everywhere contributed not only to the strength and glory of the Church itself, but to the enhancement of understanding and tolerance among all peoples; and

WHEREAS, The Paulist Fathers are noted for wielding their missionary talent in as variable a fashion as the times require, and have engaged in work such as publication of the Paulist Press, the Catholic World, and Information, all noted and outstanding religious publications, the establishment and conduct of information centers open to the passerby of whatever creed or religion in major cities throughout North America, the staffing and conduct of many of the famed Newman Foundations at institutions of higher learning, as well as the establishment and conduct of many parishes and missions and numerous other enterprises all dedicated to the teaching of the tenets of their faith; and

WHEREAS, The Paulist Fathers first appeared in California in 1875, when the first mission group arrived in San Francisco to establish a mission in Old Saint Mary's Cathedral from which missionary work was carried on throughout other areas of the State; following which, in 1894, the society took over the historic Old Saint Mary's Church which became and remains today, by virtue of the courage and unstinting efforts of the Paulist Fathers, a leading center of religious culture in the West; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Society of Missionary Priests of St. Paul the Apostle is congratulated and commended upon the 100th anniversary of its existence and for the outstanding work it has done for the betterment of mankind everywhere; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the pastor of Old Saint Mary's Church in San Francisco, and to the pastor of the Church of St. Paul the Apostle in New York City.

CHAPTER 44

Senate Joint Resolution No. 7—Relative to the completion of the Corning Canal, and construction of the Red Bluff Diversion Dam.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, The number of unemployed people in the United States has been increasing at an alarming rate with a result that the State and Federal Governments are considering worthwhile public works projects to stimulate a greater employment and provide new jobs; and

WHEREAS, There is general agreement that some public works program should be initiated in addition to any possible tax cuts which, of course, would not assist those persons soon enough who are without employment, and also it is agreed that any public works program should be one which would be as beneficial as possible to the long-range economy of the Nation; and

WHEREAS, It has been proven over a number of years that water development projects and reclamation projects generally are wealth-producing projects on which the bulk of the costs are repaid by the beneficiaries of the projects, while at the same time, they create more irrigated farms, more homes, and more job opportunities; and

WHEREAS, Congress of the United States has authorized the construction of the Red Bluff Diversion Dam, the Corning Canal and the Red Bluff-Dunnigan Canals of the Sacramento Valley Canals Unit of the C. V. P., and the Congress has appropriated considerable sums of money which have been spent on the construction of the Corning Canal, which is incomplete, and has appropriated further sums to finish construction; and

WHEREAS, This project will furnish additional water which will be used to produce beef and lamb and specialty crops which are in short supply and which are being imported into the United States in the form of frozen precut meat causing unemployment among American workmen; and

WHEREAS, The projects would complement the State of California's efforts to meet the water requirements of California's rapidly expanding population and solve the water supply problem for the west side of the Sacramento Valley in California; 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 to order that construction contracts be let within 30 days for the completion of the Corning Canal and within 60 days to commence construction of the Red Bluff Diversion Dam, and that the Congress of the United States appropriate such sums as are necessary to complete construction of the Corning Canal, the Red Bluff Diver-

sion Dam and the Red Bluff-Dunnigan Canal; 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; to each Senator and Representative from California in the Congress of the United States; to W. A. Dexheimer, Commissioner of Reclamation; to Harvey O. Banks, Director of Water Resources of the State of California.

CHAPTER 45

Senate Joint Resolution No. 8—Relative to providing San Benito, Santa Cruz and Monterey Counties with a supply of water from the Central Valley Project.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, The anticipated increase in population and in industrial development in the area comprising the Counties of San Benito, Santa Cruz and Monterey, together with the intense agricultural activity now existing in that area, will combine increasingly to tax existing water supplies of the region; and

WHEREAS, At present the watersheds of San Benito, Santa Cruz and Monterey Counties are virtually the sole source of the water supply for the region; and

WHEREAS, To meet the desperate water needs of this region, it is necessary that the most feasible plan to obtain an additional supply of water be determined with the least possible delay; and

WHEREAS, It may prove advantageous to San Benito, Santa Cruz and Monterey Counties to have an alternative choice to the service contemplated by the California Water Plan; and

WHEREAS, Lack of a report made by the Secretary of the Interior, through the Bureau of Reclamation, on the feasibility of serving San Benito, Santa Cruz and Monterey Counties with water from the Central Valley Project or the San Luis Project, or both, may preclude the possibility of congressional authorization of a federal reclamation project to serve the area; and

WHEREAS, Lack of congressional authorization of a federal reclamation project to serve San Benito, Santa Cruz and Monterey Counties with water from the Central Valley Project or the San Luis Project, or both, would deny citizens of the area an alternative choice of the service contemplated by the 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 Congress of the United States and the Secretary of the Interior, through the Bureau of

Reclamation, to take such action as may be necessary to conduct and complete with least possible delay the necessary investigations, surveys and studies for the purpose of providing plans and feasibility reports to furnish a supply of water from the Central Valley Project or the San Luis Project, or both, to San Benito, Santa Cruz and Monterey Counties, all generally in keeping with Section 2 of the Act of October 14, 1949 (63 Stat. 852) authorizing the American River Division Central Valley Project; 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, and to the United States Bureau of Reclamation.

CHAPTER 46

Senate Concurrent Resolution No. 11—Relative to congratulating Sheriff E. W. Biscailuz.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, It has come to the attention of the Members of this Legislature that Sheriff E. W. "Gene" Biscailuz is retiring after over half a century of exceptional service to Los Angeles County; and

WHEREAS, Gene Biscailuz began his long and illustrious career with the Sheriff's Department on January 7, 1907, when the office was composed of only 27 members; and

WHEREAS, As an undersheriff Gene rendered outstanding service and displayed unparalleled devotion to duty, which attributes earned for him the reputation of being one of the most capable law enforcement officers in the Nation; and

WHEREAS, In recognition of his ability, his foresight, and his competence, the people of Los Angeles County in 1934 elected Gene to the position of sheriff and have continually re-elected him by an ever-increasing majority; and

WHEREAS, Under his skilled direction the Sheriff's Department has become a model of efficiency and modernization, ever-ready to serve the needs of an expanding population; and

WHEREAS, By personal example and outstanding efforts he has championed the attainment of ever-higher standards in law enforcement work; and

WHEREAS, It is proper that Gene Biscailuz be honored by this Legislature, which represents the people of the State of California who have benefited and will continue to benefit from the fruits of his years of vision and labor; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Members of the Legis-

lature congratulate Sheriff Biscailuz on his retirement and extend to him best wishes for success in his future endeavors; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit a copy of this resolution to Sheriff E. W. Biscailuz.

CHAPTER 47

Senate Joint Resolution No. 6—Relating to the economics of disarmament.

[Filed with Secretary of State April 15, 1958.]

WHEREAS, The economic well-being of California is, in part, dependent upon federal expenditures for national defense, which involve thousands of California jobholders and billions of dollars; and

WHEREAS, A special study prepared for the Southern California Research Council revealed that a 50 percent cut in defense spending could result in layoffs of 120,000 people in Southern California alone; and

WHEREAS, The United States seeks multilateral disarmament agreements with all countries of the world in order to create a world free of the fear of atomic holocaust; and

WHEREAS, Such agreements could involve a substantial decrease in federal defense expenditures; and

WHEREAS, Such decreases could seriously affect the economic stability of areas heavily relying upon defense industry and could result in the loss of thousands of jobs; now, therefore, be it

Resolved by the Senate of the State of California, and the Assembly jointly, That the Congress of the United States is respectfully memorialized to enact such legislation as is necessary to provide for a series of studies through appropriate federal agencies, in co-operation with state and local governments, private industry, and labor, of the economic problems of disarmament, including a consideration of the following:

1. The impact of defense industry upon specific heavily populated local areas throughout the State of California, where such industries constitute a substantial part of economic activity. Such a study should include information as to the numbers of people directly involved in such defense industries, the geographic distribution of such industries and a consideration of ways and means of encouraging the development of nondefense industry and the reconversion of defense to nondefense industry.

2. Ways and means of providing federal aid to areas depressed by a reduction in defense expenditures, including the possible relinquishment of federal taxes in favor of state and local taxes, the strengthening of government employment services and unemployment compensation systems, and the

possible methods for retraining or relocating workers facing major readjustments.

3. Ways and means whereby federal, state and local governments can co-operate in the joint solution of economic dislocations caused by a reduction in defense expenditures; and be it further

Resolved, That the Secretary of the Senate is directed to send suitably prepared 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 member of the Congress of the United States representing the State of California.

CHAPTER 48

Senate Concurrent Resolution No. 12—Relative to the expenses of the legislator members of the Fairs Classification Committee.

[Filed with Secretary of State April 15, 1958.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the sum of one thousand dollars ($1,000) 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 legislator members of the Fairs Classification Committee (created by Section 92.7 of the Agricultural Code) and for any charges, expenses or claims they may lawfully incur, to be paid from said contingent funds equally and disbursed after certification by either the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, upon warrants drawn by the State Controller on the State Treasurer.

CHAPTER 49

Senate Concurrent Resolution No. 13—Relative to commending and recognizing Alta Sims Bunker for her leadership in public recreation in California.

[Filed with Secretary of State April 15, 1958.]

WHEREAS, The retirement of Alta Sims Bunker from her employment as executive director of program for the Recreation Department of the City of Oakland since 1947, has been brought to the attention of the Legislature of the State of California; and

WHEREAS, Alta Sims Bunker, a resident of Oakland, was born in California, attended the public schools of San Jose, studied at San Jose State College and the University of California, and taught in the public schools of Niles and Oakland, California; and

WHEREAS, She was employed in 1921 by the Recreation Department of the City of Oakland as supervisor of girls' and women's activities and later became general supervisor; and she was employed in 1936 by the Recreation Department of the City and County of San Francisco where she supervised recreation activities on school playgrounds and co-ordinated recreation programs for thousands of newcomers who were living in wartime and permanent public housing projects; and

WHEREAS, Alta Sims Bunker has been a trailblazer in the public recreation movement for almost four decades, 1919 to 1957, during which time California has become known as outstanding in the Nation in the provision of local and state recreation services to the people of the State; and

WHEREAS, Her pioneering endeavors have helped to establish municipal resident family camps; day camps for children, physically handicapped persons; recreation programs for senior citizens; and effective methods for accepting and supervising graduate internees from schools of recreation, education and social welfare; and

WHEREAS, She has been a guide, counselor and friend to hundreds of young recreation leaders starting out in a new profession; and

WHEREAS, Her professional colleagues and friends have established the Alta Sims Bunker Recreation Scholarship Fund to honor her and to foster the professional preparation of recreation personnel by assisting college and university students who have chosen to serve people through recreation leadership; 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 extend its deep appreciation and commendation to Alta Sims Bunker for her leadership in the public recreation movement in California and convey to her its heartiest wishes for her continued happiness during her forthcoming years of activity; and be it further

Resolved, That the Secretary of the Senate is directed to have a suitable copy of this resolution prepared for presentation to Alta Sims Bunker and her husband, Harry Bunker.

CHAPTER 50

Senate Concurrent Resolution No. 15—Relative to the tenth anniversary of the founding of the Industrial Relations Center at Loyola University of Los Angeles.

[Filed with Secretary of State April 15, 1958]

WHEREAS, Over the past half century, the intricacies of the business of producing and supplying the needs and desires of the world have increased to a frightening degree; and

WHEREAS, Experience acquired in the process of producing and supplying these needs and desires has led to the realiza-

tion that there is necessary a high degree of co-operation between the two groups of persons whose names have become synonymous with the process, namely, management and labor; and

WHEREAS, It has become apparent that the full realization of the potential of the industries of America and of California require an industrial peace and harmony that can be acquired only through a well-rounded and mutual understanding of the problems of management and labor; and

WHEREAS, Through the efforts of farsighted men foreseeing the need for this high degree of co-operation, and realizing that a failure to achieve such union would result in industrial and economic chaos, there was established 10 years ago, at Loyola University of Los Angeles, an industrial relations center; and

WHEREAS, The purpose of the Loyola Industrial Relations Center has been threefold: to teach and stress sound American principles applicable to labor and management; to impress upon supervisors, foremen and labor their social responsibilities implied in the day-to-day applications of these principles; and to train and equip supervisors, foremen and working people to use intelligently and to diffuse effectively sound moral and economic principles; and

WHEREAS, Rev. William J. McIntosh of the Society of Jesus, during the past 10 years, has been in charge of this center, which is conducted as a public service and dedicated to improving the relationship between management and labor, through education, devotion and justice; and

WHEREAS, Those persons—over 5,500 in all ranks of management and labor—who have availed themselves of the services of this center are now representing their respective groups at the conference tables of industrial negotiations, and, because of the knowledge and experience acquired through the attendance at the Industrial Relations Center of Loyola University of Los Angeles, are contributing their efforts, learning and devotion towards attaining industrial peace 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 of California does hereby express its deep appreciation to Rev. William J. McIntosh, S.J., for his devoted and able administration, and to Loyola University and the Loyola Industrial Relations Center for the public service it is rendering, its congratulations on the anniversary of the tenth year of the performance of this service, and its hope for continued success and achievement; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to Rev William J. McIntosh, S.J.

CHAPTER 51

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 19.5 to Article XVI thereof, relating to state construction bonds.

[Filed with Secretary of State April 16, 1958]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1958 First Extraordinary Session commencing on the fourth day of March, 1958, 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 Section 19.5 be added to Article XVI of the Constitution of the State, to read:

SEC. 19.5. The issuance and sale of bonds of the State of California in the sum of two hundred million dollars ($200,000,000) and the use and disposition of the proceeds of the sale of said bonds, all as provided in the State Construction Program Bond Act of 1958 authorizing the issuance and sale of bonds for the purpose of providing a fund to be used to carry out the state construction program contemplated by that act, is hereby authorized and directed, and the State Construction Program Bond Act of 1958 is hereby approved, adopted, legalized, validated and made fully and completely effective. Nothing in this Constitution shall invalidate or restrict the provisions of this section, nor shall this section prevent amendments to the State Construction Program Bond Act of 1958 which are germane to the subject thereof; provided, such amendments do not increase the sum of the bonds herein authorized to be issued and sold nor utilize the proceeds thereof for purposes not related to the construction program generally described therein.

CHAPTER 52

Assembly Concurrent Resolution No. 48—Relative to commending and congratulating Robert A. Heffner.

[Filed with Secretary of State April 16, 1958]

WHEREAS, The Legislature of the State of California has learned of the recent retirement of Robert A. Heffner of Los Angeles from a long and distinguished career of devoted public service to the people of this State; and

WHEREAS, This good citizen of California was three times President of the Los Angeles Board of Water and Power Commissioners and 16 years a member of that commission; and

WHEREAS, Mr. Heffner was largely responsible for the financial operations of the board which resulted in savings of $22,000,000 in the development of water projects for the

people of Los Angeles through issuance of refunding bonds when lower rates became available; and

WHEREAS, He was also the primary sponsor of a financial program that has earned $2,500,000 for the Los Angeles Department of Water and Power through short-term investments of bond funds in U. S. Treasury securities; and

WHEREAS, In addition to his official duties, Mr. Heffner has long been active in civic, business and fraternal activities, including membership on the Board of Governors of the Los Angeles Unit of the Shriner's Crippled Children's Hospital since it opened in 1952 and is the present chairman of such board. He is also a Thirty-third Degree Mason and is the senior Past Potentate of Al Malaikah Shrine Temple. Mr. Heffner is a member of the Jonathan Club and is a past president of Rotary; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature by means of this resolution wishes to extend its commendation and heartiest congratulations to Robert A. Heffner upon his recent retirement from the Los Angeles Board of Water and Power Commissioners and to express the hope that he may add many more active years to the 73 he has already resided in Los Angeles County; 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 Robert A. Heffner.

CHAPTER 53

Assembly Concurrent Resolution No. 14—Relative to a study by the Department of Water Resources, in co-operation with the California Water Commission, of economic, social and financial impacts and implications of water development program envisioned under the California Water Plan.

[Filed with Secretary of State April 17, 1958.]

WHEREAS, The Department of Water Resources published Bulletin No. 3, "The California Water Plan," in May, 1957; and

WHEREAS, Bulletin No. 3 clearly states, among other things, that "the California Water Plan is a master plan to guide and co-ordinate the activities of all agencies in the planning, construction, and operation of works required for the control, development, protection, conservation, distribution, and utilization of California's water resources * * *" to meet the State's increasing needs for water as the population grows and the economy expands, and said plan "* * * is neither an inflexible regulation nor a construction proposal * * *"; and

WHEREAS, Bulletin No. 3 also states that implementation of such features of the California Water Plan as may be constructed by the State requires an intensive and continuing program of investigation to ascertain the specific local and statewide water projects next needed for development, to analyze and determine their engineering practicability, economic justification, including but not limited to fish, wildlife, and recreational benefits, financial feasibility, and to determine the logical priority of their construction; and

WHEREAS, Bulletin No. 3 states that further studies of economic, financial and other problems and policies must be undertaken; and

WHEREAS, Studies of engineering feasibility, economic justification, including but not limited to fish, wildlife, and recreational benefits, financial feasibility and urgency of need should be made of each water development project proposed to be constructed under the California Water Plan, prior to submission of recommendations for authorization of projects; and

WHEREAS, The Department of Water Resources is now engaged in further studies of all of California's water resources and of water projects other than those reported in Bulletin No. 3 for all areas of the State as may be necessary under the California Water Development Program; and

WHEREAS, It is intended that such projects evolving from the California Water Development Program that are not included in Bulletin No. 3 will be analyzed in the same comprehensive manner as indicated above for those projects proposed to be constructed under the California Water Plan; and

WHEREAS, The 1957 Legislature passed Assembly Concurrent Resolution No. 198 which directed the Joint Interim Committee on Water Problems "* * * to hold hearings and to study the problems involved in establishing policies to be used by the State of California in evaluating economic and financial feasibility of the Feather River Project and other units of the California Water Plan and to recommend appropriate policies to the Legislature for adoption"; and

WHEREAS, The Subcommittee on Financial and Economic Policy was created by the Joint Interim Committee on Water Problems to carry out the intent of A. C. R. No. 198, 1957 Session, and which subcommittee has held many hearings to date and will hold hearings in the future and report to the Legislature on recommended financial and economic and related policies to be adopted by the State; and

WHEREAS, No integrated and comprehensive study has been made in any region, either within or outside of the State, of the total impact and implications on its economy and social structure resulting from the use of the resources required in the construction of water resources development facilities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Water

Resources, with the assistance of the California Water Commission, is directed to investigate the impact on the economic and social structure of the State resulting from various possible state policies which may be involved in project financing, pricing of project services and repayment policies for projects to be constructed and operated by the State. Such investigation shall include marketing surveys to determine the probable demands—immediate, intermediate, and ultimate—for project water in particular areas for various uses and the probable corresponding readiness, willingness, and ability of such users to pay for project water. The department is directed to coordinate its activities on this investigation with those of the legislative committees working in this field. The department and the California Water Commission are further directed to submit a progress report to be submitted to the Legislature during the 1959 Regular Session. In undertaking this assignment, the department is authorized to use such funds as may become available, recognizing that a number of major investigations being made by the department will be benefited by the findings of this study. The department is further authorized to obtain the services of consultants to the extent necessary and to secure other information and investigate such related problems as may be appropriate under this resolution; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Director of Water Resources and to each member of the California Water Commission.

CHAPTER 54

Assembly Concurrent Resolution No. 29—Relative to augmenting the funds of the Joint Committee on Legislative Procedure.

[Filed with Secretary of State April 18, 1958]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000), or so much thereof as may be necessary, is hereby made available from the Contingent Funds of the Senate and the Assembly for the expenses of the Joint Committee on Legislative Procedure (created by Assembly Concurrent Resolution No. 147, 1955 Regular Session, and continued in existence by Assembly Concurrent Resolution No. 175, 1957 Regular Session) 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 55

Assembly Concurrent Resolution No. 42—Relative to the death of Byron J. Getchell.

[Filed with Secretary of State April 18, 1958.]

WHEREAS, The Members of the Legislature have been informed of the passing of Byron J. Getchell on December 18, 1957; and

WHEREAS, Byron Getchell was a retired police inspector and former supervisor of the San Francisco School Safety Patrol; and

WHEREAS, He first joined the police force in 1917, and was assigned to school safety patrol work soon after the first patrols were organized in 1923; and

WHEREAS, In his 27 years of work in that field, he saw the few pioneer units expand into a well co-ordinated program, highly effective in the prevention of traffic accidents to school children; and

WHEREAS, Under his guidance some 75,000 youths have been trained in traffic safety as members of the safety patrol which today consists of more than 4,000 boys and girls engaged in protecting classmates from traffic hazards at over 600 intersections near schools; and

WHEREAS, During the inspector's years of service no school child was injured or killed in a traffic accident at a crossing guarded by a school safety patrol; and

WHEREAS, In training and supervising the safety patrols, Inspector Getchell worked closely throughout the years with the school department, parent-teacher units, and the California State Automobile Association, not only in San Francisco, but in other communities, which received the benefit of his experience and guidance; and

WHEREAS, The City of San Francisco paid tribute to the services of Inspector Getchell in 1948 upon the occasion of his twenty-fifth year of service to the cause of traffic safety when the mayor proclaimed May 27th as "Inspector Byron J. Getchell Day" in San Francisco at impressive ceremonies at the city hall followed by a parade and review at Kezar Stadium in which representatives of the city's public and parochial school systems, parent-teacher organizations and uniformed captains of patrol units participated; and

WHEREAS, Mr. Getchell was honored on November 8, 1957, by the dedication of a plaque at the Burrows Street underpass of the Bayshore Freeway commemorating his efforts in securing a pedestrian underpass for use of the school children in that area; and

WHEREAS, It is fitting that the Legislature accord recognition to those men who have dedicated their lives to the protection of the Nation's future citizens; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the members now pay tribute to the memory of Byron J. Getchell, for 27 years the devoted protector of San Francisco's children; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send suitable copies of this resolution to Mr. Getchell's widow, Mrs. Lenore Getchell, and to his brother, Noble Getchell, of Reno, Nevada.

CHAPTER 56

Assembly Concurrent Resolution No. 43—Relative to congratulating the noted educator Glenn S. Dumke on his appointment to the Office of President of San Francisco State College.

[Filed with Secretary of State April 18, 1958]

WHEREAS, It has come to the attention of the Legislature that the noted educator Glenn S. Dumke was, on July 31, 1957, named to the Office of President of the San Francisco State College, and will be inaugurated on May 2, 1958; and

WHEREAS, Glenn S. Dumke was born in Green Bay, Wisconsin, and came to California in 1923, and has been a citizen of the State of California since that time; and

WHEREAS, Glenn S. Dumke received his higher education in the colleges and universities of this State where he established an outstanding scholastic record receiving the bachelor of arts and master of arts degrees at Occidental College in 1938 and 1939, respectively, and a Ph.D. at the University of California at Los Angeles in 1940, and began a career which has made him a recognized authority in history, the social sciences, college administration, and the teaching profession; and

WHEREAS, This outstanding scholar, writer, and leader in the field of education entered the teaching profession in 1940 at Occidental College, and thereafter held an endowed chair, the Norman Bridge Professorship of Hispanic-American History, and was elevated to the position of Dean of Faculty at Occidental College in 1950; and

WHEREAS, Glenn S. Dumke's extraordinary abilities and achievements are known throughout the education profession and have resulted in the bestowal upon him of honors and the assumption, by him, of positions of responsibility and leadership in instances so numerous as to permit of but a summary here, including the receipt of grants from the Rockefeller Foundation, participation in the Haynes Foundation Research, the vice presidency of the Historical Society of Southern California, the chairmanship of the Membership and Standards Committee of the Western College Association, and the vice presidency of the Los Angeles County Museum Association; as well as membership in the Membership Committee of the California Historical Society, Phi Beta Kappa honorary so-

ciety, Pi Gamma Mu honorary social science organization, Sigma Alpha Epsilon, American Historical Association, and Zamorano; and

WHEREAS, In addition to his many other talents and accomplishments Glenn S. Dumke is an accomplished writer and author of note in his profession having written numerous articles in publications dealing with history, the social sciences, and education, and a number of other outstanding works including "The Boom of the Eighties in Southern California," and "Mexican Gold Trail," as well as having been co-author of "The Pacific Area in Modern Times"; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That Glenn S. Dumke is congratulated upon his appointment to the Office of President of the San Francisco State College, and is commended for his record of outstanding achievement in his chosen work and for the many honors which have so justly accrued to him by virtue thereof; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare a suitable copy of this resolution for presentation to Glenn S. Dumke.

CHAPTER 57

Assembly Concurrent Resolution No. 45—Relative to the Tokyo-Azores flight.

[Filed with Secretary of State April 18, 1958.]

WHEREAS, Streaking eastward almost halfway around the world, a sleek Strategic Air Command Stratotanker, in a 10,228-mile flight without refueling, from Tokyo to the Azores, has established a new distance mark for jet-powered aircraft; and

WHEREAS, Along its route, the four-engined Boeing K.C. 135 Stratotanker shattered the Tokyo-Washington speed mark by covering the 7,662 miles in a mere 13 hours and 35 minutes; and

WHEREAS, The flight commander, Brigadier General William E. Eubank, Jr., Commander of the Ninety-third Air Bombardment Wing, and the nine-man crew on this historic flight are from Castle Air Force Base, near Merced, California; and

WHEREAS, They have, by this flight, reaffirmed and enhanced the faith of the American people in the Strategic Air Command; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature extend their heartiest congratulations to General Eubank and his crew on their recordbreaking flight from Tokyo to the Azores; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolu-

tion to the Secretary of Defense, to the Secretary of the Air Force, to the Chief of Staff of the Air Force, to the Commander in Chief of the Strategic Air Command, to the Commander of the Fifteenth Air Force, March Air Force Base, and to the Commander of the Ninety-third Air Bombardment Wing, Castle Air Force Base.

CHAPTER 58

Assembly Concurrent Resolution No. 46—Relative to commending Monsignor William J. Flanagan.

[Filed with Secretary of State April 18, 1958]

WHEREAS, The Right Reverend Monsignor William J. Flanagan recently retired from his services as Secretary to the Most Reverend Archbishop for Charities and as General Director of Catholic Social Service for the Archdiocese of San Francisco, to devote his full time to his duties as Pastor of Holy Name of Jesus Church in San Francisco; and

WHEREAS, On the occasion of his retirement, Monsignor Flanagan and his successor Reverend Father James W. Murray were honored by a testimonial banquet in the Gold Room of the Hotel Fairmont; and

WHEREAS, Seven hundred of Monsignor Flanagan's friends gathered at the banquet to pay homage to him and to present him with a gift in grateful appreciation of his service to the community; and

WHEREAS, Monsignor Flanagan, a native son of San Francisco, has rendered effective and untiring leadership in the development of charitable, social welfare, and child welfare activities that are a credit to the city of San Francisco and a fitting tribute to its patron saint, Saint Francis of Assisi, in relieving distress, preserving family life, and caring for the homeless; and

WHEREAS, In his 24 years of service in Catholic charities, he was associated with the San Francisco Community Chest for 22 years, and he brought to that association a broad and human understanding of social needs that benefited all classes and creeds; and

WHEREAS, His many services with the community chest included chairmanship of its children's council, vice chairmanship of its social planning committee, and membership of its board of directors and budget committee; and

WHEREAS, He also served San Francisco as a director of the San Francisco Federated Fund and the American Red Cross, on the Board of Governors of the United Bay Area Crusade, as a member of the San Francisco Committee on Child Welfare, and as Chairman of the San Francisco Chapter, American Association of Social Workers; and

WHEREAS, Monsignor Flanagan was active in the founding of Archbishop Hanna Center for Boys at Sonoma, California; and

WHEREAS, In other areas, he expanded the field of Catholic social service until he had 11 professionally staffed local offices in the 13 counties of the archdiocese, with an increase in social service personnel from 9 to 100 persons; and

WHEREAS, He was Northern Vice President, California Conference of Social Work, Chairman of Priest Directors of California's Catholic Charities, and Vice President of the National Conference of Catholic Charities; and

WHEREAS, Monsignor Flanagan was an original member of the State Adoption Agency, of the Planning Committee for Registration of Social Workers in California, and was instrumental in the enactment of many constructive developments in California's social welfare legislation, as well as being a leader in public housing development and in extending social security benefits to employees of charitable and social work groups; and

WHEREAS, His work over the past 22 years has brought relief and spiritual substance to the lives of thousands of Californians—many of whom are today successful leaders in their communities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does hereby commend and honor the Right Reverend Monsignor William J. Flanagan for his outstanding career of social service to the people of California; 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 Monsignor William J. Flanagan.

CHAPTER 59

Assembly Concurrent Resolution No. 47—Relative to congratulating Frank Ratto.

[Filed with Secretary of State April 18, 1958.]

WHEREAS, The Legislature of the State of California has learned of the recent retirement of Frank Ratto from the presidency of the Scavengers' Protective Association, after holding that position for 23 years; and

WHEREAS, Frank Ratto was born in Mazzone, Province of Genova, Italy, in 1886, arrived in the United States in April of 1905, and worked in a quarry and logging camp until 1911; and

WHEREAS, During 1911 he purchased an interest in a scavenger partnership and thus became interested in the Scavengers' which at that time consisted of numerous small independent operators who solicited their own customers and serviced them with only a team of horses and a wagon; and

WHEREAS, In 1921 Frank Ratto was instrumental in the creation of the Scavengers' Protective Association, into which all the independent operators who serviced northern and eastern

parts of San Francisco pooled their resources, and as thus organized, served the North Beach, Pacific Heights, Marina, Western Addition, Downtown, and South of Market areas of San Francisco; and

WHEREAS, He and his wife, Angela, whom he married on November 19, 1910, are proud grandparents, their son, Joseph, owner of the F. J. Burns Draying Company in San Francisco, having two sons, Joseph, Jr., and Frank, the former being the father of Joseph N. Ratto; and

WHEREAS, Frank Ratto has been active in civic affairs in San Francisco for 25 years, having served as president of the Columbus Day celebration in 1952, and as a member of the Knights of Columbus and Columbus Civic Group; and

WHEREAS, In retiring from the leadership of the Scavengers' Protective Association he leaves the leadership of that group in the hands of John P. Moscone, who has been with the Scavengers' since 1932, serving as secretary of the association and having been in charge of their salvage department since the same year; and

WHEREAS, John Moscone has also been active in San Francisco civic affairs having been President of the Columbus Civic Group, Secretary of the North Beach Club of the Lions International, and a member of the Knights of Columbus, Native Sons of the Golden West, Young Men's Institute, San Francisco Lodge of the Elks, Sierra Club, Loyal Order of the Moose, and the Italian Catholic Federation; and

WHEREAS, Frank Ratto and John Moscone will be honored at a testimonial banquet to be held in the Gold Room of the Fairmont Hotel on June 14th of this year; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of this State honor and commend Frank Ratto on his years of public service and his years as President of the Scavengers' Protective Association; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Frank Ratto.

CHAPTER 60

Assembly Concurrent Resolution No. 50—Approving amendments to the charter of the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on April 8, 1958.

[Filed with Secretary of State April 18, 1958]

City of Redwood City Charter amendment

WHEREAS, Proceedings have been taken and had for the proposal, adoption and ratification of amendments hereinafter set forth to the charter of the City of Redwood City, a munici-

pal corporation in the County of San Mateo, State of California, as set out in the certificate of the mayor and city clerk of said city as follows, to wit:

STATE OF CALIFORNIA }
COUNTY OF SAN MATEO } ss

Certificate

We, the undersigned, William H. Royer, Mayor of the City of Redwood City, State of California, and R. S. Dodge, City Clerk of said City, do hereby certify as follows:

That the City of Redwood City, a municipal corporation in the County of San Mateo, State of California, now is and at all times herein mentioned, was a city containing a population of more than 3,500 inhabitants, and has been and now is organized and existing and acting under a freeholder's charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which Charter was duly ratified by the qualified electors of said City and approved by the legislature of the State of California.

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 Redwood City, being the legislative body of said City, duly and regularly submitted to the qualified electors of said City certain proposals designated as "Charter Amendments" to amend the Charter of said City and to be voted upon by said qualified electors at the regular municipal election held in said City on April 8, 1958.

That said proposed amendments were duly and regularly submitted to the qualified electors of the City of Redwood City in the manner provided in Section 8 of Article XI of the Constitution of the State of California, and that said regular municipal election was duly and regularly held in the City of Redwood City after due notice given and published on April 8, 1958, which day was not less than forty (40) days, nor more than sixty (60) days after the completion of the publication and advertisement of the proposed Charter Amendments in the manner required by Section 8 of Article XI of the Constitution of the State of California.

That the returns of said election were duly and regularly canvassed and certified to, and it was duly found, determined and declared by the proper officers thereunto duly and properly authorized that all of the amendments to the Charter of the City of Redwood City hereinafter set forth were ratified by a majority of the electors of said City voting thereon; that the Council of said City did by its Resolution No. 2434 duly declare the results of said election as determined by the canvass of the returns thereof.

That as to said Charter Amendments, 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 Charter Amendments to the Charter of the City of Redwood City so ratified by the electors of said City are in words and figures as follows, to wit:

CHARTER AMENDMENT No. 1

Section 3½ of the charter of the City of Redwood City is hereby amended to read as follows:

"Section 3½. ACQUISITION AND DISPOSAL OF PROPERTY: Public notice shall be given by publication in the official newspaper once at least five (5) days prior to the acquisition of any real property when the purchase price to be paid by the city equals or exceeds the sum of two thousand dollars ($2,000), unless such acquisition is to be accomplished pursuant to the general laws of the State by condemnation in eminent domain proceedings, or unless such acquisition is necessary in connection with public improvement proceedings accomplished pursuant to law. Acquisition and disposal of property

Any sale or lease of city owned property shall be accomplished in accordance with the following procedure:

(a) Public notice of any proposed sale or lease of city property shall be given at least once a week for two weeks in the official newspaper. Such notice shall contain a statement that any and all bids may be rejected and the property may be readvertised. If the property is to be leased the notice shall state generally the term and conditions of such lease.

(b) Prior to the sale of any city property, the City Assessor shall appraise the same and determine the current market value thereof. With the approval of the City Council or the Board of Port Commissioners, as the case may be, the City Assessor may obtain the services of other qualified persons to assist him in such appraisal.

(c) Sale or lease of city property may be made only to the highest responsible bidder at public auction or upon sealed bids to the City Council or the Board of Port Commissioners as the case may be. Any and all bids may be rejected and the property readvertised or removed from the market. No sale of any city property shall be made for less than ninety percent (90%) of the appraised value thereof.

(d) Any city property having an appraised value of two hundred fifty dollars ($250) or less may be sold without public notice or public bid as required by this section; provided, however, that no such property shall be sold for less than ninety percent (90%) of the appraised value thereof.

(e) Any sale by the City Council of real property having an appraised value of less than seventy-five thousand dollars ($75,000) shall be authorized only by resolution adopted by the affirmative vote of at least five sevenths (5/7ths) of all members of the Council. Any such sale of real property having an appraised value in excess of seventy-five thousand dollars ($75,000) shall be authorized only by ordinance of the City Council adopted by the affirmative vote of at least five sevenths

(5/7ths) of all members of the Council. Any such ordinance shall be subject to the referendum provisions of this charter.

(f) Any lease of real property for a term of more than one (1) calendar month shall be authorized by resolution of the Council or the Board of Port Commissioners as the case may be. Any lease of real property for a lesser period shall be authorized by the City Council or the Board of Port Commissioners, as the case may be, by motion duly made and carried.

(g) No lease of city property shall be made for a term longer than ten (10) years excepting that real property in the port area may be leased for a term not exceeding fifty (50) years.

(h) No city property shall be exchanged for other property until an appraisal of all property included in the exchange has been made by the City Assessor and the value of the property to be received by the city equals or exceeds the value of the property to be disposed of by the city."

CHARTER AMENDMENT NO. 2

Section 4 of the Charter of the City of Redwood City is hereby amended to read as follows:

Nominations and elections

"Section 4. NOMINATIONS AND ELECTIONS: General municipal elections shall be held in said city on the second Tuesday in April of each even-numbered year under and pursuant to the provisions of the general laws of the State of California governing nominations and elections in general law cities, so far as the same may be applicable, and except as herein otherwise provided.

All other municipal elections that may be held by authority of this charter or of general law shall be known as special municipal elections, and shall be held substantially as in this charter provided for general municipal elections; provided, however, that special elections to authorize municipal or local public improvement or the levy of assessments therefor, or to create a municipal bonded indebtedness, shall be held in conformity with any general law of the state relative thereto under which any such proceeding is instituted by the Council, in case such general law provides for the procedure and manner of holding elections thereunder."

CHARTER AMENDMENT NO. 3.

Section 9 of the Charter of the City of Redwood City is hereby amended to read as follows:

Council

"Section 9. THE COUNCIL: The Council shall be comprised of seven councilmen, including the Mayor, and shall be the legislative body of the city, each of the members of which, including the Mayor, shall have the right to vote upon all questions before it.

Councilmen shall be elected at each general municipal election and shall hold office for the term of four (4) years from and after the Monday next succeeding the day of such election,

and until their successors are elected and qualified. The councilmen in office at the time of this charter taking effect shall continue in office until the end of the terms for which they were respectively elected.

Any vacancy occurring in the Council shall be filled by appointment by the remaining councilmen; but in the event that said remaining councilmen fail to fill such vacancy by appointment within sixty (60) days after vacancy occurs, they must immediately cause an election to be held to fill such vacancy; provided, however, that any person appointed to fill such vacancy shall hold office only until the next regular election, at which date a person shall be elected to serve for the remainder of such unexpired term. In case a member of the Council is absent from the city for a period of ninety (90) days, unless by permission of the Council, his office shall by the Council be declared vacant and the same filled as in the case of other vacancies.

The councilmen shall receive as compensation seventy-five dollars ($75) per month.

No councilman shall be eligible during the term for which he was appointed or elected to hold any other office or employment with the city, except as a member of any board, commission, or committee thereof, of which he is constituted such member by general law or by this charter."

CHARTER AMENDMENT No. 4

Section 15 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 15. LEGISLATION: The Council shall act in legislative matters by ordinance or resolution only. Other action of the Council, unless herein otherwise provided, may be taken by resolution, motion or order. Legislation

The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the record of the proceedings of the Council. Upon the request of any members of the Council the ayes and noes shall be taken and recorded upon any vote. All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.

No ordinance or resolution shall be passed without receiving the affirmative votes of at least a majority of the members of the Council present.

Each ordinance shall be headed by a brief title which shall be indicative of the purport thereof. It shall be numbered when adopted.

The ordaining clause of all ordinances adopted by the Council shall be, "The Council of Redwood City does ordain as follows:" The ordaining clause of all ordinances passed by the vote of the electors of the city, through the exercise of the initiative shall be, "The People of Redwood City do ordain as follows:"

No ordinance shall be passed by the Council on the day of its introduction, nor within five (5) days thereafter, nor at any time other than at a regular meeting, nor until its publication at least once in the official newspaper of the city at least three (3) days before its adoption; provided, however, that ordinances calling elections and ordinances carrying out the provisions of elections need not be published prior to adoption; provided further, however, that the Council may, to the extent authorized by the general laws of the state and subject to the procedure set forth by such law, enact any ordinance which adopts additional identified matter by reference. In case of an ordinance being amended before its final adoption and after its publication, it shall in like manner be republished in full as amended at least one day before its adoption as amended; provided, however, that where such amendment is made for the correction of clerical errors or omissions of form only, then such ordinances need not be given a first reading or a republication as corrected.

Except as otherwise provided by general law, or this charter, no action providing for the appropriation or expenditure of public money, in any amount over two thousand dollars ($2,000), or for the levying of any tax or assessment, or for the granting of any franchise, or for the establishment or change of zoning regulations, or for the imposition of any penalty of fine or imprisonment, shall be taken except by ordinance. Any and all other legislative action may be accomplished by resolution or ordinance as the Council may determine.

No ordinance or portion thereof shall be repealed except by ordinance No ordinance shall be revised, re-enacted, or amended by reference to its title only; but the ordinance to be revised or re-enacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted according to the method provided in this section for the enactment of ordinances, and such revision, re-enactment, amendment or addition, shall be done by ordinance only.

All ordinances shall be signed by the Mayor and attested by and filed with the City Clerk; provided, however, the Mayor may sign all ordinances and other legal instruments and documents by facsimile signature."

CHARTER AMENDMENT NO. 5

Section 17 of the Charter of the City of Redwood City is hereby amended to read as follows:

Planning commission

"Section 17. PLANNING COMMISSION: There shall be a city planning commission, which shall consist of seven members, who shall be appointed by the Council, to serve for three (3) years each, without compensation, none of whom shall hold any other public office or position in the city. The commission shall elect its chairman from among its members.

Neither the City Attorney, the City Engineer, nor any deputy or assistant of either of them, shall have the right to vote or enter into deliberations but shall be present in an advisory capacity only.

The planning commission shall exercise all powers and duties granted it by ordinance or resolution of the Council now or hereafter in effect and shall exercise such additional powers and duties as may now or hereafter be provided for by such general laws of the State as are not in conflict with this charter, or any ordinance or resolution of the Council.

The members of the present city planning commission in office at the time of this charter taking effect shall continue in office until the end of the terms for which they have been respectively appointed."

CHARTER AMENDMENT NO. 6

Section 46 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 46. FRANCHISES: Every franchise or privilege to construct, maintain, or operate any railroad or other means of transportation in or over any street or highway, or to lay pipes or conduits, or erect poles or wires or other structures in or across any street or highway for the transmission of gas, electricity, or other service or commodity, or for the use of public property, or places now or hereafter belonging to the city, may be granted pursuant to procedure established by ordinance, or pursuant to the provisions of the general laws of the State relating to the granting of franchises; provided no new franchise or the renewal of an existing franchise shall be granted except upon condition that at least two percent (2%) of the gross annual receipts derived from the use of such franchise shall be paid to the city. In all cases the applicant for a franchise shall advance the cost of advertising the same. Franchises

Every such franchise shall require the grantee thereof to agree to a joint use of its property by others whenever practicable, and nothing herein shall be construed as prohibiting the Council from requiring additional terms or conditions not inconsistent with the constitution. No franchise or privilege so granted shall be sold, leased, assigned or otherwise alienated without the express consent of the Council given by ordinance and subject to referendum."

CHARTER AMENDMENT NO. 7

Section 48a of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 48a. LEASES: No lease of any real property under the jurisdiction of the Board of Port Commissioners shall be made except in accordance with the provisions of Section 3½ of this charter and all powers and duties therein imposed on the Council are hereby conferred and imposed on the Leases

Board of Port Commissioners with respect to property under its jurisdiction; provided, however, that notwithstanding the provisions of Section 3½ of this charter, the Board of Port Commissioners may provide for the leasing of property within the port area for periods not in excess of one (1) calendar month without public notice or bid. All leases made or approved by the Board of Port Commissioners shall be subject to the referendum provisions of this charter."

CHARTER AMENDMENT NO. 8

The Charter of the City of Redwood City is hereby amended by adding thereto a new section numbered Section 51.5 to read as follows:

Adoption of Budget

"Section 51.5. ADOPTION OF BUDGET: At the meeting of the Council at which the budget is submitted, the Council shall set a time and place for a public hearing thereon, shall order copies thereof to be filed in the office of the City Clerk for inspection by the public and shall cause a notice to be published at least once in the official newspaper stating that copies of the budget are available for inspection at the City Clerk's office and stating the time and place at which the Council will hold the public hearing. At the time and place so advertised, or at such time and place to which such hearing may from time to time be adjourned, the Council shall hold a public hearing on the budget as submitted. After the conclusion of such public hearing, the Council may insert new items, delete items, or may increase or decrease the amount of moneys set forth for the various items included therein.

A copy of the budget as amended by the Council shall be certified by the City Clerk and the City Manager and shall be filed in the office of the City Clerk. The budget shall be finally adopted by ordinance not later than the last regular or adjourned regular meeting of the fiscal year. Such ordinance shall adopt the budget by reference to the certified copy thereof, as amended, on file in the office of the City Clerk, and such ordinance shall be effective immediately upon final adoption thereof. From and after the effective date of the ordinance adopting the budget, the several amounts stated in the budget as proposed expenditures shall become and thereafter be appropriated to the offices, departments, objects, and purposes therein stated for the fiscal year to which the budget is intended to apply.

From time to time during the fiscal year, the Council may transfer sums from any appropriated item to any other appropriated item by resolution. Additional appropriations shall be accomplished in the manner provided for in Section 15 of the charter. No appropriation shall be cancelled in whole or in part except by ordinance adopted by the affirmative vote of five sevenths (5/7ths) of all members of the Council."

CHARTER AMENDMENT No. 9

Section 54 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 54. BOARD OF EQUALIZATION: The Council shall meet at its usual meeting place on the third Monday in July of each year, at ten o'clock A.M., and sit as a Board of Equalization, and shall continue in session by adjournment from day to day until all returns of the Assessor have been rectified and assessments equalized. The Board of Equalization shall have power to hear complaints, to take testimony under oath, and to correct, modify, strike out, or raise any assessment, provided that notice shall first be given to any one whose assessment is proposed to be raised, excepting in case of a uniform increase in the assessed valuation of the property of the entire city." Board of Equalization

CHARTER AMENDMENT No. 10

Section 76 of the Charter of the City of Redwood City is hereby amended to read as follows:

"Section 76. CITIZENSHIP AND RESIDENCE: All officers and employees of the city and every department thereof, except those employed for limited, temporary, seasonal, or special purposes, shall be citizens of the United States at the time of their appointment and shall, within six (6) months following such appointment, establish and maintain their residence within the city throughout the period of their incumbency." Citizenship and Residence

And we further certify that the foregoing proposed and ratified amendments to the Charter of the City of Redwood City are a full, true and correct copy of the Charter Amendments approved by the voters of the City of Redwood City.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of the City of Redwood City to be affixed hereto this 14th day of April, 1958.

WILLIAM H. ROYER
(SEAL) Mayor of the City of Redwood City
RALPH S. DODGE
City Clerk of the City of Redwood City

WHEREAS, The said proposed amendments, as ratified, as hereinbefore set forth, have been and now are 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 Senate concurring, a majority of all the members elected to each house voting therefor and concurring therein, That said amendments to the charter of the City of Redwood City as Approval

presented to and adopted and ratified by the electors of the said city and as hereinbefore fully set forth, be and the same are hereby approved as a whole, without amendment or alteration, for and as amendments to, and as a part of, the charter of the said City of Redwood City.

CHAPTER 61

Assembly Concurrent Resolution No. 54—Relative to congratulating the Los Angeles Industrial Education Association.

[Filed with Secretary of State April 18, 1958.]

WHEREAS, The Legislature of the State of California has learned that the Los Angeles Industrial Education Association is organizing and sponsoring a dramatic presentation of student work in the industrial education program of the Los Angeles City Schools; and

WHEREAS, This exhibit, entitled "Tomorrow's Craftsmen Today" and appearing at the California State Museum of Science and Industry, will show the broad objectives of industrial education which include vocational guidance, job preparation, industry orientation, creative experience, planning and procedure, citizenship, consumer intelligence, avocational interest and the practical application of mathematics, science and language arts; and

WHEREAS, The objectives in presenting the exhibit to the public are to indicate the industrial growth of the Los Angeles area and the concomitant opportunities for skilled technicians and industrial workers, to stimulate the interest of youth through the recognition of student work, and to indicate to industry the industrial educational programs of the Los Angeles schools; and

WHEREAS, The Legislature realizes that industrial education, made up of industrial arts and trade vocational training, has a definite part in any system of free enterprise and is of vital concern in this age of technology, since the students of today will be the citizens of tomorrow; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That congratulations be extended by the California Legislature to the Los Angeles Industrial Education Association upon the organization and sponsoring of the exhibit "Tomorrow's Craftsmen Today"; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitable copy of this resolution to the Los Angeles Industrial Education Association.

CHAPTER 62

Assembly Joint Resolution No. 10—Relative to the establishment of a waterfowl refuge.

[Filed with Secretary of State April 18, 1958.]

WHEREAS, The continuous loss, through reclamation, of areas suitable for nesting and resting of migratory waterfowl on the Pacific Flyway has made essential the establishment of a waterfowl refuge in Modoc County; and

WHEREAS, Not only would the establishment of such a refuge contribute greatly to the nesting area available to Canada geese, but it would also furnish good public hunting grounds for waterfowl in the vicinity of the refuge; and

WHEREAS, Property which has a definite potential as a waterfowl area and which would supplement the present waterfowl management land pattern established in California is now available at an exceedingly reasonable price; and

WHEREAS, This property borders the city limits of Alturas and has sufficient and firm water rights, including the Dorris Reservoir with a storage capacity of 11,000 acre-feet of water; 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 urges the United States Fish and Wildlife Service to acquire the property in the vicinity of Dorris Reservoir, near Alturas, Modoc County, and establish a waterfowl refuge; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Secretary of the Interior, to the Commissioner of Fish and Wildlife, United States Fish and Wildlife Service, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 63

Assembly Joint Resolution No. 11—Relative to construction of a salt water conversion demonstration plant.

[Filed with Secretary of State April 18, 1958.]

WHEREAS, The United States Department of the Interior has been conducting research and studies in the field of conversion of sea water; and

WHEREAS, The Department of Water Resources of the State of California and the University of California are pursuing programs of investigation and study of sea water conversion; and

WHEREAS, It is recognized that the development of a practical process for conversion of sea water would result in large

savings to federal, state, and local agencies and have a beneficial effect on the economy of the Nation and the State; and

WHEREAS, Several bills have been introduced in Congress including H. R. 10606, H. R. 11405, and H. J. Res. 541 authorizing the Secretary of the Interior to enter into an agreement with the State of California providing for the construction and operation of a full-scale salt water conversion plant in California on a co-operative basis; and

WHEREAS, The construction and operation of a demonstration plant is essential to the development of reliable design criteria and cost data; and

WHEREAS, Construction and operation of a demonstration plant in California would be beneficial to this State; and

WHEREAS, Committees of the Congress are holding hearings on bills authorizing construction and operation of such demonstration plants; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly. That it is the intent of the Legislature of California to co-operate financially and otherwise with the Federal Government in developing processes for saline water conversion including the construction and operation of demonstration plants, and to co-ordinate the programs of the State in the field of sea water conversion with the programs of agencies of the Federal Government; and be it further

Resolved, That Mr. Harvey O. Banks, Director of Water Resources, shall appear before appropriate committees of Congress to present the views of the State of California as expressed herein; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the Congress of the United States to authorize the Secretary of the Interior to construct a full-scale salt water conversion demonstration plant in California in co-operation with the State of California; 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 64

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8½ to Article XVI thereof, relating to the issuance of bonds to provide for the construction, improvement, and development of harbors in this State.

[Filed with Secretary of State April 18, 1958.]

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1958 First Ex-

traordinary Session commencing on the fourth day of March, 1958, 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 by adding Section 8½ to Article XVI thereof, to read:

SEC. 8½. The issuance and sale of bonds of the State of California in the sum of sixty million dollars ($60,000,000) and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Harbor Development Bond Law of 1958 authorizing the issuance and sale of bonds for the purpose of providing funds for the construction, improvement, and development of harbors in this State, is hereby authorized and directed, and the Harbor Development Bond Law of 1958 is hereby approved, adopted, legalized, validated and made fully and completely effective. Nothing in this Constitution shall invalidate or restrict the provisions of this section, nor shall this section prevent amendments to the Harbor Development Bond Law of 1958 which are germane to the subject thereof; provided, such amendments do not increase the sum of the bonds herein authorized to be issued and sold nor utilize the proceeds thereof for purposes not related to the purposes generally described therein.

CHAPTER 65

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing the first paragraph of subdivision (b) of Section 2 and amending Section 23 of Article IV thereof, relating to the method of establishing the compensation of Members of the Legislature and placing limitations thereon.

[Filed with Secretary of State April 21, 1958]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1958 First Extraordinary Session commencing on the fourth day of March, 1958, 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 the first paragraph of subdivision (b) of Section 2 of Article IV be repealed.

Second, that Section 23 of Article IV be amended to read:

SEC. 23. The Legislature of the State of California is the highest legislative body within California. Each Member of the Legislature shall receive for his services the salary fixed by

statute, which shall not exceed the average of the salaries provided by law for the office of member of the board of supervisers of the five most populous counties, and mileage to be fixed by law, all paid out of the State Treasury, such mileage not to exceed five cents ($0.05) per mile.

CHAPTER 66

Senate Concurrent Resolution No. 16—Congratulating the Chico Chapter of The National Secretaries' Association (International) on its successful organization.

[Filed with Secretary of State April 21, 1958]

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, co-operative 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, Puerto Rico, and Hawaii; and

WHEREAS, More than 37 cities in the State of California have established chapters of the said association; and

WHEREAS, It is fitting and desirable that Chico have an established chapter of the National Secretaries' Association to provide management and secretaries with the benefit of its inherent qualities; and

WHEREAS, The Sacramento Chapter of the National Secretaries' Association, at Sacramento, California, through the guidance of its California divisional officers, are sponsoring the establishment of such a chapter in Chico; and

WHEREAS, Plans for chartering Chico Chapter now have been completed for Saturday afternoon, May 10, 1958; 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 Chico Chapter of the National Secretaries' Association (International) their heartiest congratula-

tions 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. Fidelis Hampton, Charter President, Chico Chapter, and to Mrs. Helen Brown, President, and Mrs. June Wray Geer, New Chapters Chairman of the Sacramento Chapter of the National Secretaries' Association (International).

CHAPTER 67

Senate Concurrent Resolution No. 17—Relative to legislative intent as to co-operation with the United States in connection with multiple-purpose water projects.

[Filed with Secretary of State April 21, 1958]

WHEREAS, It is hereby declared that the people of this State have a primary interest in the control and conservation of the waters of the State, and that the prevention of floods and the conservation of water are proper functions of the State in co-operation with local agencies, private interests, and the Federal Government; and

WHEREAS, It is further declared that the State should participate and co-operate in multiple-purpose water projects authorized for construction by the Corps of Engineers of the United States Army in order that such projects may be completed at the earliest possible time, thereby affording urgently needed flood protection for the areas involved and providing for the development and conservation of the water resources of the State; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That it is the intention of the Legislature that the State participate and co-operate in multiple-purpose water projects authorized for construction by the United States Army Corps of Engineers to the end that such projects be completed as rapidly as possible, and that it also is the intention of the Legislature to implement such co-operation by later providing specific legislation concerning the repayment by the State, local agencies, or private interests of the reimbursable costs allocated to the conservation features of specific multiple-purpose water projects authorized for construction by the United States Army Corps of Engineers.

CHAPTER 68

Senate Concurrent Resolution No. 18—Approving certain amendments to the charter of the City of Santa Rosa, a municipal corporation of the County of Sonoma, State of

California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the eighth day of April, 1958.

[Filed with Secretary of State April 21, 1958.]

City of Santa Rosa: Charter amendments

WHEREAS, Proceedings have been taken and had for the purpose of adoption and ratification of certain amendments, hereinafter set forth, to the charter of the City of Santa Rosa, a municipal corporation of the County of Sonoma, State of California, as set out in the certificate of the mayor and city clerk of the City of Santa Rosa as follows, to wit:

CERTIFICATE OF AMENDMENT TO CHARTER OF THE CITY OF SANTA ROSA, CALIFORNIA

STATE OF CALIFORNIA }
COUNTY OF SONOMA } ss
CITY OF SANTA ROSA }

Certificate

We, the undersigned, C. P. Toohey, Mayor of the City of Santa Rosa, and John Hawkes, City Clerk of the City of Santa Rosa, do hereby certify and declare as follows:

That the City of Santa Rosa is a municipal corporation in the County of Sonoma, State of California, and is now and at all times hereinafter referred to was a city containing a population of more than 3500 inhabitants and less than 50,000 inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States.

That said City of Santa Rosa is now organized, existing and acting under a Freeholders' Charter, adopted under and by virtue of Section 8, Article XI of the Constitution of the State of California, which Charter was duly ratified by the qualified electors of said City at an election duly held for that purpose on November 7, 1922, and approved by the Legislature of the State of California by concurrent resolution filed with the Secretary of State on January 29, 1923.

That in pursuance of Section 8, Article XI of the Constitution of the State of California and on its own motion, the Council of the City of Santa Rosa, being the legislative body of said City, duly and regularly submitted to the qualified electors of said City of Santa Rosa, proposals for amendments of the charter of said City to be voted upon by said qualified electors at a regular election held in said City on the 8th day of April, 1958.

That said proposed amendments were published and advertised in the form and manner and for the length of time, and in accordance with the provisions of Section 8, Article XI of the Constitution of the State of California in the Press Democrat, a newspaper of general circulation printed and published at and within the City of Santa Rosa, County of Sonoma, State of California, and the official newspaper of said city.

That the election at which said proposed charter amendments were voted upon was, by resolution, set and called for the 8th day of April, 1958, which date was not less than forty (40) days nor more than sixty (60) days after the completion of the publication of the notice of said election and which date was not less than forty (40) days and not more than sixty (60) days after the completion of said advertising in the official newspaper as aforesaid, said advertising having been completed on the 24th day of February, 1958.

That thereafter, the City Council of the City of Santa Rosa did, in the manner provided by law, duly and regularly canvass the returns of said election and that said Council, by resolution adopted on the 15th day of April, 1958, declared the results of said election as determined from the canvass of the returns thereof.

That said election was held on the 8th day of April, 1958, at which said election said proposed charter amendments were ratified and adopted by a majority of the electors of said city voting thereon; that said proposed charter amendments so ratified by the electors of the said City of Santa Rosa propose to amend Sections 22 and 40 of the Charter of the City of Santa Rosa to read as follows:

Pensions

Section 22. PENSIONS. If and when any such coverage is possible under the laws of the State of California and the laws of the United States, the Council of the City of Santa Rosa may provide for inclusion of City employees, officials or members of the police or fire department in the benefits of the Federal Social Security Act as now or hereafter amended or superseded, and the Council may for and on behalf of the City of Santa Rosa, enter into such contracts or agreements with the State of California or the federal government of the United States or any agency, department or officer of the state or federal government, make such payments, incur such obligations and take such other action as necessary to accomplish coverage of City employees, officials or members of the police or fire department under the Federal Social Security Act. The Council of the City of Santa Rosa may enter into a contract with the Board of Administration of the State Employees' Retirement System providing for retirement and death and disability benefits for persons in the employ of the City to the full extent authorized by the State Employees' Retirement Act or by said Act as now or hereafter amended or superseded, and a tax sufficient for such participation may be levied by the Council in addition to taxes authorized elsewhere in this Charter and irrespective of any other provisions of this Charter.

No pensions of any kind or character other than as hereinabove in this Section provided shall be awarded or paid to any active or retired City official, employee, or member of the police or fire department, unless provided for by an initiative ordinance adopted by the electors of the City.

Dollar Limit

Section 40. DOLLAR LIMIT. The amount of the annual tax levy, exclusive of the tax to pay the interest on and maintain the sinking funds of any bonded indebtedness of the City, exclusive of the tax to pay the contribution of or charge to the City for participation in the State Employees' Retirement System as authorized by the State Employees' Retirement Act as now or hereafter amended or superseded, and exclusive of the tax to pay for maintenance, improvement and operation of the parks, squares and public grounds of the City, shall not exceed the rate of one dollar on each hundred dollars valuation of the property assessed; provided, the foregoing limitation shall not apply in the event of any great necessity or emergency, in which case it may be temporarily suspended. No increase over the dollar limit shall be made in any fiscal year, unless such increase be authorized by ordinance adopted by vote of the people or passed by a four-fifths vote of the whole Council. The character of such necessity or emergency shall be recited in the ordinance authorizing such increase.

/ s / C. P. TOOHEY
(SEAL) Mayor of the City of Santa Rosa
Attest: JOHN HAWKES
City Clerk of the City of Santa Rosa

and

WHEREAS, In all matters and in all things pertaining to said charter amendments, all the provisions of Section 8 of 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; and

WHEREAS, Said proposed amendment so ratified as hereinabove set forth has been and is now duly presented and submitted to the Legislature of the State of California for approval or rejection 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 Senate of the State of California, the Assembly thereof concurring, a majority of all members elected to each house voting thereon and concurring therein, That the amendments to the charter of the City of Santa Rosa, as proposed to and adopted and ratified by the qualified electors of the City of Santa Rosa, 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 Santa Rosa.

CHAPTER 69

Senate Concurrent Resolution No. 20—Congratulating and commending Cyrille O. Faure of Porterville.

[Filed with Secretary of State April 21, 1958]

WHEREAS, Cyrille O. Faure, California's outstanding young farmer of 1958, was named national outstanding young farmer

of the year by the national convention of junior chambers of commerce at Indianapolis on April 16, 1958; and

WHEREAS, Cyrille O. Faure was chosen with three others for the national honor from 50 candidates representing the various states and territories; and

WHEREAS, This signal honor, coming to Cyrille O. Faure at 35 years of age, is well merited and has been well earned by him through his outstanding achievements in cattle raising which have brought him many awards, including the Governor's Trophy, top honor for livestock project work in high school, and junior division champion fat steer of the Great Western Livestock Show in Los Angeles, which he won on Pearl Harbor Day, December 7, 1941; and

WHEREAS, Cyrille O. Faure, descendant of a pioneer California family which has farmed in the Porterville area for a century, served in the United States Navy during World War II, being the first pharmacist's mate to qualify as a paratrooper on foreign soil, and is now the successful operator of extensive cattle and grain interests and a leader in many farm organizations and community activities, presently serving as chairman of the Porterville Memorial District Board and the Hope Water District Board, and as secretary-treasurer of the California Polled Hereford Association, and by these many achievements is well qualified to be coholder of the award as national outstanding young farmer of the year (1958); now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of California hereby congratulates and commends Cyrille O. Faure upon the wholesome and successful life which has led to his becoming coholder of this award as national outstanding young farmer of the year, and also congratulates his wife, Toni, and their three children, Pete, Jill, and Jason, upon this national honor which has been awarded to this distinguished California farmer, husband, and father; and be it further

Resolved, That the Secretary of the Senate send a suitably prepared copy of this resolution to Cyrille O. Faure of Porterville, California.

CHAPTER 70

Assembly Concurrent Resolution No. 55—Relating to the International Typographical Union on their 100th centennial convention in San Francisco.

[Filed with Secretary of State April 22, 1958]

WHEREAS, The International Typographical Union is celebrating its 100th convention in San Francisco from August 16th to the 22d, inclusive, of this year of 1958; and

WHEREAS, This union is one of the oldest unions in the United States, dating back to 1852 as a national body and as far back as 1776 through its individual societies; and

WHEREAS, The International Typographical Union has been eulogized time and again in the United States, as well as in foreign countries, as a model of democracy, and has been in the forefront of those organizations seeking to better the wages and conditions of not only its own members but of all who work for a living; and

WHEREAS, It has protected its members through unity of purpose and through the establishment of fraternal benefits that include pensions, mortuary insurance and a Union Printers Home, and has spent an incalculable amount of time and energy as well as millions of dollars in promoting these activities; and

WHEREAS, Its efforts have led to better health, increased earning power, security, and a longer and better life for workingmen throughout the United States and Canada; and

WHEREAS, The International Typographical Union, through its individual members and as a craft union, has played a dominant role in world, national and community affairs, and its influence, combined with that of other unions has resulted in many benefits to our citizens—public schools and parks, social security, unemployment and disability insurance, desegregation, and equal rights for women, to name only a few; and

WHEREAS, All of these gains have been accomplished without the sacrifice of individual freedom, as befits a truly democratic organization; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature extends its most heartfelt welcome, its sincerest congratulations and best wishes for many more centuries of successful life to the International Typographical Union on the occasion of its 100th centennial convention celebration; 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 Executive Council of the International Typographical Union.

CHAPTER 71

Senate Joint Resolution No. 11—Relative to the naming of nuclear-powered fleet ballistic missile submarines.

[Filed with Secretary of State April 22, 1958.]

WHEREAS, Due to the changing tactics of naval warfare and the development of new forms of powerplants and armament for naval vessels, the United States Navy has now decommissioned the last of its battleships; and

WHEREAS, Insofar as can be foreseen, the naval fleets of the future will not include battleships; and

WHEREAS, The battleships of the United States Navy have historically been named for the states, and the developments which have resulted in the retirement of battleships from the fleet will similarly result in the absence from the United States fleet of any ships named for the States of the Union; and

WHEREAS, A new powerful type of vessel has been developed and is currently being constructed for use with the United States fleet which vessels have been described in authoritative articles and otherwise as the "battleships of the future"; and

WHEREAS, These vessels are designated as nuclear-powered fleet ballistic missile submarines and those currently under construction have the capability of carrying 16 Polaris missiles using atomic warheads which may be fired, while the vessel is submerged, against land targets 1,500 miles distant; and

WHEREAS, The Legislature of California is unaware of any decision by the United States Navy to assign a type of name to this new type of vessel; and

WHEREAS, Informed sources advise that because of the high potentialities of these new type vessels it is highly improbable that more than 48 such ships would ever be simultaneously commissioned in the fleet; and

WHEREAS, One of the first of three of such vessels now under construction, the SSGN 600, is now being built at the Mare Island Naval Shipyard at Vallejo, California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the United States Government is requested to give consideration to the naming of nuclear-powered fleet ballistic missile submarines with the names of the States of the Union in recognition of their potential capabilities; and be it further

Resolved, That the Federal Government be urged to designate the SSGN 600 now under construction in this State as the U. S. S. California; and be it further

Resolved, That the Secretary of the Senate is directed to forward copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Secretary of Defense, the Secretary of the Navy, and to each Member of the Congress representing California.

CHAPTER 72

Assembly Concurrent Resolution No. 44—Relative to an investigation by the Joint Judiciary Committee on Administration of Justice.

[Filed with Secretary of State April 23, 1958]

WHEREAS, For many years the Legislature has been deeply concerned with the narcotic problem in this State, a problem which is still very much with us; and

WHEREAS, The Legislature has, over the years, provided for substantial penalties for narcotics offenses, such penalties increasing in severity when the offender has a prior narcotics offense; and

WHEREAS, In a recent decision, the District Court of Appeal, Second District, charged that it was commonplace for trial judges in effect to allow a greater leniency to such offenders than the law permits, by the device of disregarding prior convictions for narcotic offenses; and

WHEREAS, The failure of judges to administer laws as they have been duly enacted, or administration of such laws in an uneven manner, depending on the sympathy or lack of sympathy of the judge with the particular law to be applied, can only result in demoralization of law enforcement personnel and general disrespect for the law; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That, in addition to the other matters assigned to it for study, the Joint Judiciary Committee on Administration of Justice (created by Senate Concurrent Resolution No. 34, 1957 Regular Session) is hereby directed to ascertain, study, and analyze all facts relating to the sentencing of narcotic law violators; to ascertain the effectiveness and adequacy of present penalties; and to consider the desirability of, or necessity for, legislation related to these matters, and to report thereon to the Legislature not later than the tenth legislative day of the 1959 Regular Session, including in its reports its recommendations for appropriate legislation.

CHAPTER 73

Assembly Concurrent Resolution No. 49—Relative to the retirement of Edward O. Strong, general composing room foreman at the State Printing Plant.

[Filed with Secretary of State April 23, 1958.]

WHEREAS, The Members of this Legislature have learned with mingled feelings of the impending retirement on May 1st of Edward O. Strong who, as general composing room foreman at the State Printing Plant, has been directly responsible for maintaining an exceptionally fine record on the part of the composing room staff in setting copy rapidly and accurately for legislative measures and publications; and

WHEREAS, Edward O. Strong will have completed 45 years of state service on the date of his retirement, having entered state service as a printing plant messenger and thereafter having worked as a compositor, linotype operator, linotype machinist, and finally for many years as general composing room foreman, during which time he served under nine different state printers and has seen the tremendous growth of the State Printing Plant during that time and the corresponding

increase in volume of legislative printing and other state publications; and

WHEREAS, Ed has devoted much of his spare time to service in fraternal organizations and is a Mason, past commander of Commandery No. 2, Knights Templar, and a charter member of the Ben Ali Temple of the Shrine. He is also a charter member of American Legion Post No. 61 and is presently "Head Turkey" of the Rosemount Luncheon Club. He is past president of the Sacramento Club of Printing House Craftsmen, the Pacific Society of Printing House Craftsmen, and the Capitol City Rifle and Revolver Club; and

WHEREAS, Ed now proposes to take his ease hereafter, which he has ably and honorably earned the right to do, spending part of his time traveling around the United States with his wife, Odell, and spending more time at their mountain cabin in El Dorado County; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of this Legislature join with Edward O. Strong's many other friends in and out of state service in commending him for the competent and faithful manner in which he performed his duties for 45 years of employment in the State Printing Plant and, while regretting that his service is to terminate, extend to him and to his wife their best wishes and hopes for many years of health, happiness, and enjoyment following his retirement; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare and transmit copies of this resolution to Edward O. Strong and to his wife as a constant reminder to them of appreciation for his many years of service in the State Printing Plant.

CHAPTER 74

Assembly Concurrent Resolution No. 57—Approving certain amendments to the charter of the City of Newport Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on April 8, 1958.

[Filed with Secretary of State April 23, 1958.]

City of Newport Charter amendments

WHEREAS, Proceedings have been duly and regularly taken and had for the adoption and ratification of three amendments, hereinafter set forth, to the charter of the City of Newport Beach, a municipal corporation, in the County of Orange, State of California, and set out in the following certificate of the Mayor and City Clerk of the City of Newport Beach, as follows:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTS BY ELECTORS OF THE CITY OF NEWPORT BEACH

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF NEWPORT BEACH } ss.

Certificate

We, the undersigned, James B. Stoddard, Mayor of the City of Newport Beach, and Margery Schrouder, City Clerk of said city, do hereby certify and declare as follows:

That the City of Newport Beach, a municipal corporation in the County of Orange, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said city certain proposals for the amendment of the Charter of said city at a general municipal election duly and regularly called and held in said city on the 8th day of April, 1958, said charter amendments being herein designated as Charter Amendment Number Two, Charter Amendment Number Three and Charter Amendment Number Four.

That said general municipal election was duly and regularly held in said city on the date fixed by the City Council, to wit April 8, 1958 in accordance with the City Charter and the Constitution and laws of the State of California and the returns of said general municipal election were duly and regularly canvassed and the results determined, declared and entered, namely, that at said election a majority of the qualified voters voting thereon did vote in favor of and did ratify Charter Amendment Number Two, Charter Amendment Number Three and Charter Amendment Number Four, hereinafter specifically set forth.

That said Amendments to the Charter of said city so ratified by the qualified voters of said city are as follows, to wit:

CHARTER AMENDMENT NUMBER TWO

Section 401 of Article IV of the Charter of the City of Newport Beach was amended to read:

Eligibility

"Section 401. Eligibility. No person shall be eligible to hold office as a member of the City Council unless he is, and shall have been for at least one year immediately preceding his nomination or appointment, a qualified elector of the district from which he is nominated or appointed, and for at least three years immediately preceding his election or appointment, a registered qualified elector of the City."

CHARTER AMENDMENT NUMBER THREE

Section 402 of Article IV of the Charter of the City of Newport Beach was amended to read:

"Section 402. Compensation. The members of the City Council shall receive no compensation for their services as such, but shall receive reimbursement on order of the City Council for Council authorized traveling and other expenses when on official duty. In addition, each member shall receive the sum of One Hundred Dollars per month, which amount shall be deemed to be reimbursement of other out-of-pocket expenditures and costs imposed upon him in serving as a City Councilman. Absence of a Councilman from all regular and special meetings of the Council during any calendar month shall render such Councilman ineligible to receive such sum for such calendar month." Compensation

CHARTER AMENDMENT NUMBER FOUR

Section 1401 of Article XIV of the Charter of the City of Newport Beach was amended to read:

"Section 1401. Oil Well Drilling. No drilling for, exploration work of any kind, production or refining of, oil, gas or other hydrocarbon substances shall be permitted within that area of the City of Newport Beach as such limits exist as of the effective date of this Charter. The prohibitions shall include the City of Newport Beach. Oil well drilling

"This Section shall not prohibit the drilling for, production or refining of oil, gas or other hydrocarbon substances within any territory annexed to the City after the effective date of this Charter if such drilling, production or refining was being conducted in such territory at the date of the annexation thereof; but no such drilling, production or refining shall be permitted within any territory annexed to the City after the effective date of this Charter if such activities were not being conducted in such territory at the date of the annexation thereof.

"This Section shall not prohibit the continuance of production of any well slant drilled under property within the City from a location outside of the City and in existence at the time this Charter takes effect. Nor shall this section preclude the City Council from permitting the slant drilling of wells under the surface of property within the City from surface locations located either outside the City or within future annexations to the City wherein the drilling for and production of oil, gas and other hydrocarbon substances is permitted, provided that such slant drilling shall first be approved by a majority of the electors voting on such proposition at any special or general municipal election, and provided further that all of the following conditions shall be complied with:

"(a) The holding of a public hearing upon any application for a permit to conduct such drilling;

"(b) The requiring of the removal of all derricks and other surface structures used in the drilling of such well upon completion or abandonment of such well;

"(c) The furnishing of a faithful performance surety bond and the maintenance of public liability and property damage insurance by the permittee in amounts deemed adequate by the City Council;

"(d) The screening by landscaping and the beautification of any production and maintenance facilities used in the operation of any such well;

"(e) Provisions for the payment to the City of such amounts as in the sound discretion of the Council are adequate amounts for the consideration or granting of such permit, the holding of such hearing, the making of initial and periodic inspections, the granting of easements under City property and for royalties or rentals;

"(f) The requirement that no such well shall traverse any land under the area of the City wherein drilling is prohibited at a vertical depth of less than four hundred feet from the surface of the ground; and

"(g) Such other conditions as the City Council may prescribe by ordinance."

That we have compared the amendments as stated herein with the proposed charter amendments submitted to the electors of the City of Newport Beach and find and certify that they are full, true and correct copies thereof.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the seal of said City of Newport Beach to be affixed hereto this 17th day of April, 1958.

(SEAL)

JAMES B. STODDARD, Mayor
Newport Beach, California
MARGERY SCHROUDER, City Clerk
Newport Beach, California

and,

WHEREAS, Said proposed charter amendments as ratified (being hereinabove set forth at length) have been and are now duly and regularly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration and 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 the members of each house voting therefor and concurring therein, That the aforementioned three amendments to the charter of the City of Newport Beach as proposed to, and adopted and ratified by the qualified electors of said City of Newport Beach be and the same are hereby approved as a whole, without alteration, for and as amendments to and as part of the charter of the City of Newport Beach.

CHAPTER 75

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 19 to Article XVI thereof, relating to the issuance of bonds or the appropriation of money to provide loans and grants to school districts of the State, and prescribing the terms and conditions under which such grants and loans to school districts shall be made and repaid.

[Filed with Secretary of State April 23, 1958.]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its 1958 First Extraordinary Session commencing on the fourth day of March, 1958, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 19 to Article XVI thereof, to read:

SEC. 19. Bonds of the State of California shall be prepared, issued, and sold in the amount of two hundred twenty million dollars ($220,000,000), in such denominations, to be numbered, to bear such dates, and to bear such rate of interest as shall be determined by the Legislature.

The proceeds of such bonds shall be used:

(a) Subject to such legislation as the Legislature may, from time to time, enact, to provide loans and grants to school districts of the State for use in purchasing and improving school sites, the purchasing of furniture and equipment for schools, and the planning and constructing, reconstructing, repairing, altering, and making additions to, school buildings.

(b) Subject to such legislation as the Legislature may, from time to time, enact, to provide loans and grants to school districts for assistance in providing necessary housing and equipment for the education of physically handicapped minors and mentally retarded minors as those terms are defined in Chapters 9 and 11 of Division 4 of the Education Code.

(c) To pay the expenses that may be incurred in preparing, advertising, issuing, and selling the bonds, and in administering and directing the expenditure of the moneys realized from the sale of such bonds.

(d) To repay, as provided by law, any money appropriated from the Investment Fund at the 1958 First Extraordinary Session for state school building aid.

The issuance, signing, countersigning, endorsing, and selling of the bonds herein provided for, and the interest coupons thereon, the place and method of payment of principal and interest thereon, the procedure for initiating, advertising and holding sales thereof, and the performance by the several state boards and state officers of their respective duties in connection therewith; and all other provisions, terms, and conditions

relating to the bonds, shall be as provided by the Legislature.

The Legislature may appropriate money to be expended in addition to or in lieu of the money received from the sale of the bonds sold under the authority of this section. The money so appropriated shall be expended pursuant to subdivision (a) of this section. If the Legislature appropriates money in lieu of the money received from the sale of the bonds, the total amount of bonds required to be sold pursuant to this section shall be reduced by the amount so appropriated.

The Legislature shall pass all laws, general or special, necessary or convenient to carry into effect the provisions of this section. Such laws may provide for the allocation of funds to school districts pursuant to this section by the State Allocations Board or a similar agency and in that event, notwithstanding any other provision of this Constitution, Members of the Legislature who are required to meet with such board shall have equal rights and duties with the nonlegislative members to vote and act upon matters pending before such board.

The Legislature shall require each district receiving an allocation of money from the sale of bonds pursuant to this section for the purposes prescribed in subdivision (a) of this section to repay such money to the State on such terms and in such amounts as may be within the ability of the district to repay.

The Legislature may require each district receiving an allocation of money from the sale of bonds pursuant to this section for the purposes prescribed in subdivision (b) of this section to repay such money to the State on such terms and in such amounts as the Legislature deems proper.

The people of the State of California in adopting this section hereby declare that it is in the interests of the State and of the people thereof for the State to aid school districts of the State in providing necessary school sites and buildings for the pupils of the Public School System, such system being a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State.

CHAPTER 76

Assembly Concurrent Resolution No. 22—Relative to adjournment sine die of the 1958 First Extraordinary Session of the Legislature of the State of California.

[Filed with Secretary of State April 24, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the 1958 First Extraordinary Session of the Legislature of the State of California shall adjourn sine die at 5 o'clock p.m. on the twenty-third day of April, 1958.

CHAPTER 77

Assembly Concurrent Resolution No. 56—Relative to study of the Parks Bar Dam on the Yuba River.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, There have been frequent floods on the Feather River and the Yuba River in the State of California which have caused great loss of life and wide destruction of property and river control works; and

WHEREAS, During the great flood of December, 1955, damage of seventy-five million dollars ($75,000,000) occurred, much of which was attributable to damage caused by the waters of the Yuba River; and

WHEREAS, The construction of the Parks Bar Dam on the Yuba River will substantially reduce the flow of such flood waters at Marysville and Yuba City; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Department of Water Resources be requested to conduct water resources investigations, surveys, and studies, and prepare plans and estimates, for a flood control dam on the Yuba River in the vicinity of Parks Bar Bridge in Yuba County, to be constructed in co-operation with the United States, and to report thereon to the Legislature upon the convening of the 1959 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Director of Water Resources.

CHAPTER 78

Assembly Concurrent Resolution No. 59—Relative to the Woman's International Bowling Congress Tournament.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, It has come to the attention of the Members of the Legislature of the State of California that April 17, 1958, marked the opening date of the forty-first annual Woman's International Bowling Congress Tournament in the City of San Francisco; and

WHEREAS, The holding of this tournament in San Francisco culminates 11 years of work on the part of local women bowling adherents to have the event held in the City by the Golden Gate, and women from 37 states, Canada, Hawaii and Alaska are entered in this competition which ends on May 20th; and

WHEREAS, The 2,587 teams, 4,043 doubles, and 8,086 singles entries make up the seventh largest entry list in the history of the W. I. B. C., and the participants will be competing for the fourth largest prize fund of $87,321; and

WHEREAS, Bowling, man's oldest known sport, was first introduced into this Country from Holland in colonial times but has experienced its most phenomenal growth in the last 20 years; and

WHEREAS, Because the sport of bowling has gained enormously in popularity in San Francisco and the State of California generally, and because a large number of particularly skilled teams and individual players of the game have been developed in this State, making it a real center of this great sport, it is particularly fitting that the City of San Francisco was selected as the site for this outstanding tournament; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature extend the heartiest of welcomes to the officers of the International Woman's Bowling Congress, the many teams and players participating in the tournament, and the thousands of visitors attracted to the State of California and the City of San Francisco to observe bowling at its best; and be it further

Resolved, That the Members of the Legislature extend their congratulations and commendations to the officers and members of the various California bowling organizations who made the holding of this tournament in California possible; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare suitable copies of this resolution for presentation to the officers of the Woman's International Bowling Congress, namely, Jeannette Knepprath, President, and Emma Phaler, National Secretary; to Bernice Olson, President of the San Francisco Women's Bowling Association, and to Winnifred Berger, Chairman of the Tournament Committees.

CHAPTER 79

Assembly Joint Resolution No. 9—Relative to legislative jurisdiction over federal lands.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, Legislation is pending in the United States Congress to permit federal agencies to restore to states certain jurisdictional authority now vested in the United States over federally owned or operated land areas; and

WHEREAS, This proposed legislation would declare it to be the policy of Congress that the Federal Government shall retain only such measure of legislative jurisdiction over federally owned or operated land areas within the states as may be necessary for the proper performance of federal functions; and

WHEREAS, It is the sense of the Legislature of the State of California that, to the extent consistent with the purposes for which the land is held by the United States, the Federal

Government should not retain any legislative jurisdiction within federally owned or operated areas which might be exercised by the states, and particularly that the Federal Government should not retain any legislative jurisdiction with respect to qualifications for voting, education, public health and safety, taxation, marriage, divorce, annulment, adoption, commitment of the mentally incompetent, and descent and distribution of property, normally exercised by the states; and

WHEREAS, One measure pending in the Congress which will accomplish the objectives set forth in this resolution is S. 1538, introduced by Senator McClellan; 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 President and the Congress of the United States to enact S. 1538, or similar legislation, relating to the legislative jurisdiction of the United States over federal lands; 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, to Senator McClellan, and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 80

Assembly Joint Resolution No. 14—Relative to the allocation of funds for the prevention of encephalitis.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, Many areas of the State of California were recently subjected to heavy floods, with the result that the President declared the State a disaster area; and

WHEREAS, As the result of such floods many thousands of acres are still under water; and

WHEREAS, This flooding of large areas will cause a tremendous increase in the number of mosquitoes, including the Culex tsarsalis which is the vector for equine and human encephalitis; and

WHEREAS, Normal mosquito control practices will not be sufficient to protect the people of the affected areas from the threat of an epidemic condition of encephalitis; 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 Federal Director of Civil Defense to make federal funds available to the State of California under Public Law 875 of the Eighty-first Congress, as amended, for the prevention of this threatened epidemic; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Federal Director of Civil Defense and to each Senator and Representative from California in the Congress of the United States.

CHAPTER 81

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IX thereof, relating to the public schools.

[Filed with Secretary of State April 24, 1958.]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1958 First Extraordinary Session commencing on the fourth day of March, 1958, 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 by amending Section 2 of Article IX to read:

SEC. 2. A vacancy shall exist in the Office of Superintendent of Public Instruction upon the expiration of the term of office for which a person is elected at the gubernatorial election held in 1958. Thereafter the Superintendent of Public Instruction shall be appointed by the State Board of Education with the advice and consent of the Senate.

CHAPTER 82

Senate Concurrent Resolution No. 6—Relative to construction of a bridge across Montezuma Slough.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, It is planned to construct a bridge across Montezuma Slough in Solano County in order to replace present inadequate auto ferry service, and

WHEREAS, Such bridge would provide access to the State Waterfowl Management Area on Grizzly Island, together with certain agricultural properties on said island; and

WHEREAS, After a period of six years of planning agreement was reached between the County of Solano and the Department of Fish and Game to equally share in the cost of construction of a medium-level bridge across Montezuma Slough to thereafter be maintained by the County of Solano; and

WHEREAS, The need for the construction of said bridge has been adequately justified, and the project has been estimated to cost two hundred twenty thousand dollars ($220,000) by the Bridge Department of the Division of Highways; and

WHEREAS, Said medium-level bridge would provide a 50-foot center span with a clearance of 21.3 feet at mean high water and 27 feet at mean low water, and after due public hearings, as required by law, a permit has been issued by the Corps of Engineers, United States Army, for the construction of said bridge; provided, actual construction is commenced before September 28, 1958; and

WHEREAS, It has been estimated that in order to meet the provisions of the Corps of Engineers' permit it is necessary that detailed planning and preparation of specifications now in progress be continued without interruption in order to call for bids in June, 1958; and

WHEREAS, Certain representations have been made to the Legislature that the construction of the planned medium-level bridge would restrict the use of Montezuma Slough to certain recreational craft now utilizing that waterway; and

WHEREAS, It is desirable if possible and economically feasible to provide a bridge structure which would permit the maximum recreational utilization not only of the hunting and waterfowl management areas on Grizzly Island but of the maximum boating potential on Montezuma Slough as well; and

WHEREAS, The Montezuma Slough has long been known and used as a refuge waterway for all sizes and types of boats (including those for which the 21.3- to 27-foot clearance to be provided in the proposed medium-level bridge would not be adequate) to travel through to avoid damage, shipwreck and hazard to life by the heavy storms and rough waters often encountered in Honker and Suisun Bays, through an area therein otherwise known as the middle grounds; and

WHEREAS, The cost of any bridge of any particular type should be carefully weighed against the recreational values and the value of the refuge waterway route obtained by the various possible types of bridges; and

WHEREAS, Pursuant to Assembly Concurrent Resolution No. 208 of the 1957 Session, the Department of Fish and Game reported to the Legislature on alternative plans for the construction of a bridge across Montezuma Slough, revealing the comparative capital costs and annual costs, including amortization, maintenance and operation, as estimated by the Bridge Department, Division of Highways, to be:

(1) $220,000 capital cost, $12,614 annual cost for proposed medium-level bridge with 21.3- 27-foot clearance;

(2) $440,000 capital cost, $22,978 annual cost for high-level bridge with 50- 56-foot clearance;

(3) $483,000 capital cost, $42,000 annual cost for a medium-level bascule-type bridge with a two-way lift;

(4) $367,000 capital cost, $35,000 annual cost for a medium-level single-leaf central lift-type bridge, which bridge, however, would not meet the Corps of Engineers' requirement for a 50-foot center span; and

WHEREAS, Further delays will result in increased costs of construction because of present trends, as evidenced by the fact that during the six-year period of negotiations on the medium-level bridge the estimated costs of construction have risen from $100,000 to $220,000; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Fish and Game is hereby requested and directed to immediately apply for a time extension on the bridge construction permit issued by the Corps of Engineers for construction of a medium-level bridge across Montezuma Slough; and be it further

Resolved, That the Department of Fish and Game is requested and directed to discontinue and cease all activities related to the construction of the medium-level Montezuma Slough Bridge on June 1, 1958; provided, that by that date, but not subsequently, the Corps of Engineers has granted a time extension on the construction permit for such bridge, and that an allocation of funds has been made from either state sources other than the Wildlife Restoration Fund or federal sources to augment funds now available for construction of a medium-level bridge in sufficient amount to permit the construction of alternative plan (2) or (3) mentioned herein; and provided further, that nothing in this resolution shall prevent the necessary expenditure of funds for the detailed planning and preparation of specifications now in progress; and be it further

Resolved, That should the conditions outlined in the preceding paragraph be met by June 1, 1958, that the Department of Fish and Game be requested and directed to expeditiously proceed to apply for a modification of the construction permit issued by the Corps of Engineers for construction of alternative plan (2) or (3), to prepare plans and specifications for such alternative, and to proceed with construction of such alternative type bridge at the earliest practicable date; and be it further

Resolved, That it is the intent of the Legislature that no state money shall be expended beyond the cost of the proposed medium-level bridge unless specifically appropriated by the Legislature; 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 Department of Fish and Game.

CHAPTER 83

Senate Concurrent Resolution No. 19—Relative to study of the Parks Bar Dam on the Yuba River.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, There have been frequent floods on the Feather River and the Yuba River in the State of California which have caused great loss of life and wide destruction of property and river control works; and

WHEREAS, During the great flood of December, 1955, damage of seventy-five million dollars ($75,000,000) occurred, much of which was attributable to damage caused by the waters of the Yuba River; and

WHEREAS, The construction of the Parks Bar Dam on the Yuba River will substantially reduce the flow of such flood waters at Marysville and Yuba City; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Water Resources be requested to conduct water resources investigations, surveys, and studies, and prepare plans and estimates, for a flood control dam on the Yuba River in the vicinity of Parks Bar Bridge in Yuba County, to be constructed in co-operation with the United States, and to report thereon to the Legislature upon the convening of the 1959 Regular Session of the Legislature; and be it further

Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the Director of Water Resources.

CHAPTER 84

Senate Joint Resolution No. 10—Relative to the 1956 Social Security Amendments Act.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, The 1956 Social Security Amendments Act provided additional federal grants-in-aid to States for medical services to public assistance recipients; and

WHEREAS, The State of California immediately made these additional funds available to recipients by enacting enabling legislation and providing matching state funds; and

WHEREAS, The limitations of the 1956 Social Security Amendments Act prevent this State from distributing funds in the manner necessary to guarantee to all recipients that their medical care needs will be fully met; and

WHEREAS, The Federal Social Security Act can be amended to provide this desirable flexibility in distributing funds; and

WHEREAS, These amendments can be accomplished without increasing the amount of the federal grants-in-aid or in any way imposing restrictions upon recipients in the exercise of his rights as an individual; and

WHEREAS, The public assistance programs can be administered with less confusion to recipients and to the professional groups who are called upon to provide the necessary medical services; and

WHEREAS, Goodwin J. Knight, Governor of California, has advised each member of Congress from California of the specific amendments of the Social Security Act which will accomplish these desirable results; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the United States Congress be requested to give immediate attention to amending the Social Security Act so that payment for professional services under Public Assistance Medical Care Programs can be made directly to the persons rendering the professional services and medicine on a broader base than is now possible; and be it further

Resolved, That the Secretary of the Senate send a copy of this resolution to each member of Congress from the State of California, and to the Secretary of Health, Education and Welfare.

CHAPTER 85

Senate Joint Resolution No. 12—Relative to implementation of the Federal Flood Insurance Act of 1956.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, The many flood disasters in the history of this State and particularly the recent disasters in this State have proven that relief measures on the local level can never be entirely effective; and

WHEREAS, Relief from the enormous loss occasioned by floods concerns every citizen whether directly or indirectly affected by such floods; and

WHEREAS, The Federal Flood Insurance Act of 1956 offers promising possibilities for the development of a satisfactory national program of flood relief; and

WHEREAS, It appears that with further study and education any problems in the administration of this act could be resolved; and

WHEREAS, California has always freely participated in every project to provide necessary relief to its people in times of great flood disasters; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Congress of the United States is memorialized to provide funds to reactivate the Federal Flood

Insurance Administration and to orient its activities in accord with the principles developed by that agency during its year of active operation from 1956 to 1957, and provide funds for the payment of such subsidies by the Federal Government as may be necessary to the operation of the flood insurance program; and be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the Vice President of the United States, the Speaker of the House of Representatives, and to each member of Congress representing California.

STATUTES OF CALIFORNIA

SECOND EXTRAORDINARY SESSION

1958

Began Monday, March 31, 1958, and Adjourned
Thursday, April 24, 1958

PROCLAMATION BY THE GOVERNOR

CONVENING THE LEGISLATURE IN SECOND 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. KNIGHT, 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 thirty-first day of March, 1958, at 2 p.m. of said day for the following purpose and to legislate upon the following subject:

To consider and act upon the Budget Bill for the succeeding fiscal year and revenue acts necessary therefor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this thirtieth day of March, 1958.

(SEAL)

GOODWIN J. KNIGHT, Governor of California
[ATTEST] FRANK M. JORDAN, Secretary of State

STATUTES OF CALIFORNIA

PASSED AT THE 1958 SECOND EXTRAORDINARY 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 May 24, 1958. Filed with Secretary of State May 24, 1958.] In effect immediately

I object to the amount of the appropriation contained in Item 266 in Section 2 of Assembly Bill No 1, of the Second Extraordinary Session of 1958, and to subdivision (n) of that item, and hereby reduce the amount of the appropriation contained in said subdivision (n) to an amount not exceeding three hundred fifty thousand dollars ($350,000), and the said Item 266 to an amount not exceeding four hundred sixty three thousand four hundred forty-seven dollars ($463,447) With this reduction I approve the bill.

GOODWIN J. KNIGHT
Governor of California

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

SECTION 1. This act shall be known and may be cited as the "Budget Act of 1958." Short title

SEC. 2. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1958-59 Fiscal Year beginning July 1, 1958, and ending June 30, 1959. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury. Budget

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

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

STATE OPERATIONS SECTION

LEGISLATIVE

Item		Amount
Legislative	1—For salaries of Senators	$240,000
	2—For mileage of Lieutenant Governor, Senators and statutory officers of the Senate	2,500
	3—For expenses of Members of the Senate	86,400
	4—For contingent expenses of the Senate, including pay of officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Senate to be transferred by the State Controller to the Senate Contingent Fund.	2,370,000
	5—For salaries of Assemblymen	480,000
	6—For mileage of Assemblymen and statutory officers of the Assembly	5,000
	7—For expenses of Members of the Assembly	175,000
	8—For contingent expenses of the Assembly including pay of officers, clerks, and all other employees, and legislative committees thereof composed in whole or in part of Members of the Assembly to be transferred by the State Controller to the Assembly Contingent Fund.	2,765,300
	9—For legislative printing, binding, mailing and other necessary expenses to be transferred by the State Controller to the Legislative Printing Fund.	1,258,000
	10—For contingent expenses of the State Capitol Committee	750
	11—For support of the legislative offices, in accordance with the following schedule	48,494
	Schedule:	
	(a) Legislative Office in Alameda County	8,427
	(b) Legislative Office at Los Angeles	15,133
	(c) Legislative Office at San Diego	16,967
	(d) Legislative Office at San Francisco	7,967
	Total of schedule	48,494
Legislative Counsel Bureau	12—For support of Legislative Counsel Bureau, in accordance with the following schedule	538,529

Item		Amount	
Schedule:			
(a) Salaries and Wages	504,117		
(b) Operating Expenses and Equipment	38,912		
Total of schedule	543,029		
Less estimated reimbursements	4,500		
Net appropriation	538,529		
13—For support of California Law Revision Commission, in accordance with the following schedule		68,416	Law Revision Commission
Schedule:			
(a) Salaries and Wages	34,547		
(b) Operating Expenses and Equipment	33,869		
Total of schedule	68,416		
14—For support of California Commission on Uniform State Laws		5,450	Commission on Uniform State Laws
15—For State's contribution to the Legislators' Retirement Fund in accordance with Section 9358 of the Government Code		90,000	Legislators Retirement Fund
JUDICIAL			
16—For support of Supreme Court of California		676,525	Supreme Court
17—For support of Judicial Council		188,548	Judicial Council
18—For additional support of Judicial Council, to be expended for extra compensation and traveling expenses of judges assigned by the Judicial Council		30,000	
19—For support of the District Court of Appeal, First Appellate District		282,345	District Courts of Appeal
20—For support of the District Court of Appeal, Second Appellate District		425,931	
21—For support of the District Court of Appeal, Third Appellate District		159,460	
22—For support of the District Court of Appeal, Fourth Appellate District		202,076	
EXECUTIVE			
23—For support of the Governor and of the Governor's Office (exempt from the provisions of Sections 12410, 13320, and 16003 of the Government Code)		488,597	Governor
24—For support of the Governor's residence (exempt from the provisions of Sections 12410, 13320, and 16003 of the Government Code)		17,400	

Item		Amount
	25—For special contingent expenses, Governor's Office (exempt from the provisions of Sections 12410, 13320, and 16003 of the Government Code)	7,500
California Disaster Office	26—For support of the California Disaster Office, California State Disaster Council and advisory committees and in addition any amounts received from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item.	1,057,864
Emergency Fund	26.1—In the event that a state of extreme emergency, as defined in Sections 1505 and 1505.5 of the Military and Veterans Code, should exist during the 1958-59 Fiscal Year, any money in the Revenue Deficiency Reserve Fund, or so much thereof as may be deemed necessary, shall be transferred to the Emergency Fund specified in Item 273, upon the direction of the Governor, the State Controller, and the Director of Finance and pursuant to the recommendation of the California State Disaster Council. The money so transferred may be expended as provided in said Item 273 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 unencumbered balance of the money so transferred shall be returned to the Revenue Deficiency Reserve Fund.	
Lieutenant Governor	27—For salary and support of Lieutenant Governor, in accordance with the following schedule	62,078
	Schedule:	
	(a) Salaries and Wages 40,753	
	(b) Operating Expenses and Equipment 21,325	
	Total of schedule 62,078	
	GENERAL ADMINISTRATION	
Employees' Retirement System	28—For support of Board of Administration of the State Employees' Retirement System, in accordance with the following schedule	446,152

Item		Amount	
Schedule:			
(a) Salaries and Wages	817,450		
(b) Operating Expenses and Equipment	284,065		
Total of schedule	1,101,515		
Less estimated reimbursements	655,363		
Net appropriation	446,152		
29—For support of California Commission on Interstate Cooperation		33,965	Commission on Interstate Cooperation
30—For support of State Personnel Board, in accordance with the following schedule		2,438,352	Personnel Board
Schedule:			
(a) Salaries and Wages	2,255,277		
(b) Operating Expenses and Equipment	454,243		
Total of schedule	2,709,520		
Less estimated reimbursements	271,168		
Net appropriation	2,438,352		
31—For support of Secretary of State, in accordance with the following schedule		321,802	Secretary of State
Schedule:			
(a) Salaries and Wages	270,044		
(b) Operating Expenses and Equipment	59,758		
Total of schedule	329,802		
Less estimated reimbursements	8,000		
Net appropriation	321,802		
32—For printing constitutional amendments and other ballot measures, Secretary of State		175,000	
33—For support of Division of Collection Agencies, Secretary of State's Office, payable from the Collection Agency Fund, in accordance with the following schedule		62,053	Division of Collection Agencies
Schedule:			
(a) Salaries and Wages	46,061		
(b) Operating Expenses and Equipment	15,992		
Total of schedule	62,053		
provided, however, that $12,000 of the amount appropriated by this item shall not be available unless Senate Bill No. 6 of the 1958 Session of the Legislature is enacted.			Effect Stats 1958 Regular Session, Ch 4

AGRICULTURE

Item		Amount
Department of Agriculture	34—For support of Department of Agriculture and the State Livestock Sanitary Committee, in accordance with the following schedule	7,936,940
	Schedule:	
	(a) Salaries and Wages	6,193,677
	(b) Operating Expenses and Equipment	2,445,619
	Total of schedule	8,639,296
	Less estimated reimbursements	702,356
	Net appropriation	7,936,940
	35—For co-operation with the Federal Government in marketing research under the provisions of Public Law 733 (Seventy-ninth Congress) and Section 1286 of the Agricultural Code, Department of Agriculture, 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	72,500
	36—For support of Department of Agriculture, payable from the Department of Agriculture Fund, in accordance with the following schedule	6,423,579
	Schedule:	
	(a) Salaries and Wages	4,557,278
	(b) Operating Expenses and Equipment	1,868,301
	Total of schedule	6,425,579
	Less estimated reimbursements	2,000
	Net appropriation	6,423,579
Poultry Improvement Commission	37—For support of Poultry Improvement Commission, payable from the Poultry Testing Project Fund, in accordance with the following schedule	155,441
	Schedule:	
	(a) Salaries and Wages	79,359
	(b) Operating Expenses and Equipment	78,184
	Total of schedule	157,543
	Less estimated reimbursements	2,102
	Net appropriation	155,441

Item		Amount	
38—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.		115,240	Poultry Testing Project Fund
CORRECTIONS			
39—For support of Departmental Administration, and Board of Corrections, Department of Corrections, in accordance with the following schedule		2,341,544	Department of Corrections
Schedule:			
(a) Salaries and Wages	1,886,385		
(b) Operating Expenses and Equipment	464,424		
Total of schedule	2,350,809		
Less estimated reimbursements	9,265		
Net appropriation	2,341,544		
40—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 3295 and 3297 of the Health and Safety Code in accordance with the provisions of Section 26749 of the Government Code		94,900	
41—For expenses of returning fugitives from justice from outside the State in accordance with the provisions of Section 1557 of the Penal Code		188,000	
42—For court costs and county charges, payable under Sections 4700 and 4700.5 of the Penal Code, in connection with coroners' services and 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		20,000	
43—For support of the Medical Facility, Department of Corrections, in accordance with the following schedule		3,577,337	Medical Facility
Schedule:			
(a) Salaries and Wages	2,681,125		
(b) Operating Expenses and Equipment	1,033,107		

Item		Amount
	(c) Inmate Pay-work Projects.. 13,765	
	Total of schedule..... 3,727,997	
	Less estimated reimbursements.... 150,660	
	Net appropriation 3,577,337	
Men's Colony	44—For support of California Men's Colony, Department of Corrections, in accordance with the following schedule.....	1,889,074
	Schedule:	
	(a) Salaries and Wages..... 1,165,181	
	(b) Operating Expenses and Equipment 728,413	
	(c) Inmate Pay-work Projects.. 9,780	
	Total of schedule..... 1,903,374	
	Less estimated reimbursements.... 14,300	
	Net appropriation 1,889,074	
Institution for Men	45—For support of California Institution for Men, Department of Corrections, in accordance with the following schedule.....	4,760,602
	Schedule:	
	(a) Salaries and Wages..... 3,264,197	
	(b) Operating Expenses and Equipment 1,858,435	
	(c) Inmate Pay-work Projects.. 135,875	
	Total of schedule..... 5,258,507	
	Less estimated reimbursements.... 497,905	
	Net appropriation 4,760,602	
State Prisons Folsom	46—For support of California State Prison at Folsom, Department of Corrections, in accordance with the following schedule.....	3,422,308
	Schedule:	
	(a) Salaries and Wages..... 2,261,522	
	(b) Operating Expenses and Equipment 1,445,644	
	(c) Inmate Pay-work Projects.. 86,179	
	Total of schedule..... 3,793,345	
	Less estimated reimbursements.... 371,037	
	Net appropriation 3,422,308	
San Quentin	47—For support of California State Prison at San Quentin, Department of Corrections, in accordance with the following schedule.....	5,221,193

Item		Amount	
Schedule:			
(a) Salaries and Wages	3,235,642		
(b) Operating Expenses and Equipment	2,357,235		
(c) Inmate Pay-work Projects	101,696		
Total of schedule	5,694,573		
Less estimated reimbursements	473,380		
Net appropriation	5,221,193		
48—For support of California State Prison at Soledad, Department of Corrections, in accordance with the following schedule		4,371,472	Soledad
Schedule:			
(a) Salaries and Wages	2,827,829		
(b) Operating Expenses and Equipment	1,721,513		
(c) Inmate Pay-work Projects	54,200		
Total of schedule	4,603,542		
Less estimated reimbursements	232,070		
Net appropriation	4,371,472		
49—For support of Deuel Vocational Institution, Department of Corrections, in accordance with the following schedule		2,799,292	Deuel Vocational Institution
Schedule:			
(a) Salaries and Wages	1,984,214		
(b) Operating Expenses and Equipment	842,978		
(c) Inmate Pay-work Projects	8,500		
Total of schedule	2,835,692		
Less estimated reimbursements	36,400		
Net appropriation	2,799,292		
50—For support of California Institution for Women, Department of Corrections, in accordance with the following schedule		1,270,879	Institution for Women
Schedule:			
(a) Salaries and Wages	817,412		
(b) Operating Expenses and Equipment	465,437		
(c) Inmate Pay-work Projects	6,000		
Total of schedule	1,288,849		
Less estimated reimbursements	17,970		
Net appropriation	1,270,879		

Item		Amount
Adult Authority	51—For support of Adult Authority, Department of Corrections, in accordance with the following schedule	218,294
	Schedule:	
	(a) Salaries and Wages	179,578
	(b) Operating Expenses and Equipment	38,716
	Total of schedule	218,294
Institution for Women, Trustees	52—For support of Board of Trustees, California Institution for Women, Department of Corrections, in accordance with the following schedule	201,441
	Schedule:	
	(a) Salaries and Wages	137,173
	(b) Operating Expenses and Equipment	65,018
	Total of schedule	202,191
	Less estimated reimbursements	750
	Net appropriation	201,441

YOUTH AUTHORITY

Department of Youth Authority	53—For support of Departmental Administration, Department of the Youth Authority, in accordance with the following schedule	2,641,923
	Schedule:	
	(a) Salaries and Wages	2,000,599
	(b) Operating Expenses and Equipment	647,904
	Total of schedule	2,648,503
	Less estimated reimbursements	6,580
	Net appropriation	2,641,923
	54—For deportation of nonresidents committed to the Department of the Youth Authority and expenses in connection with the Interstate Compact on Juveniles	37,300
	55—For transportation of persons committed to the Department of the Youth Authority to or between its facilities, including the return of parole violators	65,900
	56—For maintenance of persons committed to the Department of the Youth Authority and paroled to the custody of private homes	153,000
Northern California Reception Center and Clinic	57—For support of Northern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule	1,000,184

Item		Amount	
Schedule:			
(a) Salaries and Wages	771,791		
(b) Operating Expenses and Equipment	234,143		
Total of schedule	1,005,934		
Less estimated reimbursements	5,750		
Net appropriation	1,000,184		
58—For support of Southern California Reception Center and Clinic, Department of the Youth Authority, in accordance with the following schedule		1,331,857	Southern California Reception Center and Clinic
Schedule:			
(a) Salaries and Wages	1,044,510		
(b) Operating Expenses and Equipment	295,277		
Total of schedule	1,339,787		
Less estimated reimbursements	7,930		
Net appropriation	1,331,857		
59—For support of Youth Authority Camps, Department of the Youth Authority, in accordance with the following schedule		374,026	Youth Authority Camps
Schedule:			
(a) Salaries and Wages	360,586		
(b) Operating Expenses and Equipment	258,524		
(c) Inmate Pay-work Projects	38,030		
Total of schedule	657,140		
Less estimated reimbursements	283,114		
Net appropriation	374,026		
60—For support of Fricot Ranch School for Boys, Department of the Youth Authority, in accordance with the following schedule		610,569	Schools: Fricot Ranch
Schedule:			
(a) Salaries and Wages	448,445		
(b) Operating Expenses and Equipment	177,314		
Total of schedule	625,759		
Less estimated reimbursements	15,190		
Net appropriation	610,569		
61—For support of the Fred C. Nelles School for Boys, Department of the Youth Authority, in accordance with the following schedule		1,028,273	Fred C Nelles

Item		Amount
	Schedule:	
	(a) Salaries and Wages	827,194
	(b) Operating Expenses and Equipment	226,979
	Total of schedule	1,054,173
	Less estimated reimbursements	25,900
	Net appropriation	1,028,273
Paso Robles	62—For support of Paso Robles School for Boys, Department of the Youth Authority, in accordance with the following schedule	1,226,216
	Schedule:	
	(a) Salaries and Wages	931,594
	(b) Operating Expenses and Equipment	302,222
	Total of schedule	1,233,816
	Less estimated reimbursements	7,600
	Net appropriation	1,226,216
Preston	63—For support of Preston School of Industry, Department of the Youth Authority, in accordance with the following schedule	2,185,279
	Schedule:	
	(a) Salaries and Wages	1,742,872
	(b) Operating Expenses and Equipment	550,132
	Total of schedule	2,293,004
	Less estimated reimbursements	107,725
	Net appropriation	2,185,279
	provided further, that $1,700 of this appropriation is available to reimburse the school district for landscaping real property located on the premises of the Preston School of Industry.	
Youth Training School	64—For support of Youth Training School, Department of the Youth Authority, in accordance with the following schedule	54,295
	Schedule:	
	(a) Salaries and Wages	43,170
	(b) Operating Expenses and Equipment	11,125
	Total of schedule	54,295
Los Guilucos	65—For support of Los Guilucos School for Girls, Department of the Youth Authority, in accordance with the following schedule	941,836

Item		Amount
Schedule:		
(a) Salaries and Wages	739,543	
(b) Operating Expenses and Equipment	208,238	
Total of schedule	947,781	
Less estimated reimbursements	5,945	
Net appropriation	941,836	
66—For support of Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule		801,361
Schedule:		
(a) Salaries and Wages	642,244	
(b) Operating Expenses and Equipment	168,112	
Total of schedule	810,356	
Less estimated reimbursements	8,995	
Net appropriation	801,361	

Ventura

EDUCATION

67—For support of Department of Education, Superintendent of Public Instruction and State Board of Education, in accordance with the following schedule		3,101,303
Schedule:		
(a) Salaries and Wages	2,890,001	
(b) Operating Expenses and Equipment	919,060	
Total of schedule	3,809,061	
Less estimated amounts available from other sources:		
(c) Reimbursements	645,758	
(d) Amount payable from State School Building Aid Fund (Item 68)	62,000	
Net appropriation	3,101,303	

Department of Education

67.1—For support of the commission to assist and advise local school districts in problems relating to racial, religious, or other discrimination in connection with the employment of certificated employees, created pursuant to Section 187 of the Education Code, in accordance with the following schedule		19,414

Commission to assist local school districts

Item		Amount
	Schedule:	
	(a) Salaries and wages	12,624
	(b) Operating Expenses and Equipment	6,790
	Total of schedule	19,414
	68—For additional support of Department of Education, payable from the State School Building Aid Fund	62,000
Western Interstate Commission for Higher Education	69—For payment of the State's share of the operating costs of the Western Interstate Commission for Higher Education, Department of Education	7,000
Special Education Programs	70—For study of special educational programs designed to meet the needs of gifted pupils in the public schools of this State, to be expended in accordance with Chapter 2385, Statutes of 1957, Sections 2, 3, and 4, Department of Education	74,000
Study of emotionally disturbed children	71—For study of problems relating to emotionally disturbed children in the public schools of this State, to be expended in accordance with Chapter 2385, Statutes of 1957, Sections 1, 3, and 4, Department of Education	80,000
Vocational education	72—For vocational education, Department of Education	732,309
	Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code.	
Vocational rehabilitation	73—For vocational rehabilitation, Department of Education, in accordance with the following schedule	2,117,771
	Schedule:	
	(a) Salaries and Wages	1,727,051
	(b) Operating Expenses and Equipment	3,110,195
	Total of schedule	4,837,246
	Less estimated amounts available from other sources:	
	(c) Reimbursements	27,144
	(d) Federal grants	2,692,331
	Net appropriation	2,117,771
	provided, that of the amount appropriated by this item $16,000 is exempt from the provisions of Section 27 of this act and may be expended for purchase of equipment or supplies for cafeteria-type blind vending stands in state office buildings.	

Item		Amount	
74—For support of Division of Libraries, Department of Education, and Board of Library Examiners, in accordance with the following schedule		740,417	Division of Libraries
Schedule:			
(a) Salaries and Wages	570,561		
(b) Operating Expenses and Equipment	175,746		
Total of schedule	746,307		
Less estimated reimbursements	5,890		
Net appropriation	740,417		
74.1—For support of Alameda County State College		100,000	State Colleges Alameda
75—For support of Chico State College, in accordance with the following schedule		2,619,646	Chico
Schedule:			
(a) Salaries and Wages	2,477,708		
(b) Operating Expenses and Equipment	408,947		
Total of schedule	2,886,655		
Less estimated reimbursements	267,009		
Net appropriation	2,619,646		
76—For additional support, Chico State College, payable from the State College Fund, in accordance with the following schedule		104,781	
Schedule:			
(a) Salaries and Wages	72,966		
(b) Operating Expenses and Equipment	31,815		
Total of schedule	104,781		
77—For support of Fresno State College, in accordance with the following schedule		4,114,933	Fresno
Schedule:			
(a) Salaries and Wages	3,954,448		
(b) Operating Expenses and Equipment	735,521		
Total of schedule	4,689.969		
Less estimated reimbursements	575,036		
Net appropriation	4,114,933		
78—For additional support, Fresno State College, payable from the State College Fund, in accordance with the following schedule		561,491	

Item		Amount
	Schedule:	
	(a) Salaries and Wages	423,669
	(b) Operating Expenses and Equipment	146,597
	Total of schedule	570,266
	Less estimated reimbursements	8,775
	Net appropriation	561,491
	78.5—For additional support, Fresno State College, in accordance with the following schedule	60,000
	Schedule:	
Sequoias	(a) Sequoias Junior College	30,000
Porterville	(b) Porterville Junior College	30,000
	Total of schedule	60,000
	In making this appropriation it is the intent of the Legislature to establish off-campus centers in Tulare County at the junior colleges in the above schedule, restricted to an instructional program in upper division education courses leading to an elementary teaching credential.	
Humboldt	79—For support of Humboldt State College, in accordance with the following schedule	2,004,652
	Schedule:	
	(a) Salaries and Wages	1,789,830
	(b) Operating Expenses and Equipment	347,348
	Total of schedule	2,137,178
	Less estimated reimbursements	132,526
	Net appropriation	2,004,652
Long Beach	80—For support of Long Beach State College, in accordance with the following schedule	4,278,617
	Schedule:	
	(a) Salaries and Wages	4,192,037
	(b) Operating Expenses and Equipment	717,148
	Total of schedule	4,909,185
	Less estimated reimbursements	630,568
	Net appropriation	4,278,617
Los Angeles	81—For support of Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule	4,564,446

Item		Amount	
Schedule:			
(a) Salaries and Wages	4,337,470		
(b) Operating Expenses and Equipment	832,144		
Total of schedule	5,169,614		
Less estimated reimbursements	605,168		
Net appropriation	4,564,446		
81.1—For support of Orange County State College		100,000	Orange County
82—For support of Sacramento State College, in accordance with the following schedule		2,981,883	Sacramento
Schedule:			
(a) Salaries and Wages	2,897,901		
(b) Operating Expenses and Equipment	474,161		
Total of schedule	3,372,062		
Less estimated reimbursements	390,179		
Net appropriation	2,981,883		
83—For support of San Diego State College, in accordance with the following schedule		5,330,827	San Diego
Schedule:			
(a) Salaries and Wages	5,224,203		
(b) Operating Expenses and Equipment	793,569		
Total of schedule	6,017,772		
Less estimated reimbursements	686,945		
Net appropriation	5,330,827		
84—For support of San Fernando Valley State College, in accordance with the following schedule		1,444,766	San Fernando Valley
Schedule:			
(a) Salaries and Wages	1,326,064		
(b) Operating Expenses and Equipment	289,348		
Total of schedule	1,615,412		
Less estimated reimbursements	170,646		
Net appropriation	1,444,766		
85—For support of San Francisco State College, in accordance with the following schedule		5,678,684	San Francisco

Item		Amount
	Schedule:	
	(a) Salaries and Wages	5,898,394
	(b) Operating Expenses and Equipment	1,030,013
	Total of schedule	6,928,407
	Less estimated reimbursements	1,249,723
	Net appropriation	5,678,684
San Jose	86—For support of San Jose State College, in accordance with the following schedule	7,959,741
	Schedule:	
	(a) Salaries and Wages	7,761,547
	(b) Operating Expenses and Equipment	1,167,494
	Total of schedule	8,929,041
	Less estimated reimbursements	969,300
	Net appropriation	7,959,741
Polytechnic	87—For support of California State Polytechnic College, payable from any moneys in the Fair and Exposition Fund available to said school under the provisions of Section 19626 of the Business and Professions Code, in accordance with the following schedule	3,311,897
	Schedule:	
	(a) Salaries and Wages	5,216,953
	(b) Operating Expenses and Equipment	1,057,168
	Total of schedule	6,274,121
	Less estimated amounts available from other sources:	
	(c) Reimbursements	490,075
	(d) Amount payable from Item 88	2,472,149
	Net appropriation	3,311,897
	88—For additional support, California State Polytechnic College to be transferred to Item 87 upon order of the Department of Finance.	2,472,149
Maritime Academy	89—For support of California Maritime Academy, in accordance with the following schedule	385,508

Item		Amount	
Schedule:			
(a) Salaries and Wages	383,942		
(b) Operating Expenses and Equipment	163,214		
Total of schedule	547,156		
Less estimated reimbursements	161,648		
Net appropriation	385,508		
90—For support of California School for the Blind, in accordance with the following schedule		504,869	School for Blind
Schedule:			
(a) Salaries and Wages	413,719		
(b) Operating Expenses and Equipment	127,500		
Total of schedule	541,219		
Less estimated reimbursements	36,350		
Net appropriation	504,869		
91—For support of California School for the Deaf, Berkeley, in accordance with the following schedule		1,294,601	Schools for Deaf Berkeley
Schedule:			
(a) Salaries and Wages	1,063,113		
(b) Operating Expenses and Equipment	280,989		
Total of schedule	1,344,102		
Less estimated reimbursements	49,501		
Net appropriation	1,294,601		
92—For support of California School for the Deaf, Riverside, in accordance with the following schedule		1,456,584	Riverside
Schedule:			
(a) Salaries and Wages	1,211,496		
(b) Operating Expenses and Equipment	267,501		
Total of schedule	1,478,997		
Less estimated reimbursements	22,413		
Net appropriation	1,456,584		
93—For support of School for Cerebral Palsied Children, Northern California, in accordance with the following schedule		393,314	Schools for Cerebral Palsied Children: Northern California

Item		Amount
	Schedule:	
	(a) Salaries and Wages	330,637
	(b) Operating Expenses and Equipment	65,239
	Total of schedule	395,876
	Less estimated reimbursements	2,562
	Net appropriation	393,314
Southern California	94—For support of School for Cerebral Palsied Children, Southern California, in accordance with the following schedule	328,186
	Schedule:	
	(a) Salaries and Wages	279,524
	(b) Operating Expenses and Equipment	53,027
	Total of schedule	332,551
	Less estimated reimbursements	4,365
	Net appropriation	328,186
Oakland Orientation Center	95—For support of Oakland Orientation Center, in accordance with the following schedule	314,672
	Schedule:	
	(a) Salaries and Wages	249,293
	(b) Operating Expenses and Equipment	91,691
	Total of schedule	340,984
	Less estimated reimbursements	26,312
	Net appropriation	314,672
Industries for Blind Centers: Los Angeles	96—For support of Los Angeles Center, California Industries for the Blind, in accordance with the following schedule	113,710
	Schedule:	
	(a) Salaries and Wages	90,834
	(b) Operating Expenses and Equipment	22,876
	Total of schedule	113,710
Oakland	97—For support of Oakland Center, California Industries for the Blind, in accordance with the following schedule	86,312
	Schedule:	
	(a) Salaries and Wages	54,642
	(b) Operating Expenses and Equipment	31,670
	Total of schedule	86,312

Item		Amount	
98—For support of San Diego Center, California Industries for the Blind, in accordance with the following schedule		49,892	San Diego
Schedule:			
(a) Salaries and Wages	36,685		
(b) Operating Expenses and Equipment	13,207		
Total of schedule	49,892		
99—For support of State Teachers' Retirement System, in accordance with the following schedule		296,296	Teachers' Retirement System
Schedule:			
(a) Salaries and Wages	238,113		
(b) Operating Expenses and Equipment	58,183		
Total of schedule	296,296		
100—For support of the State Scholarship Commission in accordance with the following schedule		932,100	Scholarship Commission
Schedule:			
(a) Salaries and Wages	32,018		
(b) Operating Expenses and Equipment	900,082		
Total of schedule	932,100		
101—For support of University of California, exempt from Section 34 of this act		89,565,748	University of California.
101.5—For real estate education and research, University of California, payable from the Real Estate Education and Research Fund, exempt from Section 34 of this act		218,350	Institute of Real Estate
102—The unexpended balance of the appropriation made by Item 103.5, Budget Act of 1955, is reappropriated for the same purpose for the University of California, exempt from Section 34 of this act.			
103—For spotted alfalfa aphid control research, University of California, 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, exempt from Section 34 of this act		53,792	Spotted alfalfa aphid control
104—For khapra beetle control research, University of California, 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 Busi-			Khapra beetle control

Item		Amount
	ness and Professions Code, exempt from Section 34 of this act	43,812
Fruit fly investigations	105—For fruit fly investigations, University of California, 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, exempt from Section 34 of this act	41,767
Board of Sea water conversion	105.5—For research in the conversion of sea water to fresh water, University of California, payable from the Investment Fund, exempt from Section 34 of this act	334,900
Hastings College of Law	106—For support of Hastings College of Law, in accordance with the following schedule	272,661
	Schedule:	
	(a) Salaries and Wages 296,271	
	(b) Operating Expenses and Equipment 61,650	
	Total of schedule 357,921	
	Less estimated reimbursements 85,260	
	Net appropriation 272,661	
Public Library Commission	107—For support of California Public Library Commission	25,000
	FISCAL AFFAIRS	
Control	108—For support of State Board of Control, in accordance with the following schedule	13,557
	Schedule:	
	(a) Salaries and Wages 12,402	
	(b) Operating Expenses and Equipment 1,155	
	Total of schedule 13,557	
Controller	109—For support of the State Controller, in accordance with the following schedule	3,000,184
	Schedule:	
	(a) Salaries and Wages 3,100,659	
	(b) Operating Expenses and Equipment 916,072	
	Total of schedule 4,016,731	
	Less estimated amounts available from other sources:	
	(c) Reimbursements 78,500	

Item		Amount	
(d) Amount payable from the Postwar Unemployment and Construction Fund (Item 110)	5,645		
(e) Amount payable from the Motor Vehicle Fuel Fund (Item 111)	159,002		
(f) Amount payable from the State Redemption Tax Fund (Item 112)	190,877		
(g) Amount payable from the Motor Vehicle Transportation Tax Fund (Item 113)	163,597		
(h) Amount payable from the State School Building Aid Fund (Item 114)	118,926		
Net appropriation	3,000,184		
110—For additional support of State Controller, payable from the Postwar Unemployment and Construction Fund		5,796	
111—For additional support of State Controller, payable from the Motor Vehicle Fuel Fund		490,153	
112—For additional support of State Controller, payable from the State Redemption Tax Fund		193,787	
113—For additional support of State Controller, payable from the Motor Vehicle Transportation Tax Fund		184,507	
114—For additional support of State Controller, payable from the State School Building Aid Fund		120,228	
115—For support of State Board of Equalization, in accordance with the following schedule		11,777,030	Board of Equalization
Schedule:			
(a) Salaries and Wages	13,221,068		
(b) Operating Expenses and Equipment	2,449,374		
Total of schedule	15,670,442		
Less estimated reimbursements	3,893,412		
Net appropriation	11,777,030		
116—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		944,093	Division of Highway Taxes

Item		Amount
	Schedule:	
	(a) Salaries and Wages	1,202,494
	(b) Operating Expenses and Equipment	673,506
	Total of schedule	1,876,000
	Less estimated amounts available from other sources:	
	(c) Amount payable from the Itinerant Merchants Fund (Item 117)	21,161
	(d) Amount payable from the Motor Vehicle Fuel Fund (Item 118)	910,746
	Net appropriation	944,093
	117—For additional support of Division of Highway Taxes, State Board of Equalization, payable from the Itinerant Merchants Fund	21,161
	118—For additional support of Division of Highway Taxes, State Board of Equalization, payable from the Motor Vehicle Fuel Fund	910,746
Department of Finance	119—For support of Department of Finance, in accordance with the following schedule	7,129,843
	Schedule:	
	(a) Salaries and Wages	8,614,881
	(b) Operating Expenses and Equipment	3,231,148
	Total of schedule	11,846,029
	Less estimated amounts available from other sources:	
	(c) Reimbursements	3,896,595
	(d) Amount payable from Fair and Exposition Fund (Item 120)	201,742
	(e) Amount payable from the Postwar Unemployment and Construction Fund (Item 121)	8,238
	(f) Amount payable from the State School Building Aid Fund (Item 122)	609,611
	Net appropriation	7,129,843

provided, that this appropriation shall be available 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 state-

Item	Amount	
controlled property under the jurisdiction of the Department of Finance.		
120—For additional support of Department of Finance, payable from the Fair and Exposition Fund	201,742	
121—For additional support of Department of Finance, payable from the Postwar Unemployment and Construction Fund	8,238	
122—For additional support of Department of Finance, payable from the State School Building Aid Fund	609,611	
122.5—For painting portrait of Governor, Department of Finance	3,000	
123—For support of California State Fair and Exposition, Department of Finance, payable from the State Fair Fund	2,088,547	State Fair and Exposition
124—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	269,450	
to be transferred to the State Fair Fund by the State Controller.		
125—For support of Sixth District Agricultural Association, Fairs and Expositions Division, Department of Finance, payable from the Sixth District Agricultural Association Fund	405,655	Sixth District Agricultural Association
126—For augmentation of the Sixth District Agricultural Association 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	154,000	
to be transferred to the Sixth District Agricultural Association Fund by the State Controller.		
127—For support of the Fairs Classification Committee, 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	8,000	Fairs Classification Committee
128—For support of State Lands Division, State Lands Commission, Department of Finance, payable from the State Lands Act Fund, in accordance with the following schedule	830,964	State Lands Division

Item		Amount
	Schedule:	
	(a) Salaries and Wages	602,450
	(b) Operating Expenses and Equipment	285,255
	Total of schedule	887,705
	Less estimated reimbursements	56,741
	Net appropriation	830,964
Franchise Tax Board	129—For support of Franchise Tax Board, in accordance with the following schedule	6,139,817
	Schedule:	
	(a) Salaries and Wages	5,303,953
	(b) Operating Expenses and Equipment	835,864
	Total of schedule	6,139,817
Treasurer	130—For support of the State Treasurer, in accordance with the following schedule	432,038
	Schedule:	
	(a) Salaries and Wages	273,994
	(b) Operating Expenses and Equipment	184,294
	Total of schedule	458,288
	Less estimated reimbursements	26,250
	Net appropriation	432,038

HIGHWAY PATROL

Highway Patrol	131—For support of the Department of the California Highway Patrol, payable from the Motor Vehicle Fund, in accordance with the following schedule	26,004,814
	Schedule:	
	(a) Salaries and Wages	18,943,204
	(b) Operating Expenses and Equipment	7,237,750
	Total of schedule	26,180,954
	Less estimated reimbursements	176,140
	Net appropriation	26,004,814

provided, 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

Item		Amount	
	city or county ordinance as an incident to their assigned duties with respect to traffic 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.		
132—For payment of deficiencies in appropriations for the Department of the California Highway Patrol which may be authorized by the Director of Finance, with the consent of the Governor, pursuant to Section 11006 of the Government Code, the sum of $100,000, or so much thereof as may be necessary, payable from the Motor Vehicle Fund; provided, that amounts authorized from this item shall be made for purchase or operation of motor vehicles upon showing that such amounts are in excess of the amounts provided for in the appropriations to be augmented.			
	INDUSTRIAL RELATIONS		
133—For support of Department of Industrial Relations, in accordance with the following schedule		8,521,512	Department of Industrial Relations
Schedule:			
(a) Salaries and Wages	6,975,821		
(b) Operating Expenses and Equipment	1,610,144		
Total of schedule	8,585,965		
Less estimated reimbursements	64,453		
Net appropriation	8,521,512		
134—For support of State Fire Marshal, in accordance with the following schedule		431,308	Fire Marshal
Schedule:			
(a) Salaries and Wages	413,471		
(b) Operating Expenses and Equipment	101,893		
Total of schedule	515,364		
Less estimated amounts available from other sources:			
(c) Reimbursements	47,337		
(d) Amount payable from Fair and Exposition Fund (Item 135)	14,372		

Item		Amount
	(e) Amount payable from Dry Cleaners' Fund (Item 135.1) 22,347	
	Net appropriation 431,308	
	135—For additional support of the State Fire Marshal, payable from any moneys in the Fair and Exposition Fund available for capital outlay purposes under paragraph (c) of Section 19626 of the Business and Professions Code	14,372
	135.1—For additional support of the State Fire Marshal, payable from the Dry Cleaners' Fund	22,347

JUSTICE

Department of Justice	136—For support of Department of Justice, in accordance with the following schedule.....	5,280,584
	Schedule:	
	(a) Salaries and Wages 4,577,315	
	(b) Operating Expenses and Equipment 1,298,769	
	Total of schedule..... 5,876,084	
	Less estimated reimbursements..... 595,500	
	Net appropriation 5,280,584	
Bureau of Narcotic Enforcement	136.1—In addition to and in augmentation of any funds otherwise appropriated for the support of the Bureau of Narcotic Enforcement, Department of Justice..... for the compensation of 20 inspectors and for the compensation of such additional secretaries and other staff personnel and for purchase of such additional equipment as are necessary to enable such 20 inspectors to perform their duties.	247,181
	136.5—For fees to special counsel employed pursuant to Section 12520 of the Government Code, Department of Justice.....	8,500
	137—For litigation and legal services in connection with activities of the Colorado River Board of California, Department of Justice.....	645,616
	137.5—For consultants and other expenses related to participation by the Department of Justice in proceedings before the Federal Power Commission, Department of Justice.....	25,000

MENTAL HYGIENE

Item		Amount	Department of Mental Hygiene
138—For support of Department of Mental Hygiene, in accordance with the following schedule		3,351,132	
Schedule:			
(a) Salaries and Wages	2,684,837		
(b) Operating Expenses and Equipment	840,964		
Total of schedule	3,525,801		
Less estimated amounts available from other sources:			
(c) Estimated grants from the Federal Government or agencies thereof	174,669		
Net appropriation	3,351,132		
139—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		67,230	
Schedule:			
(a) Operating Expenses	134,450		
Less estimated reimbursements	67,220		
Net appropriation	67,230		
140—For expenses of deportation and transfer of patients of the Department of Mental Hygiene, Department of Mental Hygiene, in accordance with the following schedule		156,320	
Schedule:			
(a) Operating Expenses	159,320		
Less estimated reimbursements	3,000		
Net appropriation	156,320		
141—For family care of patients paroled or on leave of absence from state institutions of the Department of Mental Hygiene pursuant to Section 6726 of the Welfare and Institutions Code, Department of Mental Hygiene		1,478,400	
142—For research projects, Department of Mental Hygiene, to be expended only on allocations to agencies of the Department of Mental Hygiene authorized by the Department of Finance		500,000	
The appropriation made by this item shall remain available for allocation, reallocation, and expenditure until June 30, 1961.			
And in addition any amounts received for research projects from federal grants or			

Item		Amount
	other sources shall be available for expenditure in accordance with the provisions of this item.	
Outpatient Clinics	143—For support of Outpatient Mental Hygiene Clinics, Department of Mental Hygiene, in accordance with the following schedule	658,747
	Schedule:	
	(a) Salaries and Wages 660,144	
	(b) Operating Expenses and Equipment 89,490	
	Total of schedule 749,634	
	Less estimated amounts available from other sources:	
	(c) Estimated grants from the Federal Government or agencies thereof 90,887	
	Net appropriation 658,747	
Langley Porter Clinic	144—For support of the Langley Porter Neuropsychiatric Institute at San Francisco, in accordance with the following schedule	1,506,232
	Schedule:	
	(a) Salaries and Wages 1,275,839	
	(b) Operating Expenses and Equipment 242,813	
	Total of schedule 1,518,652	
	Less estimated reimbursements 12,420	
	Net appropriation 1,506,232	
Neuropsychiatric Institute	145—For support of the Neuropsychiatric Institute at University of California, Los Angeles, Department of Mental Hygiene, in accordance with the following schedule	337,472
	Schedule:	
	(a) Salaries and Wages 301,829	
	(b) Operating Expenses and Equipment 35,643	
	Total of schedule 337,472	
State Hospitals' Agnews	146—For support of Agnews State Hospital, in accordance with the following schedule	7,804,837
	Schedule:	
	(a) Salaries and Wages 6,193,181	
	(b) Operating Expenses and Equipment 1,701,786	
	Total of schedule 7,894,967	

Item		Amount	
Less estimated reimbursements	90,130		
Net appropriation	7,804,837		
147—For support of Atascadero State Hospital, in accordance with the following schedule		2,631,637	Atascadero
Schedule:			
(a) Salaries and Wages	2,115,815		
(b) Operating Expenses and Equipment	552,662		
Total of schedule	2,668,477		
Less estimated reimbursements	36,840		
Net appropriation	2,631,637		
148—For support of Camarillo State Hospital, in accordance with the following schedule		10,761,702	Camarillo
Schedule:			
(a) Salaries and Wages	8,449,602		
(b) Operating Expenses and Equipment	2,495,430		
Total of schedule	10,945,032		
Less estimated reimbursements	183,330		
Net appropriation	10,761,702		
149—For support of DeWitt State Hospital, in accordance with the following schedule		5,106,566	DeWitt
Schedule:			
(a) Salaries and Wages	3,781,592		
(b) Operating Expenses and Equipment	1,390,964		
Total of schedule	5,172,556		
Less estimated reimbursements	65,990		
Net appropriation	5,106,566		
150—For support of Mendocino State Hospital, in accordance with the following schedule		4,586,505	Mendocino
Schedule:			
(a) Salaries and Wages	3,580,427		
(b) Operating Expenses and Equipment	1,086,508		
Total of schedule	4,666,935		
Less estimated reimbursements	80,430		
Net appropriation	4,586,505		
151—For support of Metropolitan State Hospital, in accordance with the following schedule		6,661,439	Metropolitan

Item		Amount
	Schedule:	
	(a) Salaries and Wages	5,265,369
	(b) Operating Expenses and Equipment	1,483,490
	Total of schedule	6,748,859
	Less estimated reimbursements	87,420
	Net appropriation	6,661,439
Modesto	152—For support of Modesto State Hospital, in accordance with the following schedule	5,902,754
	Schedule:	
	(a) Salaries and Wages	4,417,400
	(b) Operating Expenses and Equipment	1,550,074
	Total of schedule	5,967,474
	Less estimated reimbursements	64,720
	Net appropriation	5,902,754
Napa	153—For support of Napa State Hospital, in accordance with the following schedule	9,319,065
	Schedule:	
	(a) Salaries and Wages	7,369,366
	(b) Operating Expenses and Equipment	2,063,309
	Total of schedule	9,432,675
	Less estimated reimbursements	113,610
	Net appropriation	9,319,065
Patton	154—For support of Patton State Hospital, in accordance with the following schedule	7,775,907
	Schedule:	
	(a) Salaries and Wages	6,222,898
	(b) Operating Expenses and Equipment	1,633,239
	Total of schedule	7,856,137
	Less estimated reimbursements	80,230
	Net appropriation	7,775,907
Stockton	155—For support of Stockton State Hospital, in accordance with the following schedule	8,420,969
	Schedule:	
	(a) Salaries and Wages	6,649,219
	(b) Operating Expenses and Equipment	1,870,590
	Total of schedule	8,519,809

Item		Amount	
Less estimated reimbursements	98,840		
Net appropriation	8,420,969		
156—For support of Fairview State Hospital, in accordance with the following schedule		1,726,254	Fairview
Schedule:			
(a) Salaries and Wages	1,480,813		
(b) Operating Expenses and Equipment	265,431		
Total of schedule	1,746,244		
Less estimated reimbursements	19,990		
Net appropriation	1,726,254		
157—For support of Pacific State Hospital, in accordance with the following schedule		6,849,608	Pacific
Schedule:			
(a) Salaries and Wages	5,428,927		
(b) Operating Expenses and Equipment	1,514,881		
Total of schedule	6,943,808		
Less estimated reimbursements	94,200		
Net appropriation	6,849,608		
158—For support of Porterville State Hospital, in accordance with the following schedule		5,489,462	Porterville
Schedule:			
(a) Salaries and Wages	4,371,779		
(b) Operating Expenses and Equipment	1,163,923		
Total of schedule	5,535,702		
Less estimated reimbursements	46,240		
Net appropriation	5,489,462		
159—For support of Sonoma State Hospital, in accordance with the following schedule		8,064,824	Sonoma
Schedule:			
(a) Salaries and Wages	6,523,548		
(b) Operating Expenses and Equipment	1,614,876		
Total of schedule	8,138,424		
Less estimated reimbursements	73,600		
Net appropriation	8,064,824		

MILITARY AFFAIRS

Item		Amount
Military Department	160—For support of the Military Department, exclusive of the California Cadet Corps, in accordance with the following schedule	2,677,133
	Schedule:	
	(a) Salaries and Wages 1,849,568	
	(b) Operating Expenses and Equipment 1,192,871	
	Total of schedule 3,042,439	
	Less estimated reimbursements 365,306	
	Net appropriation 2,677,133	
	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 appropriation, would be available to the Adjutant General, the California National Guard or the California National Guard Reserve from the Federal Government.	
California Cadet Corps	161—For maintenance of California Cadet Corps, Military Department, in accordance with the following schedule	399,536
	Schedule:	
	(a) Salaries and Wages 130,803	
	(b) Operating Expenses and Equipment 268,733	
	Total of schedule 399,536	

MOTOR VEHICLES

Department of Motor Vehicles	162—For support of Department of Motor Vehicles, payable from the Motor Vehicle Fund, in accordance with the following schedule	23,311,660
	Schedule:	
	(a) Salaries and Wages 20,835,828	
	(b) Operating Expenses and Equipment 7,025,843	
	Total of schedule 27,861,671	
	Less estimated amounts available from other sources:	
	(c) Reimbursements 401,580	
	(d) Amount payable from Motor Vehicle License Fee Fund (Item 163) 4,133,431	

Item		Amount
(e) Amount payable from General Fund (Item 164)_____	15,000	
Net appropriation _____	23,311,660	

provided, that the sum herein appropriated shall not be expended for the establishment, support, or maintenance of more than three field offices in any county of the 15th class which office shall be established in the cities with the greatest population situated within such county.

163—For additional support, Department of Motor Vehicles, payable from the Motor Vehicle License Fee Fund_____ 4,133,431
to be transferred to the Motor Vehicle Fund in augmentation of Item 162, as provided by Section 11003 of the Revenue and Taxation Code.

164—For additional support, Department of Motor Vehicles _____ 15,000
to be transferred to the Motor Vehicle Fund in augmentation of Item 162 in the amounts ordered by the Department of Finance.

165—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 sum of $600,000, or so much thereof as may be necessary, payable from the Motor Vehicle Fund; provided, that $250,000 of this amount shall be allocated for use in accordance with the provisions of Section 272(a) of the Motor Vehicle Code.

NATURAL RESOURCES

Department of Fish and Game

166—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 _____ 8,310,534

Schedule:

(a) Salaries and Wages_____	4,978,862	
(b) Operating Expenses and Equipment _____	3,729,650	
Total of schedule_____	8,708,512	
Less estimated reimbursements____	397,978	
Net appropriation _____	8,310,534	

Item		Amount
	167—For co-operation 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 Game Preservation Fund	309,988
	168—For co-operation with the Federal Government in fish restoration and management projects under provisions of the Dingell-Johnson Act, Department of Fish and Game, payable from the Fish and Game Preservation Fund	78,902
Pacific Marine Fisheries Commission	169—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	17,900
	170—For studies and investigations of the kelp beds in the coastal waters of California, Department of Fish and Game, payable from the Fish and Game Preservation Fund	50,000
Marine Research Committee	171—For research in the development of commercial fisheries of the Pacific Ocean and of marine products, Marine Research Committee, payable from the Fish and Game Preservation Fund	168,771
Department of Natural Resources Division of Administrative Services	172—For support of Division of Administrative Services, Department of Natural Resources, in accordance with the following schedule	368,353
	Schedule:	
	(a) Salaries and Wages 472,781	
	(b) Operating Expenses and Equipment 112,563	
	Total of schedule 585,344	
	Less estimated reimbursements 216,991	
	Net appropriation 368,353	
Exhibit at State Fair	173—For Department of Natural Resources exhibit at State Fair, Division of Administrative Services, Department of Natural Resources, 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, in accordance with the following schedule	3,400

Item		Amount
Schedule:		
(a) State Fair exhibit	5,000	
Less estimated reimbursements	1,600	
Net appropriation	3,400	
174—For support of Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund, in accordance with the following schedule		6,492,660
Schedule:		
(a) Salaries and Wages	4,207,072	
(b) Operating Expenses and Equipment	2,405,588	
Total of schedule	6,612,660	
Less estimated reimbursements	120,000	
Net appropriation	6,492,660	
175—For operation and maintenance of roadside rests, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund		10,500
176—For expenses of preparation of topographic maps, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund		20,000
177—For support of Division of Forestry, Department of Natural Resources, in accordance with the following schedule		14,806,583
Schedule:		
(a) Salaries and Wages	12,553,325	
(b) Operating Expenses and Equipment	5,220,006	
Total of schedule	17,773,331	
Less estimated reimbursements	2,966,748	
Net appropriation	14,806,583	
178—For allotment pursuant to Section 4006 of the Public Resources Code for the prevention and suppression of forest fires on state responsibility lands within the counties shown below, Division of Forestry, Department of Natural Resources, in accordance with the following schedule		1,237,520
Schedule:		
(a) Kern County	314,096	
(b) Los Angeles County	419,921	
(c) Marin County	99,714	
(d) San Mateo County	98,806	

Division of Beaches and Parks

Division of Forestry

Item		Amount
(e) Santa Barbara County	150,339	
(f) Ventura County	154,644	
Total of schedule	1,237,520	
179—For direct allotment to the United States Forest 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 ... provided, that with the approval of the Department of Finance, any amount appropriated by this item may be transferred to Item 177, for the estimated cost of protection of these lands by the Division of Forestry.		**983,804**
180—For white pine blister rust control on state and private lands, Division of Forestry, Department of Natural Resources; provided, that any amount expended from this item for the control of white pine blister rust on private lands must be matched by an expenditure of an equal amount from sources other than the appropriation made by this item. Control to be effected in accordance with Sections 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 the Federal Government ...		115,000
181—For emergency fire suppression and detection, and for the purposes provided by Section 4006.5 of the Public Resources Code, Division of Forestry, Department of Natural Resources, which may be transferred to Item 177 upon executive order of the Director of Finance ...		320,000
182—For forest insect control, Division of Forestry, Department of Natural Resources, to be expended in accordance with Chapter 3 of Division 4 of the Public Resources Code ...		35,000
183—For wild land vegetation and soil mapping project in co-operation with the California Forest and Range Experiment Station of the United States Department of Agriculture and the University of California, Division of Forestry, Department of Natural Resources ...		101,762
184—For watershed research at the San Dimas Experimental Forest in co-operation with the		

Item		Amount	
	California Forest and Range Experiment Station of the United States Department of Agriculture, Division of Forestry, Department of Natural Resources	24,000	
185	For forest and fire research, Division of Forestry, Department of Natural Resources	41,000	
186	For support of Division of Mines, Department of Natural Resources, in accordance with the following schedule	562,617	Division of Mines
	and in addition thereto any amounts received from sale of mineral information service and, notwithstanding the provisions of Section 2210 of the Public Resources Code, from the sale of publications issued by the division are hereby appropriated for expenditure in accordance with this item.		
	Schedule:		
	(a) Salaries and Wages 400,114		
	(b) Operating Expenses and Equipment 206,503		
	Total of schedule 606,617		
	Less estimated reimbursements from sale of mineral information service and publications 44,000		
	Net appropriation 562,617		
187	For geological exploration in co-operation with United States Geological Survey, Division of Mines, Department of Natural Resources	35,000	
	provided, that any amount withdrawn from this item must be matched by an expenditure of a like amount by the Federal Government in this State for this purpose.		
188	For publication of portions of a state geologic map, Division of Mines, Department of Natural Resources, and in addition any amounts received from sale of state geologic maps, in accordance with the following schedule	36,980	
	Schedule:		
	(a) Operating Expenses 41,980		
	Less estimated reimbursements 5,000		
	Net appropriation 36,980		
189	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	714,271	Division of Oil and Gas

Item		Amount
	Schedule:	
	(a) Salaries and Wages	544,691
	(b) Operating Expenses and Equipment	170,749
	Total of schedule	715,440
	Less estimated reimbursements	1,169
	Net appropriation	714,271
Division of Soil Conservation	190—For support of Division of Soil Conservation, Department of Natural Resources, in accordance with the following schedule	433,110
	Schedule:	
	(a) Salaries and Wages	256,661
	(b) Operating Expenses and Equipment	179,637
	Total of schedule	436,298
	Less estimated reimbursements	3,188
	Net appropriation	433,110
	191—For the Division of Soil Conservation, Department of Natural Resources, payable from the Soil Conservation Development Fund, to be expended on a matching basis under cooperative agreement with the United States Soil Conservation Service for the operation of the nursery of the latter at Pleasanton	35,000
Committee for Development of California Public Outdoor Recreation Plan	192—For support of Committee for the Development of the California Public Outdoor Recreation Plan in accordance with the following schedule	123,039
	Schedule:	
	(a) Salaries and Wages	63,785
	(b) Operating Expenses and Equipment	59,254
	Total of schedule	123,039
Recreation Commission	193—For support of the Recreation Commission and the Director of Recreation, in accordance with the following schedule	104,312
	Schedule:	
	(a) Salaries and Wages	66,022
	(b) Operating Expenses and Equipment	38,290
	Total of schedule	104,312
	PUBLIC HEALTH	
Department of Public Health	194—For support of Department of Public Health, in accordance with the following schedule	6,504,852

Item		Amount
Schedule:		
(a) Salaries and Wages	6,152,740	
(b) Operating Expenses and Equipment	2,860,210	
Total of schedule	9,012,950	
Less estimated amounts available from other sources:		
(c) Reimbursements	511,831	
(d) Estimated grants from the Federal Government or agencies thereof	1,996,267	
Net appropriation	6,504,852	
195—For additional support of the Department of Public Health for kosher food inspection		4,159

PUBLIC WORKS

196—For pro rata support of Departmental Administration, Department of Public Works, in accordance with the following schedule		28,084
Schedule:		
(a) Salaries and Wages	246,616	
(b) Operating Expenses and Equipment	34,224	
Total of schedule	280,840	
Less estimated reimbursements	252,756	
Net appropriation	28,084	

Department of Public Works

196.5—For operation and maintenance of Benicia-Martinez Ferry, in addition to any other money available by law for such purposes, Division of Highways, Department of Public Works, payable from the State Highway Fund 30,000

Benicia-Martinez Ferry

provided, that notwithstanding any other provision of this act, the amount made available by this item is available for payment of obligations incurred during the 1957-1958 Fiscal Year and for reimbursement of any fund from which advances have been made for the purposes of this item prior to July 1, 1958.

196.7—For temporary transfers to the State Highway Fund, from time to time as requested by the Department of Public Works and approved by the Director of Finance, after he has satisfactory assurance that such transfer or transfers shall not impair other appropriations from the Investment Fund, the prin-

Item			Amount
	cipal amount of each such transfer to be retransferred from the State Highway Fund to the Investment Fund within three months, and interest thereon, at a rate to be fixed by the Director of Finance based on his estimate of the rate which could be received from a similar investment in United States securities, to be transferred from the Motor Vehicle Transportation Tax Fund, to assure adequate cash balances in the State Highway Fund to carry out the federal and state highway programs as supplemented by federal legislation. From the Investment Fund		50,000,000
Division of Architecture	197—For support of Division of Architecture, Department of Public Works and the State Building Standards Commission, in accordance with the following schedule		170,988
	Schedule:		
	(a) Salaries and Wages	132,282	
	(b) Operating Expenses and Equipment	71,180	
	Total of schedule	203,462	
	Less estimated reimbursements	32,474	
	Net appropriation	170,988	
	198—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		1,143,560
	Schedule:		
	(a) Salaries and Wages	909,013	
	(b) Operating Expenses and Equipment	234,547	
	Total of schedule	1,143,560	
California Aeronautics Commission	199—For support of the California Aeronautics Commission, in accordance with the following schedule		76,526
	Schedule:		
	(a) Salaries and Wages	45,637	
	(b) Operating Expenses and Equipment	31,839	
	Total of schedule	77,476	
	Less estimated reimbursements	950	
	Net appropriation	76,526	

Item		Amount	
200—For support of Colorado River Boundary Commission, payable from the State Lands Act Fund		26,867	Colorado River Boundary Commission

REGULATION AND LICENSING

201—For support of the Department of Alcoholic Beverage Control, in accordance with the following schedule		3,284,823	Department of Alcoholic Beverage Control
Schedule:			
(a) Salaries and Wages	2,710,653		
(b) Operating Expenses and Equipment	574,170		
Total of schedule	3,284,823		
202—For support of the Alcoholic Beverage Control Appeals Board, in accordance with the following schedule		101,864	Alcoholic Beverage Control Appeals Board
Schedule:			
(a) Salaries and Wages	77,909		
(b) Operating Expenses and Equipment	23,955		
Total of schedule	101,864		
203—For support of California Districts Securities Commission, in accordance with the following schedule		57,118	Districts Securities Commission
Schedule:			
(a) Salaries and Wages	53,362		
(b) Operating Expenses and Equipment	12,992		
Total of schedule	66,354		
Less estimated reimbursements for services to districts and other agencies	9,236		
Net appropriation	57,118		
204—For support of California Horse Racing Board, payable from the Fair and Exposition Fund, in accordance with the following schedule		180,059	Horse Racing Board
Schedule:			
(a) Salaries and Wages	116,324		
(b) Operating Expenses and Equipment	63,735		
Total of schedule	180,059		
205—For support of State Banking Department, Department of Investment, payable from the State Banking Fund, in accordance with the following schedule		624,232	Department of Investment Banking Department

Item		Amount
	Schedule:	
	(a) Salaries and Wages	509,012
	(b) Operating Expenses and Equipment	115,220
	Total of schedule	624,232
Division of Corporations	206—For support of Division of Corporations, Department of Investment, in accordance with the following schedule	1,137,808
	Schedule:	
	(a) Salaries and Wages	1,214,141
	(b) Operating Expenses and Equipment	178,167
	Total of schedule	1,392,308
	Less estimated reimbursements	254,500
	Net appropriation	1,137,808
Department of Insurance	207—For support of the Department of Insurance, payable from the Insurance Fund, in accordance with the following schedule	1,721,359
	Schedule:	
	(a) Salaries and Wages	1,354,487
	(b) Operating Expenses and Equipment	379,072
	Total of schedule	1,733,559
	Less estimated reimbursements	12,200
	Net appropriation	1,721,359
Division of Real Estate	208—For support of the Division of Real Estate, Department of Investment, payable from the Real Estate Fund, in accordance with the following schedule	1,356,675
	Schedule:	
	(a) Salaries and Wages	985,953
	(b) Operating Expenses and Equipment	475,350
	Total of schedule	1,461,303
	Less estimated amount available from other sources:	
	(c) Amount payable from the Real Estate Education and Research Fund (Item 208.1)	104,628
	Net appropriation	1,356,675
	208.1—For additional support of the Division of Real Estate, Department of Investment, payable from the Real Estate Education and Research Fund	104,628

Item		Amount	
209—For support of Division of Savings and Loan, Department of Investment, payable from the Savings and Loan Inspection Fund, in accordance with the following schedule		400,057	Division of Savings and Loan
Schedule:			
(a) Salaries and Wages	325,113		
(b) Operating Expenses and Equipment	75,294		
Total of schedule	400,407		
Less estimated reimbursements	350		
Net appropriation	400,057		
210—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		57,028	Board of Osteopathic Examiners
Schedule:			
(a) Salaries and Wages	38,786		
(b) Operating Expenses and Equipment	18,242		
Total of schedule	57,028		
211—For support of the Board of Pilot Commissioners for the Harbor of San Diego		1,485	Board of Pilot Commissioners San Diego Harbor
212—For support of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, payable from the Board of Pilot Commissioners' Special Fund, in accordance with the following schedule		16,090	San Francisco, etc., Bays
Schedule:			
(a) Salaries and Wages	12,120		
(b) Operating Expenses and Equipment	3,970		
Total of schedule	16,090		
213—For support of Division of Administrative Procedure, Department of Professional and Vocational Standards, in accordance with the following schedule		177,652	Department of Professional and Vocational Standards Division of Administrative Procedure
Schedule:			
(a) Salaries and Wages	184,286		
(b) Operating Expenses and Equipment	108,275		
Total of schedule	292,561		
Less estimated reimbursements	114,909		
Net appropriation	177,652		

Item			Amount
Boards' Board of Accountancy	214—For support of State Board of Accountancy, payable from the Accountancy Fund, in accordance with the following schedule		199,546
	Schedule:		
	(a) Salaries and Wages	67,284	
	(b) Operating Expenses and Equipment	132,262	
	Total of schedule	199,546	
Architectural Examiners	215—For support of California State Board of Architectural Examiners, payable from the California State Board of Architectural Examiners Fund, in accordance with the following schedule		87,819
	Schedule:		
	(a) Salaries and Wages	50,087	
	(b) Operating Expenses and Equipment	37,732	
	Total of schedule	87,819	
Athletic Commission	216—For support of State Athletic Commission, payable from the Athletic Commission Fund, in accordance with the following schedule		140,605
	Schedule:		
	(a) Salaries and Wages	95,777	
	(b) Operating Expenses and Equipment	44,828	
	Total of schedule	140,605	
Barber Examiners	217—For support of State Board of Barber Examiners, payable from the State Board of Barber Examiners' Fund, in accordance with the following schedule		146,185
	Schedule:		
	(a) Salaries and Wages	91,476	
	(b) Operating Expenses and Equipment	54,709	
	Total of schedule	146,185	
Cemetery Board	218—For support of Cemetery Board, Department of Professional and Vocational Standards, payable from Cemetery Fund, in accordance with the following schedule		40,728
	Schedule:		
	(a) Salaries and Wages	21,626	
	(b) Operating Expenses and Equipment	19,102	
	Total of schedule	40,728	

Item		Amount	
219—For support of Board of Chiropractic Examiners, payable from the State Board of Chiropractic Examiners' Fund, in accordance with the following schedule		70,664	Chiropractic Examiners
Schedule:			
(a) Salaries and Wages	34,687		
(b) Operating Expenses and Equipment	35,977		
Total of schedule	70,664		
220—For support of State Board of Registration for Civil and Professional Engineers, payable from the Professional Engineers' Fund, in accordance with the following schedule		306,895	Registration for Civil and Professional Engineers
Schedule:			
(a) Salaries and Wages	195,744		
(b) Operating Expenses and Equipment	111,151		
Total of schedule	306,895		
221—For support of Contractors' State License Board, payable from the Contractors' License Fund, in accordance with the following schedule		872,752	Contractors' License Board
Schedule:			
(a) Salaries and Wages	606,568		
(b) Operating Expenses and Equipment	266,184		
Total of schedule	872,752		
222—For support of State Board of Cosmetology, payable from the Board of Cosmetology's Contingent Fund, in accordance with the following schedule		266,566	Cosmetology
Schedule:			
(a) Salaries and Wages	155,771		
(b) Operating Expenses and Equipment	110,795		
Total of schedule	266,566		
223—For support of Board of Dental Examiners of California, payable from the State Dentistry Fund, in accordance with the following schedule		109,436	Dental Examiners
Schedule:			
(a) Salaries and Wages	72,991		
(b) Operating Expenses and Equipment	36,445		
Total of schedule	109,436		

Item		Amount
Dry Cleaners	224—For support of State Board of Dry Cleaners, payable from the Dry Cleaners' Fund, in accordance with the following schedule	216,238
	Schedule:	
	(a) Salaries and Wages 133,116	
	(b) Operating Expenses and Equipment 83,122	
	Total of schedule 216,238	
Funeral Directors and Embalmers	225—For support of State Board of Funeral Directors and Embalmers, payable from the State Funeral Directors and Embalmers Fund, in accordance with the following schedule	57,300
	Schedule:	
	(a) Salaries and Wages 31,676	
	(b) Operating Expenses and Equipment 25,624	
	Total of schedule 57,300	
Furniture and Bedding Inspection	226—For support of Bureau of Furniture and Bedding Inspection, Department of Professional and Vocational Standards, payable from the Bureau of Furniture and Bedding Inspection Fund, in accordance with the following schedule	311,475
	Schedule:	
	(a) Salaries and Wages 228,988	
	(b) Operating Expenses and Equipment 82,487	
	Total of schedule 311,475	
Guide Dogs for the Blind	227—For support of State Board of Guide Dogs for the Blind	670
Landscape Architects	228—For support of California State Board of Landscape Architects, payable from the California State Board of Landscape Architects Fund, in accordance with the following schedule	14,844
	Schedule:	
	(a) Salaries and Wages 4,033	
	(b) Operating Expenses and Equipment 10,811	
	Total of schedule 14,844	
Medical Examiners	229—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	294,145

Item		Amount
Schedule:		
(a) Salaries and Wages	146,676	
(b) Operating Expenses and Equipment	147,469	
Total of schedule	294,145	
230—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		12,296
Schedule:		
(a) Salaries and Wages	6,807	
(b) Operating Expenses and Equipment	5,489	
Total of schedule	12,296	
231—For support of State Board of Medical Examiners, payable from the Physical Therapy Fund, in accordance with the following schedule		10,662
Schedule:		
(a) Salaries and Wages	6,517	
(b) Operating Expenses and Equipment	4,145	
Total of schedule	10,662	
232—For support of Board of Nurse Examiners of the State of California, payable from the Board of Nurse Examiners' Fund, in accordance with the following schedule		208,982
Schedule:		
(a) Salaries and Wages	123,559	
(b) Operating Expenses and Equipment	85,423	
Total of schedule	208,982	
233—For support of State Board of Optometry, payable from the State Optometry Fund, in accordance with the following schedule		40,083
Schedule:		
(a) Salaries and Wages	23,830	
(b) Operating Expenses and Equipment	16,253	
Total of schedule	40,083	
234—For support of California State Board of Pharmacy, payable from the Pharmacy Board		

Nurse Examiners

Optometry

Pharmacy

Item		Amount
	Contingent Fund, in accordance with the following schedule	282,513
	Schedule:	
	(a) Salaries and Wages 179,236	
	(b) Operating Expenses and Equipment 103,277	
	Total of schedule 282,513	
Private Investigators and Adjusters	235—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	38,316
	Schedule:	
	(a) Salaries and Wages 20,438	
	(b) Operating Expenses and Equipment 17,878	
	Total of schedule 38,316	
Certified Shorthand Reporters	236—For support of Certified Shorthand Reporters Board, payable from the Shorthand Reporters' Fund, in accordance with the following schedule	16,528
	Schedule:	
	(a) Salaries and Wages 8,943	
	(b) Operating Expenses and Equipment 7,585	
	Total of schedule 16,528	
Social Work Examiners	237—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	25,490
	Schedule:	
	(a) Salaries and Wages 15,547	
	(b) Operating Expenses and Equipment 9,943	
	Total of schedule 25,490	
Structural Pest Control	238—For support of Structural Pest Control Board, payable from the Structural Pest Control Fund, in accordance with the following schedule	63,723
	Schedule:	
	(a) Salaries and Wages 34,206	
	(b) Operating Expenses and Equipment 29,517	
	Total of schedule 63,723	

Item		Amount	
239—For support of Board of Examiners in Veterinary Medicine, payable from the Board of Veterinary Examiners' Contingent Fund, in accordance with the following schedule		20,972	Examiners in Veterinary Medicine
Schedule:			
(a) Salaries and Wages	7,044		
(b) Operating Expenses and Equipment	13,928		
Total of schedule	20,972		
240—For support of the Board of Vocational Nurse Examiners of the State of California, payable from the Vocational Nurse Examiners Fund, in accordance with the following schedule		48,383	Vocational Nurse Examiners
Schedule:			
(a) Salaries and Wages	28,524		
(b) Operating Expenses and Equipment	19,859		
Total of schedule	48,383		
241—For support of Yacht and Ship Brokers Commission, payable from the Yacht and Ship Brokers Fund, in accordance with the following schedule		17,163	Yacht and Ship Brokers Commission
Schedule:			
(a) Salaries and Wages	12,850		
(b) Operating Expenses and Equipment	9,679		
Total of schedule	22,529		
Less estimated reimbursements	5,366		
Net appropriation	17,163		
242—For support of the Public Utilities Commission of the State of California, in accordance with the following schedule		2,895,502	Public Utilities Commission
Schedule:			
(a) Salaries and Wages	4,529,604		
(b) Operating Expenses and Equipment	779,438		
Total of schedule	5,309,042		
Less estimated amount available from other sources:			
(c) Reimbursements	63,000		
(d) Amount payable from the Transportation Rate Fund (Item 243)	2,350,540		
Net appropriation	2,895,502		

Item		Amount
243—For additional support of the Public Utilities Commission of the State of California, payable from the Transportation Rate Fund		2,350,540

SOCIAL WELFARE

Department of Social Welfare

244—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 1958-59 Fiscal Year, shall be expended in accordance with the following schedule.		2,878,101
Schedule:		
(a) Salaries and Wages	3,357,272	
(b) Operating Expenses and Equipment	1,144,382	
Total of schedule	4,501,654	
Less estimated amounts available from other sources:		
(c) Reimbursements	54,000	
(d) Estimated grants from the Federal Government	1,569,553	
Net appropriation	2,878,101	

Citizens' Advisory Commission on Aging

245—For support of the Citizen's Advisory Committee on Aging, in accordance with the following schedule		34,043
Schedule:		
(a) Salaries and Wages	22,244	
(b) Operating Expenses and Equipment	11,799	
Total of schedule	34,043	

VETERANS AFFAIRS

Department of Veterans Affairs

246—For support of Department of Veterans Affairs, in accordance with the following schedule		332,722
Schedule:		
(a) Salaries and Wages	334,466	
(b) Operating Expenses and Equipment	87,691	
Total of schedule	422,157	
Less estimated amounts available from other sources:		
(c) From Veterans' Dependents' Education Fund (Item 247)	37,010	

Item		Amount
(d) From Veterans' Farm and Home Building Fund of 1943 (Item 251)	52,425	
Net appropriation	332,722	
247—For additional support of Department of Veterans Affairs, payable from the Veterans' Dependents' Education Fund to be transferred to the General Fund in augmentation of Item 246.		37,010
248—For educational assistance to veterans, Department of Veterans Affairs, to be expended under the provisions of Article 2 of Chapter 6 of Division 4 of the Military and Veterans Code		2,970,000
249—For veterans' claims and rights service, Department of Veterans Affairs, to be expended under the provisions of Section 699.5 of the Military and Veterans Code		596,700
250—For educational assistance to veterans' dependents, Department of Veterans Affairs, payable from the Veterans' Dependents' Education Fund to be expended under the provisions of Article 2 of Chapter 4 of Division 4 of the Military and Veterans Code.		293,000
251—For additional support of Department of Veterans Affairs, payable from the Veterans' Farm and Home Building Fund of 1943 to be transferred to the General Fund in augmentation of Item 246.		52,425
252—For support of Veterans' Home of California, in accordance with the following schedule		2,815,113 Veterans' Home
Schedule:		
(a) Salaries and Wages	3,138,641	
(b) Operating Expenses and Equipment	1,150,647	
Total of schedule	4,289,288	
Less estimated amounts available from other sources:		
(c) Reimbursements	61,925	
(d) Estimated receipts from Federal Government	1,412,250	
Net appropriation	2,815,113	
provided, that none of the funds herein appropriated shall be expended for the payment of sick leave pay for member employees.		

Item		Amount
Woman's Relief Corps Home	253—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, of Woman's Relief Corps Home	23,300
United Spanish War Veterans Commission	254—For support of United Spanish War Veterans Commission	5,500

WATER RESOURCES

Department of Water Resources	255—For support of Department of Water Resources, including co-operative work with other agencies, in accordance with the following schedule		5,456,784
	Schedule:		
	(a) Salaries and Wages	11,247,367	
	(b) Operating Expenses and Equipment	6,974,029	
	Total of schedule	18,221,396	
	Less estimated amounts available from other sources:		
	(c) Payable from the California Water Development Program (Item 257)	3,787,056	
	(d) Reimbursements	8,977,556	
	Net appropriation	5,456,784	
Co-operation with Federal Government	256—For work in co-operation with the Federal Government, Department of Water Resources, to be expended in accordance with the following schedule		1,000,625
	Schedule:		
	(a) Yuba River debris control	100,000	
	(b) Topographic mapping	345,000	
	(c) Stream gaging	274,095	
	(d) Irrigation investigations	15,830	
	(e) Establishment of gaging stations	50,000	
	(f) Ground water basin and subsidence studies	112,500	
	(g) Development, installation, and rating of an ultrasonic stream measuring station	10,000	
	(h) Specific yield studies	20,000	
	(i) Beach erosion investigations	10,000	
	(j) Research in snow pack management	63,200	
	Total of schedule	1,000,625	

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; and further provided, that the amount of (a) in the above schedule shall be available subject to the provisions of Sections 2, 3, and 4 of Chapter 686, Statutes of 1935; provided further, that notwithstanding the provision of Section 30 of this act, expenditures from (g) shall be limited to $10,000, and shall not exceed 33 percent of the cost of the project.		
257—For conducting water resources investigations, surveys and studies, including a continuation of the study as to seepage control along the Sacramento River as recommended in the Division of Water Resources, Department of Public Works document entitled "Report to the Water Project Authority of the State of California on Seepage Conditions in Sacramento Valley" dated June, 1955, preparing plans and estimates, making reports thereon, and otherwise performing all work and doing all things required relative thereto, Department of Water Resources, payable from the Investment Fund		3,787,056	Water resources investigation, etc
257.1—For conducting water resources investigations, surveys and studies whenever authorized by concurrent resolution and no other funds are provided therefor, Department of Water Resources, payable from the Investment Fund		200,000	
258—For support of Colorado River Board of California, in accordance with the following schedule		264,748	Colorado River Board
Schedule:			
(a) Salaries and Wages	170,068		
(b) Operating Expenses and Equipment	94,680		
Total of schedule	264,748		
259—For support of the California-Nevada Interstate Compact Commission		118,600	California-Nevada Interstate Compact Commission
260—For support of Reclamation Board, in accordance with the following schedule		345,000	Reclamation Board
Schedule:			
(a) Salaries and Wages	333,208		
(b) Operating Expenses and Equipment	134,071		
Total of schedule	467,279		

Item		Amount
	Less estimated reimbursements	122,279
	Net appropriation	345,000
State Water Pollution Control Board	261—For support of the State Water Pollution Control Board and the regional water pollution control boards, in accordance with the following schedule	746,112
	Schedule:	
	(a) Salaries and Wages	396,098
	(b) Operating Expenses and Equipment	477,114
	Total of schedule	873,212
	Less estimated amounts available from other sources:	
	(c) Estimated grants from the Federal Government or agencies thereof	127,100
	Net appropriation	746,112
State Water Rights Board	262—For support of State Water Rights Board, and in addition any amounts received from filing fees for recordation of wells shall be expended in accordance with the following schedule	710,614
	Schedule:	
	(a) Salaries and Wages	575,494
	(b) Operating Expenses and Equipment	169,120
	Total of schedule	744,614
	Less estimated reimbursements	34,000
	Net appropriation	710,614

MISCELLANEOUS

Compensation benefits to state officers and employees	263—For the payment of workmen's compensation benefits in conformance with the provisions of Division 4 and 4.5 of the Labor Code to state officers and employees whose salaries or wages at time of compensable injury or death were payable in whole or in part from the General Fund or the Capital Outlay and Savings Fund	1,400,000
Subsequent injuries	264—For payment of the additional compensation for subsequent injury provided for by Section 4751 of the Labor Code, Department of Industrial Relations	860,000

Item		Amount
		Refunds
265—For refunding of payments of taxes, licenses, fees and other receipts which have been erroneously collected and deposited in the General Fund for the refund of which no other provision is made by law and for payment of prior judgments, liens or encumbrances pursuant to Section 12516, Government Code		15,000
		Claims Board of Control
266—For claim of the Secretary of the State Board of Control, to be paid from the several funds, in accordance with the following schedule		707,536
Schedule:		
(a) General Fund	55,255	
(b) State Banking Fund	21	
(c) State Fair Fund	1,631	
(d) State Highway Fund	26,046	
(e) Motor Vehicle Fund	5,661	
(f) Motor Vehicle Fuel Fund	6,145	
(g) Motor Vehicle License Fee Fund	30	
(h) Motor Vehicle Transportation Tax Fund	549	
(i) Transportation Rate Fund	15,546	
(j) Vocational Nurse Examiners Fund	54	
(k) Division of Architecture Revolving Fund	173	
(*l*) California Industries for the Blind Manufacturing Fund	2,074	
(m) Purchasing Revolving Fund	262	
(n) Fish and Game Preservation Fund	594,089	
Total of schedule	707,536	
		Purchasing Revolving Fund
267—The unexpended balance remaining on June 30, 1958, of the appropriation made by Item 279, Budget Act of 1957, is hereby reappropriated for augmentation of Purchasing Revolving Fund, to be transferred by the State Controller in such amounts and for such periods as the Director of Finance may authorize. The appropriation made by this item shall remain available for allocation, reallocation and expenditure until June 30, 1960.		
268—For augmentation of the Purchasing Revolving Fund, to be transferred by the State Controller in such amounts and at such times as funds are made available. Upon approval of the State Board of Control, the State Controller shall transfer to this item from any appropriation made from the General Fund by the provisions of Section 2 of this act that		

Item		Amount
	part of such appropriation which is intended to be used and is available for the purchase or replacement of automobiles.	
Small Craft Harbors Commission	269.1—For support of Small Craft Harbors Commission, payable from the Small Craft Harbors Revolving Fund	81,819

RESERVE FOR CONTINGENCIES

Emergency Fund	273—For Emergency Fund, to be expended only on written authorization of the Department of Finance for emergencies	1,000,000
	provided, that loans may be made from the Emergency Fund to state agencies which derive their support from sources other than the General Fund, upon such terms and 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 State Controller to the fund from which the support of	
Defined	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.	

CAPITAL OUTLAY SECTION

STATE CONSTRUCTION BOND ACT PROGRAM

Appropriations

SEC. 2.1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated for expenditure during the 1958-59, 1959-60 and 1960-61 Fiscal Years. Items of appropriation payable from the State Construction Program Fund are for expenditure only for the program contemplated by the State Construction Program Bond Act of 1955.

AGRICULTURE

Item		Amount
Department of Agriculture	274—For acquisition of real property, Department of Agriculture, to be expended under the provisions of the Property Acquisition Law, payable from the Capital Outlay and Savings Fund	4,500
	275—For major construction, improvements and equipment, Department of Agriculture, in accordance with the following schedule, payable from the State Construction Program Fund	367,500

Item		Amount
Schedule:		
(a) Construct plant quarantine inspection station—Twenty-nine Palms	83,900	
(b) Construct plant quarantine inspection station—Truckee	283,600	
Total of schedule	367,500	
276—For major construction, improvements and equipment, Department of Agriculture, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		1,500
Schedule:		
(a) Equip plant quarantine station—Twentynine Palms	750	
(b) Equip plant quarantine station—Truckee	750	
Total of schedule	1,500	
276.1—For major construction, improvements, and equipment of a plant quarantine inspection station at Blythe, Department of Agriculture, payable from the Capital Outlay and Savings Fund		150,000
The appropriation made by this item is in lieu of the unexpended balance of Item 277.5, Budget Act of 1955, which is hereby reverted.		
276.2—For major construction, improvements and equipment of a plant quarantine inspection station at Blythe, Department of Agriculture, payable from the Motor Vehicle Transportation Tax Fund		50,000
The appropriation made by this item is in lieu of the unexpended balance of Item 277.5, Budget Act of 1955, which is hereby reverted.		

CORRECTIONS

276.5—For major construction, improvements and equipment, Medical Facility, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		Department of Corrections: Medical Facility 85,000
Schedule:		
(a) Construct boiler	85,000	
Total of schedule	85,000	
277—For minor construction, improvements, repairs and equipment, Medical Facility, De-		

Item		Amount
	partment of Corrections, payable from the Capital Outlay and Savings Fund	5,000
Men's Colony	278—For acquisition of real property, California Men's Colony, Department of Corrections, to be expended under the provisions of the Property Acquisition Law, payable from the Capital Outlay and Savings Fund	5,000
	279—For major construction, improvements and equipment, California Men's Colony, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund	10,197,813
	Schedule:	
	(a) Construct new medium security facility (partial cost) 4,256,213	
	(b) Construct new medium security facility (partial cost) 5,941,600	
	Total of schedule 10,197,813	
	280—For minor construction, improvements, repairs and equipment, California Men's Colony, Department of Corrections, payable from the Capital Outlay and Savings Fund	33,795
Institution for Men	281—For major construction, improvements and equipment, California Institution for Men, including Tehachapi Branch, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund	4,042,470
	Schedule:	
	(a) Construct addition to reception-guidance center 1,612,700	
	(b) Construct additional sewage facilities 194,300	
	(c) Construct hospital 1,679,700	
	(d) Construct additional laundry facilities 555,770	
	Total of schedule 4,042,470	
	282—For major construction, improvements and equipment, California Institution for Men, including Tehachapi Branch, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	31,260
	Schedule:	
	(a) Equip addition to bakery 20,500	
	(b) Equip addition to laundry 10,760	
	Total of schedule 31,260	

Item		Amount	
283—For minor construction, improvements, repairs and equipment, California Institution for Men, including Tehachapi Branch, Department of Corrections, payable from the Capital Outlay and Savings Fund		186,111	
284—For major construction, improvements and equipment, State Prison at Folsom, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund		283,072	Prisons Folsom
Schedule:			
(a) Construct dining room and additions to honor dormitory	283,072		
Total of schedule	283,072		
285—For major construction, improvements and equipment, State Prison at Folsom, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		25,000	
Schedule:			
(a) Equip dining room and honor dormitory	25,000		
Total of schedule	25,000		
286—For minor construction, improvements, repairs and equipment, State Prison at Folsom, Department of Corrections, payable from the Capital Outlay and Savings Fund		117,927	
287—For minor construction, improvements, repairs and equipment, State Prison at San Quentin, Department of Corrections, payable from the Capital Outlay and Savings Fund		70,711	San Quentin
288—For major construction, improvements and equipment, State Prison at Soledad, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund		1,184,600	
Schedule:			
(a) Construct vocational shops	750,000		
(b) Construct industries building	350,000		
(c) Construct warehouse	84,600		
Total of schedule	1,184,600		
289—For major construction, improvements and equipment, State Prison at Soledad, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		306,750	Soledad

Item		Amount
	Schedule:	
	(a) Install water closets and lavatories in existing cells	116,750
	(b) Equip vocational shops	184,000
	(c) Equip warehouse	6,000
	Total of schedule	306,750
	290—For minor construction, improvements, repairs and equipment, State Prison at Soledad, Department of Corrections, payable from the Capital Outlay and Savings Fund	56,395
Deuel Vocational Institution	291—For minor construction, improvements, repairs and equipment, Deuel Vocational Institution, Department of Corrections, payable from the Capital Outlay and Savings Fund	58,010
Institution for Women	292—For major construction, improvements and equipment, California Institution for Women, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund	407,949
	Schedule:	
	(a) Install additional boiler	80,000
	(b) Construct additions to administration and clinic process building	156,000
	(c) Construct addition to laundry building	171,949
	Total of schedule	407,949
	293—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	17,900
	Schedule:	
	(a) Equip additions to administration and clinic process building	9,900
	(b) Equip addition to laundry building	8,000
	Total of schedule	17,900
	294—For minor construction, improvements, repairs and equipment, California Institution for Women, Department of Corrections, payable from the Capital Outlay and Savings Fund	73,250

YOUTH AUTHORITY

Item		Amount	
295—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 State Construction Program Fund		165,000	Department of Youth Authority. Northern California Reception Center
Schedule:			
(a) Construct administration building	165,000		
Total of schedule	165,000		
295.5—For acquisition of real property, Northern California Reception Center and Clinic, Department of the Youth Authority, to be expended under the provisions of the property acquisition law, payable from the Capital Outlay and Savings Fund		45,000	
296—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		6,500	
Schedule:			
(a) Equip administration building	6,500		
Total of schedule	6,500		
297—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 Fund		42,000	
298—For minor construction, improvements, repairs and equipment, Southern California Reception Center and Clinic, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund		68,000	Southern California Reception Center
299—For minor construction, improvements, repairs and equipment, Youth Authority Camps, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund		38,400	Youth Authority Camps
300—For minor construction, improvements, repairs and equipment, Fricot Ranch School for Boys, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund		49,550	Schools Fricot Ranch
301—For major construction, improvements and equipment, Fred C. Nelles School for Boys, Department of the Youth Authority, in ac-			Fred C Nelles

Item		Amount
	cordance with the following schedule, payable from the State Construction Program Fund--	75,000
	Schedule:	
	(a) Construct perimeter security fence and roads---------- 75,000	
	Total of schedule-------- 75,000	
	302—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 Fund ----------	72,010
Paso Robles	303—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 ----------	22,500
Preston	304—For major construction, improvements and equipment, Preston School of Industry, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund--	148,200
	Schedule:	
	(a) Construct laundry addition- 148,200	
	Total of schedule-------- 148,200	
	305—For major construction, improvements and equipment, Preston School of Industry, Department of the Youth Authority, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund--	209,200
	Schedule:	
	(a) Alterations and improvements to kitchen---------- 195,200	
	(b) Equip laundry ---------- 14,000	
	Total of schedule-------- 209,200	
	306—For minor construction, improvements, repairs and equipment, Preston School of Industry, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund ----------	51,319
Youth Training School	307—For major construction, improvements and equipment, Youth Training School, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund----------	5,739,800
	Schedule:	
	(a) Construct youth training school (partial cost)------- 811,800	

Item		Amount
(b) Construct youth training school (partial cost)	4,928,000	
Total of schedule	5,739,800	
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		400,000
Schedule:		
(a) Equip youth training school (partial cost)	400,000	
Total of schedule	400,000	
309—For major construction, improvements and equipment, Los Guilucos School for Girls, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund		58,200
Schedule:		
(a) Additions and improvements to water supply and distribution system	58,200	
Total of schedule	58,200	
310—For minor construction, improvements, repairs and equipment, Los Guilucos School for Girls, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund		2,800
311—For major construction, improvements and equipment, Ventura School for Girls, Department of the Youth Authority, in accordance with the following schedule, payable from the State Construction Program Fund		5,982,900
Schedule:		
(a) Construct school for girls (partial cost)	4,254,900	
(b) Construct school for girls (partial cost)	1,728,000	
Total of schedule	5,982,900	
312—For minor construction, improvements, repairs and equipment, Ventura School for Girls, Department of the Youth Authority, payable from the Capital Outlay and Savings Fund		20,000
Notwithstanding the other provisions of this act, the appropriation made by this item shall be limited to expenditures during the 1958-59 Fiscal Year only.		

Los Guilucos

Ventura

EDUCATION

Item		Amount
State Colleges: Alameda	313.1—For major construction, improvements and equipment, Alameda County State College, Department of Education, payable from the State Construction Program Fund	830,108
Chico	314—For acquisition of real property, Chico State College, to be expended under the provisions of the Property Acquisition Law, payable from the Capital Outlay and Savings Fund	30,000
	315—For major construction, improvements and equipment, Chico State College, in accordance with the following schedule, payable from the State Construction Program Fund	1,036,900
	Schedule:	
	(a) Construct physical science and agriculture building (partial cost) 1,036,900	
	Total of schedule 1,036,900	
	316—For major construction, improvements and equipment, Chico State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	210,000
	Schedule:	
	(a) Equip library 140,000	
	(b) Equip humanities classroom building 70,000	
	Total of schedule 210,000	
	317—For major construction, improvements and equipment, Chico State College, in accordance with the following schedule, payable from the State College Fund	344,400
	Schedule:	
	(a) Site development of farm 150,000	
	(b) Construct physical science and agriculture building (partial cost) 194,400	
	Total of schedule 344,400	
	318—For minor construction, improvements, repairs and equipment, Chico State College, payable from the Capital Outlay and Savings Fund	42,325
	319—For minor construction, improvements, repairs and equipment, Chico State College, payable from the State College Fund	50,000
Fresno	320—For major construction, improvements and equipment, Fresno State College, in accordance with the following schedule, payable from the State Construction Program Fund	2,291,800

Item		Amount
Schedule:		
(a) Construct science wing	1,116,300	
(b) Construct classroom building No. 3	598,600	
(c) Construct cafeteria addition	576,900	
Total of schedule	2,291,800	
321—For major construction, improvements and equipment, Fresno State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		168,000
Schedule:		
(a) Equip speech-drama building	165,000	
(b) Equip outdoor physical education facilities	3,000	
Total of schedule	168,000	
322—For major construction, improvements and equipment, Fresno State College, in accordance with the following schedule, payable from the State College Fund		43,000
Schedule:		
(a) Equip enology building	43,000	
Total of schedule	43,000	
323—For minor construction, improvements, repairs and equipment, Fresno State College, payable from the Capital Outlay and Savings Fund		25,700
324—For minor construction, improvements, repairs and equipment, Fresno State College, payable from the State College Fund		38,680
325—For major construction, improvements and equipment, Humboldt State College, in accordance with the following schedule, payable from the State Construction Program Fund		2,056,200
Schedule:		
(a) Construct central power and communication system	89,400	
(b) Construct cafeteria	607,400	
(c) Construct student health center	203,100	
(d) Construct natural science building	1,156,300	
Total of schedule	2,056,200	
326—For major construction, improvements and equipment, Humboldt State College, in ac-		

Humboldt

Item		Amount
	cordance with the following schedule, payable from the Capital Outlay and Savings Fund	342,500
	Schedule:	
	(a) Equip cafeteria	71,500
	(b) Equip student health center	34,000
	(c) Equip speech-arts building	117,000
	(d) Equip administration and business education building	120,000
	Total of schedule	342,500
	327—For minor construction, improvements, repairs and equipment, Humboldt State College, payable from the Capital Outlay and Savings Fund	61,300
Long Beach	328—For major construction, improvements and equipment, Long Beach State College, in accordance with the following schedule, payable from the State Construction Program Fund	5,220,400
	Schedule:	
	(a) Working drawings for science building	168,000
	(b) Construct industrial arts building	1,133,000
	(c) Construct cafeteria addition	366,400
	(d) Construct science building addition—third unit	3,553,000
	Total of schedule	5,220,400
	329—For major construction, improvements and equipment, Long Beach State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	245,000
	Schedule:	
	(a) Equip cafeteria addition	45,000
	(b) Equip classroom building	137,000
	(c) Equip faculty office building	11,000
	(d) Equip home economics building	52,000
	Total of schedule	245,000
	330—For minor construction, improvements, repairs and equipment, Long Beach State College, payable from the Capital Outlay and Savings Fund	36,020
Los Angeles	331—For major construction, improvements and equipment, Los Angeles State College of Applied Arts and Sciences, in accordance with the following schedule, payable from the State Construction Program Fund	265,600

Item		Amount	
Schedule:			
(a) Construct health service building	265,600		
Total of schedule	265,600		
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		1,293,000	
Schedule:			
(a) Equip science building—first increment	930,000		
(b) Equip cafeteria	132,000		
(c) Equip administration building	124,000		
(d) Equip physical education building	76,000		
(e) Equip outdoor physical education facilities	11,000		
(f) Equip health service building	20,000		
Total of schedule	1,293,000		
333—For minor construction, improvements, repairs and equipment, Los Angeles State College of Applied Arts and Sciences, payable from the Capital Outlay and Savings Fund		68,000	
333.1—For major construction, improvements and equipment, Orange County State College, Department of Education, payable from the State Construction Program Fund		830,108	Orange County
334—For major construction, improvements and equipment, Sacramento State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		1,116,000	Sacramento
Schedule:			
(a) Equip engineering building	1,000,000		
(b) Equip cafeteria addition	78,000		
(c) Equip administration building addition	38,000		
Total of schedule	1,116,000		
335—For minor construction, improvements, repairs and equipment, Sacramento State College, payable from the Capital Outlay and Savings Fund		23,500	
336—For major construction, improvements and equipment, San Diego State College, in accordance with the following schedule, payable from the State Construction Program Fund		3,704,500	San Diego

Item		Amount
Schedule:		
(a) Construct addition to education building	820,500	
(b) Construct engineering and applied science building addition	2,592,500	
(c) Construct health service building addition	291,500	
Total of schedule	3,704,500	
337—For major construction, improvements and equipment, San Diego State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		1,172,300
Schedule:		
(a) Equip addition to health service building	22,000	
(b) Remodel science building	166,300	
(c) Equip remodeled science building	48,000	
(d) Equip physical science building addition	386,000	
(e) Equip science building addition	550,000	
Total of schedule	1,172,300	
338—For minor construction, improvements, repairs and equipment, San Diego State College, payable from the Capital Outlay and Savings Fund		57,100
San Fernando Valley 339—For major construction, improvements and equipment, San Fernando Valley State College, in accordance with the following schedule, payable from the State Construction Program Fund		3,236,100
Schedule:		
(a) Construct cafeteria	1,557,000	
(b) Working drawings for physical education building and outdoor physical education facilities	100,000	
(c) Construct physical education building and outdoor physical education facilities	1,579,100	
Total of schedule	3,236,100	
340—For major construction, improvements and equipment, San Fernando Valley State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		112,000

Item		Amount
Schedule:		
(a) Equip library	112,000	
Total of schedule	112,000	
341—For minor construction, improvements, repairs and equipment, San Fernando Valley State College, payable from the Capital Outlay and Savings Fund		88,771
342—For major construction, improvements and equipment, San Francisco State College, in accordance with the following schedule, payable from the State Construction Program Fund		1,159,400 San Francisco
Schedule:		
(a) Construct gymnasium addition	1,159,400	
Total of schedule	1,159,400	
343—For major construction, improvements and equipment, San Francisco State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		1,022,000
Schedule:		
(a) Equip classroom building No. 1 addition	62,000	
(b) Equip fine arts building addition	105,000	
(c) Equip library building addition	235,000	
(d) Equip science building addition	620,000	
Total of schedule	1,022,000	
344—For minor construction, improvements, repairs and equipment, San Francisco State College, payable from the Capital Outlay and Savings Fund		4,200
345—For major construction, improvements and equipment, San Jose State College, in accordance with the following schedule, payable from the State Construction Program Fund		11,522,940 San Jose
Schedule:		
(a) Working drawings for engineering building addition	350,000	
(b) Working drawings for aeronautics building	45,000	
(c) Construct library building addition	2,174,000	
(d) Construct music building addition	720,240	

Item		Amount
(e) Construct speech-drama building addition	617,800	
(f) Construct engineering building addition	6,743,000	
(g) Construct aeronautics building	872,900	
Total of schedule	11,522,940	
346—For major construction, improvements and equipment, San Jose State College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		1,566,600
Schedule:		
(a) Remodel industrial arts area for corporation yard	229,000	
(b) Equip corporation yard	23,300	
(c) Remodel art wing for journalism	214,300	
(d) Equip journalism facilities	70,000	
(e) Equip art building	180,000	
(f) Equip industrial arts building	535,000	
(g) Equip health building	173,000	
(h) Equip faculty office building	32,000	
(i) Site clearance	110,000	
Total of schedule	1,566,600	
347—For minor construction, improvements, repairs and equipment, San Jose State College, payable from the Capital Outlay and Savings Fund		30,000
Polytechnic 348—For major construction, improvements and equipment, California State Polytechnic College, in accordance with the following schedule, payable from the State Construction Program Fund		6,612,100
Schedule:		
(a) Construct outdoor physical education facilities — San Luis Obispo Campus	722,200	
(b) Construct cafeteria — San Luis Obispo Campus	1,700,900	
(c) Construct little theater-music building—San Luis Obispo Campus	1,697,000	
(d) Construct graphic arts building — San Luis Obispo Campus	1,415,000	
(e) Construct outdoor physical education facilities—Kellogg-Voorhis Campus	295,300	

Item		Amount	
(f) Construct agriculture engineering building—Kellogg-Voorhis Campus	500,900		
(g) Construct health service building — Kellogg-Voorhis Campus	280,800		
Total of schedule	6,612,100		
349—For major construction, improvements and equipment, California State Polytechnic College, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		1,057,000	
Schedule:			
(a) Equip agriculture classroom building—San Luis Obispo Campus	214,000		
(b) Equip men's physical education facilities — San Luis Obispo Campus	87,000		
(c) Equip library — Kellogg-Voorhis Campus	192,000		
(d) Equip agriculture production units—Kellogg-Voorhis Campus	23,000		
(e) Equip business classroom building — Kellogg-Voorhis Campus	119,000		
(f) Equip health service building — Kellogg-Voorhis Campus	45,000		
(g) Equip engineering building — Kellogg-Voorhis Campus	377,000		
Total of schedule	1,057,000		
350—For minor construction, improvements, repairs and equipment, California State Polytechnic College, payable from the Capital Outlay and Savings Fund		229,016	
351—For minor construction, improvements, repairs and equipment, California Maritime Academy, payable from the Capital Outlay and Savings Fund		26,187	Maritime Academy
352—For minor construction, improvements, repairs and equipment, California School for the Blind, payable from the Capital Outlay and Savings Fund		3,200	School for Blind
353—For major construction, improvements and equipment, California School for the Deaf, Berkeley, in accordance with the following			School for Deaf, Berkeley

Item		Amount
schedule, payable from the State Construction Program Fund		70,400
Schedule:		
(a) Construct vocational building addition	70,400	
Total of schedule	70,400	
354—For major construction, improvements and equipment, California School for the Deaf, Berkeley, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		29,769
Schedule:		
(a) Equip vocational building addition	17,769	
(b) Equip intermediate and advanced school addition	12,000	
Total of schedule	29,769	
355—For minor construction, improvements, repairs and equipment, California School for the Deaf, Berkeley, payable from the Capital Outlay and Savings Fund		6,120
Riverside 356—For major construction, improvements and equipment, California School for the Deaf, Riverside, in accordance with the following schedule, payable from the State Construction Program Fund		449,430
Schedule:		
(a) Construct gymnasium	449,430	
Total of schedule	449,430	
357—For major construction, improvements and equipment, California School for the Deaf, Riverside, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		20,000
Schedule:		
(a) Equip gymnasium	20,000	
Total of schedule	20,000	
358—For minor construction, improvements, repairs and equipment, California School for the Deaf, Riverside, payable from the Capital Outlay and Savings Fund		4,082
Northern California School for Cerebral Palsied Children 359—For minor construction, improvements, repairs and equipment, School for Cerebral Palsied Children, Northern California, payable from the Capital Outlay and Savings Fund		1,025

Item		Amount
		Oakland Orientation Center
360—For minor construction, improvements, repairs and equipment, Oakland Orientation Center, payable from the Capital Outlay and Savings Fund		500
		Oakland Industries for Blind Center
361—For minor construction, improvements, repairs and equipment, Oakland Center, California Industries for the Blind, payable from the Capital Outlay and Savings Fund		7,500
		University of California
362—For acquisition of real property, University of California, exempt from Section 34 of this act, payable from the State Construction Program Fund		1,258,800
363—For major construction, improvements and equipment, University of California, exempt from Section 34 of this act, in accordance with the following schedule, payable from the State Construction Program Fund		44,689,617
Schedule:		
(a) Construct education-psychology building—Berkeley	6,182,200	
(b) Construct earth sciences building—Berkeley	3,341,000	
(c) Working drawings for business administration - social science building—Berkeley	236,300	
(d) Utilities, roads and site improvement—Berkeley	385,775	
(e) Working drawings for new chemistry building unit 1—Berkeley	259,500	
(f) Working drawings for, construct and equip, child study center—Berkeley	212,670	
(g) Working drawings and construct laboratory building unit 3—La Jolla	1,893,000	
(h) Construct graduate school of business administration building—Los Angeles	4,285,000	
(i) Working drawings for social sciences units 1 and 2—addition—Los Angeles	160,000	
(j) Working drawings for theater arts unit 1—Los Angeles	99,000	
(k) Construct psychology clinic school addition — Los Angeles	55,000	
(l) Construct university elementary school — kindergarten-nursery unit — Los Angeles	135,000	

Item		Amount
	(m) Working drawings for engineering unit 3—Los Angeles	221,500
	(n) Working drawings for extending utilities, roads and walks, step 1—Los Angeles	30,700
	(o) Working drawings and construction for site development—north campus area—Riverside	164,077
	(p) Construct administration building—Riverside	1,293,600
	(q) Working drawings for physical sciences building addition—Riverside	64,385
	(r) Construct service elevator—San Francisco Campus	75,000
	(s) Construct business administration-social science building—Berkeley	4,467,700
	(t) Construct chemistry building unit 1—Berkeley	5,727,000
	(u) Construct social science units 1 and 2—Los Angeles	5,276,700
	(v) Construct theater-arts building—Los Angeles	2,474,000
	(w) Construct engineering unit 3—Los Angeles	5,418,000
	(x) Extend utilities—Los Angeles	583,300
	(y) Construct physical science building addition—Riverside	1,549,210
	(z) Purchase auxiliary equipment—Mt. Hamilton	100,000
	Total of schedule	44,689,617
364—For major construction, improvements and equipment, University of California, exempt from Section 34 of this act, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		2,865,760
Schedule:		
	(a) Equip statewide administrative office building	312,000
	(b) Working drawings and convert space for academic—administrative needs — Berkeley	143,000
	(c) Rehabilitate life sciences building—Berkeley	148,600
	(d) Equip child study center—Berkeley	13,800

Item		Amount
(e) Equip laboratory building unit 2—La Jolla	240,460	
(f) Equip physics building—Los Angeles	35,000	
(g) Equip geology building addition—Los Angeles	86,800	
(h) Equip service yard expansion—Los Angeles	55,000	
(i) Equip psychology clinic school addition — Los Angeles	1,500	
(j) Alterations and improvements to Moore Hall—Los Angeles	190,150	
(k) Equip Moore Hall—Los Angeles	14,850	
(l) Install heat deflecting devices in medical center—Los Angeles	109,600	
(m) Improve vivarium ventilation in medical center—Los Angeles	275,000	
(n) Working drawings for alterations and improvements to medical center for accommodation of neuropsychiatric unit—Los Angeles	14,000	
(o) Equip medical sciences buildings—San Francisco	145,000	
(p) Alterations and improvements to existing facilities—San Francisco	394,000	
(q) Equip existing facilities—San Francisco	26,000	
(r) Equip science unit 2—Santa Barbara	211,000	
(s) Project planning	450,000	
Total of schedule	2,865,760	
365—For minor construction, improvements, repairs and equipment, University of California, exempt from Section 34 of this act, payable from the Capital Outlay and Savings Fund		491,640

EMPLOYMENT

Department of Employment

366—For major construction, improvements and equipment, Department of Employment, in accordance with the following schedule, pay-

Item		Amount
able from the Department of Employment Contingent Fund		149,900
Schedule:		
(a) Construct office addition—Fullerton	149,900	
Total of schedule	149,900	
367—For minor construction, improvements, repairs and equipment, Department of Employment, payable from the Department of Employment Contingent Fund		51,400

FISCAL AFFAIRS

Department of Finance

368—For major construction, improvements and equipment, Department of Finance, in accordance with the following schedule, payable from the State Construction Program Fund		849,000
Schedule:		
(a) Working drawings for alterations and improvements to existing state building—San Francisco	42,000	
(b) Working drawings for alterations and improvements to 515 and 540 Van Ness Ave.—San Francisco	7,000	
(c) Alterations and improvements to existing state buildings—San Francisco	800,000	
Total of schedule	849,000	
369—For major construction, improvements and equipment, Department of Finance, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		150,400
Schedule:		
(a) Alterations and improvements to Education Building—Sacramento	90,000	
(b) Alterations and improvements to Office Building No. 1—Sacramento	60,400	
Total of schedule	150,400	
370—For minor construction, improvements, repairs and equipment, Department of Finance, payable from the Capital Outlay and Savings Fund		77,863

Item		Amount	
	including $8,500 which is exempt from the provisions of Section 27 of this act, and may be expended for equipment or supplies for a snack-bar-type vending stand.		
371—For minor construction, improvements, repairs and equipment, California State Fair and Exposition, 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		79,400	State Fair and Exposition
372—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		100,000	Sixth District Agricultural Association
Schedule:			
(a) Construct and install aviation exhibit	100,000		
Total of schedule	100,000		
373—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		68,103	
HIGHWAY PATROL			
374—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		10,000	Highway Patrol
375—For major construction, improvements and equipment, Department of the California Highway Patrol, in accordance with the following schedule, payable from the Motor Vehicle Fund		384,000	
Schedule:			
(a) Working drawings for Sacramento headquarters	30,000		
(b) Working drawings for Merced area office	4,000		

Item		Amount
	(c) Construct automotive shop—Sacramento	343,000
	(d) Equip automotive shop—Sacramento	7,000
	Total of schedule	384,000
	376—For minor construction, improvements, repairs and equipment, Department of the California Highway Patrol, payable from the Motor Vehicle Fund	4,300
	MENTAL HYGIENE	
Langley Porter Clinic	377—For minor construction, improvements, repairs and equipment, Langley Porter Neuropsychiatric Institute, payable from the Capital Outlay and Savings Fund	71,950
State hospitals: Agnews	378—For major construction, improvements and equipment, Agnews State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund	948,750
	Schedule:	
	(a) Construct new administration building, east area	877,400
	(b) Construct water storage tank and settling basin, east and west areas	71,350
	Total of schedule	948,750
	379—For major construction, improvements and equipment, Agnews State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	527,600
	Schedule:	
	(a) Equip receiving and treatment building	314,800
	(b) Alterations and improvements to kitchens and dishwashing rooms, ward buildings, east area	212,800
	Total of schedule	527,600
	380—For minor construction, improvements, repairs and equipment, Agnews State Hospital, payable from the Capital Outlay and Savings Fund	118,560
Atascadero	381—For major construction, improvements and equipment, Atascadero State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	92,200

Item		Amount	
Schedule:			
(a) Equip dormitory ward buildings	88,700		
(b) Equip office addition to existing building	3,500		
Total of schedule	92,200		
382—For major construction, improvements and equipment, Camarillo State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		155,550	Camarillo
Schedule:			
(a) Equip business and medical office building	22,000		
(b) Alterations and improvements to boiler plant	133,550		
Total of schedule	155,550		
383—For minor construction, improvements, repairs and equipment, Camarillo State Hospital, payable from the Capital Outlay and Savings Fund		134,968	
384—For major construction, improvements and equipment, DeWitt State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		68,200	DeWitt
Schedule:			
(a) Remodel food service building	68,200		
Total of schedule	68,200		
385—For minor construction, improvements, repairs and equipment, DeWitt State Hospital, payable from the Capital Outlay and Savings Fund		52,710	
386—For minor construction, improvements, repairs and equipment, Mendocino State Hospital, payable from the Capital Outlay and Savings Fund		122,350	Mendocino
387—For major construction, improvements and equipment, Metropolitan State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		181,198	Metropolitan
Schedule:			
(a) Remodel three buildings for commissary expansion and classrooms	168,198		

Item		Amount
	(b) Equip remodeled buildings for commissary expansion and classrooms	13,000
	Total of schedule	181,198
	388—For minor construction, improvements, repairs and equipment, Metropolitan State Hospital, payable from the Capital Outlay and Savings Fund	85,730
Modesto	389—For minor construction, improvements, repairs and equipment, Modesto State Hospital, payable from the Capital Outlay and Savings Fund	141,600
Napa	390—For major construction, improvements and equipment, Napa State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund— Schedule:	105,600
	(a) Construct food cart room addition to main food service center	105,600
	Total of schedule	105,600
	391—For minor construction, improvements, repairs and equipment, Napa State Hospital, payable from the Capital Outlay and Savings Fund	80,550
Patton	392—For major construction, improvements and equipment, Patton State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund— Schedule:	682,500
	(a) Construct addition to administration building	682,500
	Total of schedule	682,500
	393—For major construction, improvements and equipment, Patton State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund— Schedule:	495,200
	(a) Remodel old kitchen building to a commissary	104,000
	(b) Equip ward buildings	391,200
	Total of schedule	495,200
	394—For major construction, improvements and equipment, or for payment of the State's share of the cost of purchasing stock or the payment of assessments or other necessary costs for connecting with and use of sewage	

Item		Amount
disposal facilities, Patton State Hospital, payable from the Capital Outlay and Savings Fund		204,850
395—For minor construction, improvements, repairs and equipment, Patton State Hospital, payable from the Capital Outlay and Savings Fund		246,400
		Stockton
396—For major construction, improvements and equipment, Stockton State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund		130,925
Schedule:		
(a) Construct addition to administration building	130,925	
Total of schedule	130,925	
397—For major construction, improvements and equipment, Stockton State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		178,250
Schedule:		
(a) Replace boiler at steam plant	126,700	
(b) Remodel recovery area in receiving and treatment building to a ward	51,550	
Total of schedule	178,250	
398—For minor construction, improvements, repairs and equipment, Stockton State Hospital, payable from the Capital Outlay and Savings Fund		92,300
		Fairview
399—For major construction, improvements and equipment, Fairview State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund		770,100
Schedule:		
(a) Additional site development	71,000	
(b) Construct library, occupational therapy, canteen and barbershop building	595,000	
(c) Construct school, phase II	104,100	
Total of schedule	770,100	
400—For major construction, improvements and equipment, Fairview State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		88,380

Item		Amount
	Schedule:	
	(a) Equip school, phases I and II 88,380	
	Total of schedule 88,380	
	401—For minor construction, improvements, repairs and equipment, Fairview State Hospital, payable from the Capital Outlay and Savings Fund	28,200
Pacific	402—For major construction, improvements and equipment, Pacific State Hospital, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	502,000
	Schedule:	
	(a) Alterations and improvements to two wards 300,000	
	(b) Remodel old laundry building for maintenance shop building 182,600	
	(c) Equip modernized wards 7,000	
	(d) Equip maintenance shop building 12,400	
	Total of schedule 502,000	
	403—For minor construction, improvements, repairs and equipment, Pacific State Hospital, payable from the Capital Outlay and Savings Fund	83,420
Porterville	404—For minor construction, improvements, repairs and equipment, Porterville State Hospital, payable from the Capital Outlay and Savings Fund	82,880
Sonoma	405—For major construction, improvements and equipment, Sonoma State Hospital, in accordance with the following schedule, payable from the State Construction Program Fund	754,800
	Schedule:	
	(a) Construct addition to laundry building and install equipment 554,800	
	(b) Construct addition to general warehouse 200,000	
	Total of schedule 754,800	
	406—For minor construction, improvements, repairs and equipment, Sonoma State Hospital, payable from the Capital Outlay and Savings Fund	134,080

MILITARY

Item		Amount
		Military Department
407—For major construction, improvements and equipment, Military Department, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund		100,000
Schedule:		
(a) Project planning, working drawings and supervision of construction to be financed from federal funds	100,000	
Total of schedule	100,000	
408—For minor construction, improvements, repairs and equipment, Military Department, payable from the Capital Outlay and Savings Fund		81,000

MOTOR VEHICLES

		Department of Motor Vehicles
409—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 Fund		745,000
410—For major construction, improvements and equipment, Department of Motor Vehicles, in accordance with the following schedule, payable from the Motor Vehicle Fund		1,639,650
Schedule:		
(a) Working drawings for Sacramento headquarters	350,000	
(b) Alterations and improvements to second floor of warehouse for office space—Los Angeles	56,250	
(c) Construct office building—San Francisco	365,000	
(d) Construct office building—Hollywood	244,000	
(e) Construct office building—Fresno	265,300	
(f) Construct office building—Santa Barbara	116,700	
(g) Construct office building—Long Beach	242,400	
Total of schedule	1,639,650	
411—For minor construction, improvements, repairs and equipment, Department of Motor Vehicles, payable from the Motor Vehicle Fund		39,775

NATURAL RESOURCES

Item		Amount
Department of Fish and Game	412—For acquisition of real property, Department of Fish and Game, to be expended under the provisions of the Property Acquisition Law, in accordance with the following schedule, payable from the Fish and Game Preservation Fund	6,000
	Schedule:	
	(a) Purchase of building site from Federal Bureau of Reclamation 1,000	
	(b) Site for water filter system at Mt. Whitney Hatchery 5,000	
	Total of schedule 6,000	
	413—For minor construction, improvements, repairs and equipment, Department of Fish and Game, payable from the Fish and Game Preservation Fund	127,250
Department of Natural Resources: Division of Beaches and Parks	414—For major construction, improvements and equipment, Division of Beaches and Parks, Department of Natural Resources, in accordance with the following schedule, payable from the State Beach and Park Fund	1,903,072
	Schedule:	
	(a) Caswell State Park: Development 106,055	
	(b) Clear Lake State Park: Development 97,183	
	(c) Columbia Historic State Park: Development 60,000	
	(d) Donner Memorial State Park: Development 80,900	
	(e) El Capitan Beach State Park: Development 69,235	
	(f) Folsom Lake State Park—Beals Point area: Development 84,000	
	Mormon Island area: Development 54,600	
	(g) Henry Cowell Redwoods State Park: Development 59,248	
	(h) MacKerricher Beach State Park: Development 83,415	
	(i) McArthur-Burney Falls Memorial State Park: Development 95,855	
	(j) Morro Bay State Park: Water System 127,750	
	(k) Patrick's Point State Park: Development 186,068	

Item		Amount
(*l*) San Buenaventura Beach State Park: Development	114,000	
(m) Silver Strand Beach State Park: Development	329,700	
(n) Stinson Beach State Park: Development	114,538	
(o) Sutter's Fort State Historical Monument: Building repairs	55,000	
(p) Tomales Bay State Park: Development	55,525	
(q) Project planning and engineering	30,000	
(r) Savings from projects reserved for augmentation	----	
(s) Lake Millerton State Park: Parking and boat facilities	100,000	
Total of schedule	1,903,072	
415—For minor construction, improvements, repairs and equipment, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund		1,054,523
417—Of the amount appropriated by Item 400.2, Budget Act of 1956, $276,000 is hereby made available for expenditure by the Division of Beaches and Parks, Department of Natural Resources, for the acquisition, restoration and maintenance of historic ships and for such other related specialized maritime services as may prove necessary to completion of the park project.		
417.1—Of the amount appropriated by Item 400 (h), of the Budget Act of 1956, $75,000 is hereby made available for expenditure by the Division of Beaches and Parks, Department of Natural Resources, for construction, improvements, repairs, and equipment, Columbia Historic State Park.		
418—For acquisition of real property for sites for lookouts and forest fire stations, Division of Forestry, Department of Natural Resources, to be expended under the provisions of the Property Acquisition Law, payable from the Capital Outlay and Savings Fund		Division of Forestry 10,000
419—For major construction, improvements and equipment, Division of Forestry, Department of Natural Resources, in accordance with the following schedule, payable from the State Construction Program Fund		115,000

Item		Amount
Schedule:		
(a) Construct Riverside County office and barracks	115,000	
Total of schedule	115,000	
420—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		929,581
Schedule:		
(a) Construct Folsom Dam forestry camp	281,700	
(b) Equip Folsom Dam forestry camp	98,726	
(c) Working drawings for two forestry camps	45,620	
(d) Site development for two forestry camps	228,000	
(e) Equip two forestry camps	160,000	
(f) Project planning, engineering, and inspection services	109,735	
(g) Equip Riverside County headquarters office and barracks	5,800	
Total of schedule	929,581	
421—For minor construction, improvements, repairs and equipment, Division of Forestry, Department of Natural Resources, payable from the Capital Outlay and Savings Fund		380,525
Division of Small Craft Harbors 421.5—For the development of small boat harbors and waterways as provided by the Small Craft Harbors Law, Division of Small Craft Harbors, Department of Natural Resources, payable from the Investment Fund		5,000,000

Any such loan shall be repaid to the Investment Fund on a not to exceed 20-year basis at 3 percent interest, amortization to begin not later than the sixth year and ending in the twentieth year.

No loan of funds appropriated by this item shall be made to any city, county or district unless such loan is approved by the Small Craft Harbors Commission as conforming to the policies established by the commission, and such contracts or loan agreements shall not be effective until approved by the Department of Finance.

PUBLIC HEALTH

Item		Amount	
422	For minor construction, improvements, repairs and equipment, Department of Public Health, payable from the Capital Outlay and Savings Fund	10,845	Department of Public Health

VETERANS' AFFAIRS

423.5	Notwithstanding any other provision of law, the proceeds from the sale of real property at Veterans' Home of California to the Division of Highways are hereby appropriated to the Veterans' Home of California for construction of roads and grounds improvements.		Veterans' Home
424	For minor construction, improvements, repairs and equipment, Veterans' Home of California, payable from the Capital Outlay and Savings Fund	69,670	

WATER RESOURCES

425	For surveys, explorations, investigations, preparation of construction plans and specifications; surveys and negotiations for rights-of-way, easements and property, including other expenses in connection therewith, for the Feather River Project, as authorized by Section 11260 of the Water Code and as modified by the report of the Division of Water Resources of February 1955, entitled, "Program for Financing and Constructing the Feather River Project," and as may be modified subsequently, Department of Water Resources, payable from the Investment Fund provided, that this appropriation shall remain available for expenditure until June 30, 1961.	3,723,672	Feather River Project
425.4	For expenditure, without regard to fiscal year, in co-operation with the United States in the construction of multipurpose projects which include flood control, Department of Water Resources, payable from the Investment Fund	10,000,000	Water projects in co-operation with Federal Government
426	For major construction, improvements and equipment, Department of Water Resources, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund	85,000	Departmnet of Water Resources

Item		Amount
	Schedule:	
	(a) Revetment—Sacramento River	85,000
	Total of schedule	85,000
Federal Beach Erosion Control Projects· Seal Beach	426.5—To pay the State's share of the cost of local participation required in connection with federal beach erosion control projects within the city limits of Seal Beach, California, in accordance with Sections 335 to 339, inclusive, of the Water Code, Department of Water Resources	95,000
	426.6—To make advances, in accordance with the provisions of Section 338 of the Water Code, to meet the federal share of the cost of beach erosion control projects described in Section 335 of the Water Code, Department of Water Resources, payable from the Investment Fund	95,000
Imperial Beach	426.7—To pay the State's share of the cost of local participation required in connection with federal beach erosion control projects within the city limits of Imperial Beach, California, in accordance with Sections 335 to 339, inclusive, of the Water Code, Department of Water Resources, payable from the Investment Fund	24,000
	426.8—To make advances, in accordance with the provisions of Section 338 of the Water Code, to meet the federal share of the cost of beach erosion control projects described in Section 335 of the Water Code, Department of Water Resources, payable from the Investment Fund	32,000
	427—For minor construction, improvements, repairs and equipment, Department of Water Resources, payable from the Capital Outlay and Savings Fund	81,300
Real property for recreational purposes	427.5—For the acquisition of real property for recreational purposes in the vicinity of reservoirs constructed by the State, Department of Water Resources, to be available without regard to fiscal years, the sum of $300,000 appropriated by Item 400.3 of the Budget Act of 1956.	
Reclamation Board	428—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 is a state obligation and necessary for the completion or operation of projects in the Sacramento and San Joaquin watersheds as authorized by Article 2, Chapter 2, Part 6, Division 6, of the Water Code; for the construction costs in lieu	

Item		Amount
thereof as authorized by Section 8621 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 projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, power lines, communication lines, pipelines, irrigation works and other structures and facilities and for appraisals, surveys and engineering studies incident thereto, the Reclamation Board, in accordance with the following schedule, payable from the Flood Control Fund of 1946--		4,150,000
Schedule:		
(a) Sacramento River Flood Control Project----------	2,000,000	
(b) Lower San Joaquin River Flood Control Project------	1,700,000	
(c) Middle Creek Flood Control Project----------	450,000	
Total of schedule--------	4,150,000	

UNALLOCATED

429—For project planning, 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 year.	Project planning	500,000
429.1—For plans and specifications for construction of projects for University of California, state colleges, state institutions and other state buildings, to be allocated by the Director of Finance, subject to approval by the State Public Works Board, to state agencies, payable from the State Construction Program Fund ---------- provided, that allocations shall be made only for projects contained in the State Building Construction Program pursuant to Senate Resolution No. 15, 1954 First Extraordinary Session, as revised; provided further, that no	University of California, state colleges, etc.	6,000,000

Item		Amount
	allocation shall be made until the Director of Finance has satisfactory assurance that federal funds will be made available for construction of such projects.	
Miscellaneous repairs, etc.	430—For miscellaneous repairs, improvements and equipment, to be allocated to state agencies by the Director of Finance upon the approval of the State Public Works Board, payable from the Capital Outlay and Savings Fund	50,000
	and in addition thereto, the unexpended balance in the appropriation made by Item 421, Budget Act of 1957, is reappropriated in augmentation of this item.	
	Notwithstanding other provisions of this act, the appropriation made by this item shall be limited to expenditures during the 1958-59 Fiscal Year.	
Public works projects	431—For construction and equipment of state public works projects in augmentation of current available appropriations for construction, improvements and equipment for state agencies, to be allocated by the Department of Finance upon approval of the State Public Works Board to and for expenditure upon state public works projects for which money has been made available from the State Construction Program Fund, and which cannot be undertaken because bids received are in excess of the estimate or the amount available for such construction, or for equipment for any such project, payable from the State Construction Program Fund	6,500,000
	and in addition any unexpended balance remaining in any appropriation from the State Construction Program Fund which the Director of Finance with the approval of the State Public Works Board determines not to be required for expenditure pursuant to the appropriation and approves for transfer to and in augmentation of this item. Whenever it is determined that there will be an unexpended balance upon completion of any project, the transfer of such balance may be made prior to the actual date of completion of the project.	
Transfer from General Fund	432—For transfer by the State Controller from the General Fund, upon order of the Director of Finance during the 1958-59 Fiscal Year in the amount or amounts as determined by the Director of Finance General Fund exceeds current needs, to the Capital Outlay and Savings Fund	22,908,446

LOCAL ASSISTANCE SECTION

SEC. 2.2. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1958-59 Fiscal Year beginning July 1, 1958, and ending June 30, 1959. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury. Appropriations.

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

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

EDUCATION

Item		Amount	
433—For support of child care centers, Department of Education, to be apportioned by the department in the manner provided by Section 11 of Chapter 1427, Statutes of 1953, as amended, directly to school districts maintaining child care centers pursuant to Chapter 11, Division 9 of the Education Code, as amended		4,688,365	Department of Education, Child Care Centers
434—For transfer by the State Controller to the Teachers' Retirement Fund for operation of the State Teachers' Retirement System		34,620,000	Teachers' Retirement System
435—For publishing, purchasing, and shipping free textbooks, Department of Education, in accordance with the following schedule		9,049,496	Free textbooks
Schedule:			
(a) Salaries and Wages	74,360		
(b) Operating Expenses and Equipment	9,020,136		
Total of schedule	9,094,496		
Less estimated reimbursements	45,000		
Net appropriation	9,049,496		

None of the moneys appropriated by this item may be expended for publishing, purchasing, or shipping any textbook, which has been conditionally approved or adopted by the State Board of Education subject to the con-

Item		Amount
	dition that revisions will be made in such textbook by the publisher, unless and until such revisions have been made to the complete satisfaction of said board. None of the moneys appropriated by this item shall be expended for publishing, purchasing, shipping, or paying royalties for the books known as "Science for Work and Play" and "Science for Here and Now."	
	PUBLIC HEALTH	
Department of Public Health: Mental health services	436—For assistance to local agencies in the establishment and operation of mental health services, in accordance with the provisions of Division 8 of the Welfare and Institutions Code	1,600,000
Local assistance (administration)	437—For assistance to cities, counties, local health agencies and local health districts for the establishment of minimum standards of personnel, organization and administration of local health departments, in accordance with the provisions of Chapter 8, Part 2, Division 1 of the Health and Safety Code, Department of Public Health	3,641,275
Local health services	438—For assistance to counties by the establishment of local health services in accordance with Section 1157 of the Health and Safety Code, Department of Public Health	191,825
Tuberculosis sanatoria	439—For assistance 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 one dollar and thirty-five cents ($1.35) per patient-day in accordance with Section 3300 of the Health and Safety Code.	4,570,750
Physically handicapped children	440—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 $928,669 shall be for statewide diagnoses; not to exceed $25,000 shall be for state care of physically handicapped children whose county of residence cannot be established and the balance of this appropriation	4,264,152

Item	Amount
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 three times the amount provided by the county or city and county pursuant to Section 270 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. (b) 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 shall make available 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) For the purpose of administration by independent counties there shall be allocated an amount equal to two-thirds of the expenditures for the local administration of each independent county's program, made in accordance with an approved budget; provided, however, that such amount shall not exceed 6⅔ percent of the total expenditures for treatment in that county in the preceding fiscal year. (d) 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	

Item		Amount
	which the warrant is issued by the State Controller.	
441	—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 $77,093 shall be for statewide diagnoses. The balance of this appropriation shall be made available to the several counties as follows:	482,888

(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 three times the amount provided by the county or city and county pursuant to Section 270 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.

(b) 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 shall make available 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) For the purpose of administration by independent counties there shall be allocated an amount equal to two-thirds of the expenditures for the local administration of each independent county's program, made in accordance with an approved budget; provided, however, that such amount shall not exceed 6⅔ percent of the total expenditures for treatment in that county in the preceding fiscal year.

Item		Amount
	(d) 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. Notwithstanding other provisions of this section, the amount made available by this item is available for expenditures incurred during the 1957-58 Fiscal Year.	
442	—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	Cerebral palsied minors 1,009,428
443	—For subsidies to local districts 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 a minimum of $25,000 shall be available for research; and further provided, that allocation of this appropriation shall not be made to any local district, unless such district has experienced human mosquito-borne diseases to an extent which constitutes a public health menace, as certified by the Director of the State Department of Public Health. Be it further provided, that not more than $6,000 may be allocated to a single mosquito abatement district unless said district shall first appropriate a sum of money not less than that represented by a rate of fifteen cents ($0.15) on each one hundred dollars ($100) of assessed valuation of the taxable property in the mosquito abatement district, such funds to be wholly exclusive of any state funds received or receivable.	Mosquito control 400,000
443.1	—For subsidies to local districts for research regarding the control of gnats as provided by Chapter 5.5 of Division 3 of the Health and Safety Code, Department of Public Health, payable from the Fair and Exposition Fund	Gnat control 50,000

Item		Amount
Hospital facilities	444—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	4,886,118
	and in addition thereto any amounts remaining unexpended on June 30, 1957, in the appropriation made by Item 435 and Item 436, Budget Act of 1956, and Item 433, Budget Act of 1957.	

PUBLIC WORKS

Department of Water Resources: Flood control	445—For allocation to the Department of Water Resources for reallocation in accordance with Division 6, Part 6 of the Water Code, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of co-operation by the State, in accordance with the following schedule, payable from the Flood Control Fund of 1946	6,272,000
	Schedule:	
San Bernardino County Flood Control District, etc.	(a) San Bernardino County Flood Control District, Santa Ana River Basin Project, as authorized by Section 12679 of the Water Code	830,000
	(b) San Bernardino County Flood Control District, Lytle and Cajon Creeks Project, as authorized by Section 12676 of the Water Code	30,000
Los Angeles County Flood Control District, etc.	(c) Los Angeles County Flood Control District, Los Angeles River Watershed Project, as authorized by Section 12688 of the Water Code	456,000
	(d) Los Angeles County Flood Control District, Los Angeles and San Gabriel Rivers and Ballona Creek Project, as authorized by Section 12682 of the Water Code	4,516,000
Central Sonoma, Arroyo Grande Creek, Adobe Creek, etc., Projects	(e) Participating local organizations, Arroyo Grande Creek, Adobe Creek and Central Sonoma (phase 1) projects undertaken pursuant to the Watershed Protection and Flood Prevention Act	

Item		Amount
	(Public Law 566, Chapter 656, Eighty-third Congress, Second Session) and Chapter 4, Part 6, Division 6 of the Water Code; provided, that no reallocation shall be made until the Department of Water Resources finds that the requirements of Section 12868 (a), (b), (c), (d), and (e) of said code have been met; provided further, that prior to any reallocation the local organizations shall give assurances that they will maintain and operate the projects after completion in such manner as will accomplish the purposes for which the projects were authorized and constructed and as may be required by the Secretary of Agriculture and the Department of Water Resources, and that the local organizations will hold and save the State of California free from damages or claims due to the construction, installation, or operation of the project	440,000
	Total of schedule	6,272,000
	The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1961.	
446	For transfer by the State Controller to the Flood Control Fund of 1946, from the General Fund	Transfer from General Fund 5,843,379
446.1	For transfer by the State Controller to the Flood Control Fund of 1946, from the Investment Fund	1,000,000
446.2	For major construction, repairs, and protection required during and as a result of the 1958 floods, of units or portions of the works of the Sacramento River Flood Control Project as authorized by Section 8361 of the Water Code, Department of Water Resources, payable from the Investment Fund, provided, that notwithstanding any other provision of law, the appropriation made by this	Sacramento River Flood Control Project 780,000

Item		Amount
	item may be expended to reimburse the Water Resources Revolving Fund for expenditures incurred prior to July 1, 1958, which may be properly chargeable to this item.	
Public Utilities Commission Grade crossing protection works	446.5—For allocation and expenditure by the Public Utilities Commission to assist cities, counties, and cities and counties in paying their share 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	200,000
Department of Water Resources Flood and storm damage	446.7—For allocation to the Department of Water Resources, pursuant to Section 128 of the Water Code, and to the Department of Public Works, pursuant to Sections 14120 to 14123, inclusive, of the Government Code, for expenditure to repair or restore storm and flood damage or destruction to public real property, which occurred between January 1 and July 1, 1958, having a general public and state interest and to protect the health, safety, convenience, and welfare of the general public of the State, Department of Finance, payable from the Investment Fund	15,000,000

provided, that the appropriation made by this item shall be available for expenditure on and after the effective date of this act; and provided further, that no money shall be allocated by the Department of Finance except for the making of investigations, estimates or reports hereunder by the Department of Water Resources or the Department of Public Works unless and until:

(a) A city, city and county, county or public district has applied to the Department of Finance on or before December 31, 1958, for assistance under this item, and the Department of Water Resources, or the Department of Public Works, 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, and the Department of Finance has approved the expenditure and purpose; provided, that the Department of Public Works or the Department of Water Resources may include in its estimate of cost expenditures made by the local agency

Item	Amount

for such work prior to the effective date of this act;

(b) The city, city and county, county or public district has executed an agreement in such form as the Department of Water Resources or the Department of Public Works, as the case may be, prescribes, providing for the performance of the work by the city, city and county, county or public district, or by the Department of Water Resources or the Department of Public Works, the methods of handling the funds allocated hereunder, and the matching funds provided by the city, city and county, county or public district, and other provisions prescribed by the Department of Water Resources or the Department of Public Works to assure completion of the work included in the project and the proper expenditure of funds as provided herein; and provided further, that such allocations shall be made in accordance with the following formula:

As to street, highway and bridge projects, the Department of Finance 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 1956-57 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.

Expenditures incurred by a local agency prior to the effective date of this act for work otherwise eligible may be considered in determining the rate of contribution between the State and the local agency under the above criteria.

Item		Amount
	As to other types of projects, the Department of Finance shall consider the extent of the damage and the financial ability of the local agency to contribute to the cost of the project 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 Department of Finance, 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; provided further, that notwithstanding any other limitations of this item, or any other provisions of law, amount or amounts aggregating not in excess of $500,000 shall be available for transfer to the General Fund from time to time upon order of the Director of Finance for (a) credit to Item 273 of this act, to be available for expenditure to repair or restore storm and flood damage or destruction to public real property, of a city, city and county, county, or public district, and for expenditures for making of investigations, estimates or reports hereunder by the Department of Water Resources, the Department of Public Works or the Department of Finance within the meaning of the emergency of such item, or (b) to the credit of Item 283 of the Budget Act of 1957, to be expended to reimburse the emergency fund for expenditures to repair or restore storm and flood damage or destruction to public real property, of a city, city and county, county or public district, and for expenditures for making of investigations, estimates or reports hereunder by the Department of Water Resources, the Department of Public Works or the Department of Finance, incurred prior to July 1, 1958, out of amounts appropriated by such item.	
Damage to public and state property	446.8—For allocation to the Department of Water Resources pursuant to Section 128 of the Water Code, for expenditure for work and remedial measures 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, Department of Finance, payable from the Investment Fund_____	1,000,000

Item		Amount
	The appropriation made by this item shall remain available for allocation and expenditure without regard to fiscal years.	
	SOCIAL WELFARE	
447	For reimbursement of expenses incurred by counties and cities in maintaining approved services for the licensing and inspection of agencies for child care and home finding, and agencies for the care of the aged, Department of Social Welfare, to be expended in accordance with the provisions of Sections 1622 and 2302 of the Welfare and Institutions Code.. Notwithstanding other provisions of this section, the amount made available by this item is available for payment of expenditures incurred during the 1957-58 Fiscal Year.	Department of Social Welfare: Services reimbursement 215,967
448	For reimbursement of expenses incurred by counties and cities in maintaining approved services for the licensing and inspection of agencies for child care and home finding, and agencies for the care of the aged, Department of Social Welfare, to be expended in 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 244 for support of the Department of Social Welfare, upon executive order of the Director of Finance.	1,239,840
449	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.....	1,965,454
	Schedule:	
	(a) Administration 1,957,954	
	(b) Cost of care..... 7,500	
	Total of schedule..... 1,965,454	
	provided, that all or any portion of this appropriation as contained in (a) of the foregoing schedule may be transferred to Item 244 for support of the Department of Social Welfare, upon executive order of the Department of Finance.	

OTHER PURPOSES

Item		Amount
Compensation: Superior court judges	450—For State's share of salaries of judges of superior courts as provided by Section 68206 of the Government Code	2,355,000
County service officers	451—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	500,000
County agricultural commissioners, etc.	452—For salaries of county agricultural commissioners or compensation for services performed for county agricultural departments, Department of Agriculture, to be expended in accordance with the provisions of Section 63.5 of the Agricultural Code	154,800
Workmen's compensation to civil defense workers	453—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, State Disaster Office	80,000
	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 State Controller of an abstract or statement of such expenditures. Such abstract or statement shall be in such form as the State Controller requires.	
Juvenile homes and camps	454—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	2,080,000
	455—For reimbursements to counties for construction of juvenile homes and camps, Department of the Youth Authority, to be expended in accordance with the provisions of Article	

Item		Amount
	13, Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code	2,000,000
	Notwithstanding other provisions of this section, the amount made available by this item shall be available for expenditure during the 1958-59 and 1959-60 Fiscal Years, but not more than $1,000,000 of said amount may be expended during the 1958-59 Fiscal Year.	
456	—For reimbursements to counties for construction 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	55,000
	Notwithstanding other provisions of this section, the amount made available by this item is available for payment of expenditures incurred during the 1957-58 Fiscal Year.	

APPENDIX

SEC. 2.3. The following sums of money, or so much thereof as may be necessary unless otherwise provided herein, are hereby appropriated for the use and support of the State of California for the 1958-59 Fiscal Year beginning July 1, 1958, and ending June 30, 1959. All such appropriations, unless otherwise herein provided, shall be paid out of the General Fund in the State Treasury. Appropriations

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

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

UNEMPLOYMENT ADMINISTRATION

Item		Amount	
457	—For administration of unemployment compensation disability benefits, Department of Employment, payable from the Unemployment Compensation Disability Fund, in accordance with the following schedule	5,086,123	Department of Employment Unemployment compensation disability benefits

Item		Amount
	Schedule:	
	(a) Salaries and Wages 3,873,953	
	(b) Operating Expenses and Equipment 1,212,170	
	Total of schedule 5,086,123	
458	—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 or any portion of this appropriation may be transferred to the Unemployment Administration Fund upon executive order of the Director of Finance	41,256

WORLD TRADE CENTER

459	—For transfer to the Special Deposit Fund from the San Francisco Harbor Improvement Fund ..... such transfer to be made by the State Controller upon order of the San Francisco Port Authority as determined and requested by the San Francisco World Trade Center Authority to be expended by the San Francisco World Trade Center Authority in the manner and for the purposes authorized under the provisions of the World Trade Center Authorities Act approved July 17, 1947, Chapter 1508, Statutes of 1947, including, but not limited to, expenses for surveys, plans, estimates, preliminary engineering and other expenses (preliminary or otherwise) incident to the acquisition, construction, financing, promotion and operation of a world trade center in the City and County of San Francisco; provided, that no withdrawals shall be made hereunder which in the opinion of the San Francisco Port Authority would prevent the San Francisco Port Authority from meeting its current obligations from said San Francisco Harbor Improvement Fund under the Harbors and Navigation Code. The San Francisco World Trade Center Authority and the San Francisco Port Authority shall agree in writing upon the terms and conditions for repayment of any amounts withdrawn from this appropriation, which agreement shall be subject to the approval of the Director of Finance, and which agreement may provide for repayment	61,000

San Francisco World Trade Center Authority

Item		Amount
	solely from the proceeds of the sale of revenue bonds issued with respect to the San Francisco World Trade Center under the provisions of said World Trade Center Authorities Act if and when sold. The said agreement from time to time may be modified by the parties thereto with the consent of the Director of Finance.	
	Except as may be provided by said agreement or any amendment or modification thereof, any return of said moneys to said San Francisco Harbor Improvement Fund shall not be subject to any provisions or limitations of Sections 10.4 and 10.5 or any other provision of the World Trade Center Authorities Act which otherwise might limit the source of or delay or postpone reimbursement of any appropriation, transfer, or advances by the State of California or any agency thereof.	
460	—For construction and equipment of an office building in the City of Sacramento, under the provisions of the State Building Construction Act of 1955 (commencing at Section 15800 of the Government Code), State Public Works Board, payable without regard to fiscal years from the Public Building Construction Fund	State office building, Sacramento 12,789,900
461	—For construction and equipment of a garage in the City of Los Angeles, under the provisions of the State Building Construction Act of 1955 (commencing at Section 15800 of the Government Code), State Public Works Board, payable without regard to fiscal years from the Public Building Construction Fund	Garage, Los Angeles 2,855,700
462	—For construction and equipment of an office building in the City of San Bernardino, under the provisions of the State Building Construction Act of 1955 (commencing at Section 15800 of the Government Code), State Public Works Board, payable without regard to fiscal years from the Public Building Construction Fund	State office building, San Bernardino 1,386,000
463	—For construction and equipment of state public works projects, for augmentation by the State Public Works Board, of amounts made available by Items 460, 461, and 462, payable from the Public Building Construction Fund	State public works projects 500,000
	Any unneeded balance in the amount provided by Items 460, 461, and 462 for any building and all or any part of the amount	

Item	Amount
herein specifically provided for augmentation, as determined by the State Public Works Board, may be used to augment the amount provided for construction and equipment of any public works project authorized by Items 460, 461, and 462, which cannot be undertaken because bids received are in excess of the estimate or the amount available for such construction, or for equipment for any such project.	

Transfer to General Fund

SEC. 2.4. That portion of the unencumbered balance of the Department of Employment Contingent Fund which at any time during the 1958-59 Fiscal Year exceeds one hundred thousand dollars ($100,000) is hereby appropriated for transfer to the General Fund, such transfer to be made from time to time upon order of the State Controller.

Limitations

SEC. 4. Any construction or improvement project included in any appropriation out of the Capital Outlay and Savings Fund, State Construction Program Fund, Department of Employment Contingent Fund, Fair and Exposition Fund, Motor Vehicle Fund, State Beach and 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.

Same

SEC. 5. No money appropriated herein in any item for major construction, improvements, designs, working plans and specifications may be expended by any state agency except amounts needed for equipment, 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, designs, working plans and specifications; 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.

Regents of University of California

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.

SEC. 6. Notwithstanding any other provision of law, the portion of each sum of money heretofore appropriated or allocated, hereby appropriated or hereafter allocated to the Regents of the University of California for construction, improvements, repairs or equipment which remains after the purpose for which each said sum was appropriated or allocated has been accomplished, and which have been or hereafter are withdrawn from the State Treasury by the Regents of the University of California pursuant to the provisions of Section 20041 of the Education Code, together with increments, by way of interest or otherwise, on any such appropriation or allocations, shall be used and expended by the Regents of the University of California in executing and furthering the building and improvement program of the University of California; provided, that no such sums shall be allocated by the Regents of the University of California to projects not otherwise authorized by legislative appropriation or by allocation by the State Public Works Board. Such sums shall be available for expenditure in payment of any encumbrances heretofore or hereafter incurred without regard to fiscal years; provided, however, that any unencumbered balances existing as of the date on which each such appropriation or allocation otherwise would lapse, shall then revert.

A report shall be submitted to the State Public Works Board of any allocations made by the Regents of the University of California pursuant to the provisions of this section.

Pre-July 1, 1958, expenses

SEC. 7. Any appropriation herein contained for construction, improvements and equipment, designs, working plans and specifications may be expended to reimburse the Division of Architecture Revolving Fund, State Fair Fund, or the University of California for expenditures incurred prior to July 1, 1958; provided, that for items of major construction, improvements, designs, working plans and specifications 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, 1958, or subsequent thereto, 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 Savings Fund Unexpended balances

SEC. 8. Notwithstanding any other provisions of law, the unexpended balances as of June 30, 1958, 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, 1959:

Fricot Ranch School for Boys, Item 289(b), Budget Act of 1951
Fricot Ranch School for Boys, Item 314(b), Budget Act of 1952
University of California, Item 357(c), Budget Act of 1952
Fricot Ranch School for Boys, Item 302(a), Budget Act of 1953
University of California, Item 338(f), Budget Act of 1953
Fairview State Hospital, Chapter 9, Statutes of 1953
Sonoma State Hospital, Item 366(e), Budget Act of 1953
University of California, Item 328(a), Budget Act of 1954
Metropolitan State Hospital, Item 345(b), Budget Act of 1954
Department of Agriculture, Item 277, Budget Act of 1955
Northern California Reception Center and Clinic, Item 297, Budget Act of 1955
Preston School of Industry, Item 305, Budget Act of 1955
Fresno State College, Item 313(b), Budget Act of 1955
Humboldt State College, Item 316, Budget Act of 1955
Long Beach State College, Item 319(d), Budget Act of 1955
San Diego State College, Item 324(b), Budget Act of 1955
San Jose State College, Item 328(a), Budget Act of 1955
San Jose State College, Item 328(b), Budget Act of 1955
California State Polytechnic College, Item 330(a), Budget Act of 1955
California State Polytechnic College, Item 330(b), Budget Act of 1955
California State Polytechnic College, Item 330(c), Budget Act of 1955
California State Polytechnic College, Item 330(d), Budget Act of 1955
California State Polytechnic College, Item 330(f), Budget Act of 1955
University of California, Item 339(c), Budget Act of 1955
University of California, Item 339(d), Budget Act of 1955
University of California, Item 339(f), Budget Act of 1955
University of California, Item 339(i), Budget Act of 1955
University of California, Item 339(*l*), Budget Act of 1955
University of California, Item 350, Budget Act of 1955
Division of Forestry, Item 390, Budget Act of 1955
Division of Forestry, Item 390.5, Budget Act of 1955.

SEC. 9. The unexpended balance as of June 30, 1958, of the appropriation payable from the State College Fund made by Item 315, of the Budget Act of 1953, is reappropriated for the purpose provided for in said appropriation, and shall be available for expenditure until June 30, 1959.

SEC. 9.1. The appropriation made by Item 399, Budget Act of 1955, is reappropriated for the same purpose provided for in said appropriation and shall be available until June 30, 1959.

SEC. 9.2. The unexpended balances as of the effective date of this act in projects (i), (u) and (ff) of the schedule applicable to Item 354 of the Budget Act of 1957 may be expended for construction of parking and other income producing facilities at the University of California.

SEC. 10. The unexpended balance of the appropriation made by the provisions of Chapter 9, Statutes of 1956, First Extraordinary Session, as augmented by Chapter 2332, Statutes of 1957, is reappropriated for the same purpose as provided in the Flood Relief Law of 1956, and shall be available for expenditure until June 30, 1960.

Ano Nuevo Island

SEC. 10.5. From the amount appropriated by Item 400.1-(oo), Budget Act of 1956, the sum of fifty-two thousand dollars ($52,000) is reappropriated for acquisition of Ano Nuevo Island in connection with the Steele Beach project of the State Park System, Division of Beaches and Parks, Department of Natural Resources, and shall be available for expenditure until June 30, 1961. The appropriation made by this section shall be available for expenditure on and after the effective date of this act. Notwithstanding any other provisions of law, the appropriation made by this section may be expended to reimburse the Emergency Fund for expenditures incurred prior to July 1, 1958, out of the amount appropriated to the Emergency Fund by Item 283, Budget Act of 1957, which may be properly chargeable to this section.

Development of State Fair

SEC. 11. Of the appropriation made by the provisions of Chapter 1071, Statutes of 1957, $200,000 may be expended for expenses of program development for construction and for advance operations planning for the new State Fair.

Unexpended balances

SEC. 11.5. The unexpended balance as of June 30, 1958, of the appropriation made by Item 109 of the Budget Act of 1956, shall revert to the Real Estate Fund.

SEC. 12. Notwithstanding any other provisions of law, the unexpended balances as of June 30, 1958, of that part of the appropriation as set forth in schedules (b) and (e) in Item 419, Budget Act of 1957, is reappropriated for the same purpose as provided in said appropriation and shall be available for expenditure until June 30, 1959.

Transfer to General Fund

SEC. 12.2. On the effective date of this act $400,000 shall be transferred by the State Controller from the Soil Conservation Development Fund and deposited in the General Fund.

Ocean Beach, Mission Bay State Park

SEC. 12.3. Of the amount appropriated by Item 400.1 of the Budget Act of 1956, the sum of $400,000, shown as subdivision (mm) of the schedule accompanying Item 400.1 and made available for expenditure for the Pacific Beach unit of Mission Bay State Park, is hereby made available, instead, for expenditure for the Ocean Beach unit of Mission Bay State Park, subject to the same terms and conditions surrounding

the appropriation as appear in Item 400.1 of the Budget Act of 1956.

Division of Beaches and Parks

SEC. 12.5. The sum of seven million five hundred sixty-nine thousand two hundred eighty-one dollars ($7,569,281) appropriated by Chapter 2169, Statutes of 1957, is appropriated to the Division of Beaches and Parks, Department of Natural Resources, and shall be available for expenditure until June 30, 1961, for the acquisition and development of beaches, parks and recreation areas pursuant to the schedule provided in Chapter 2169, Statutes of 1957. The provisions of Section 2 of Chapter 2169, Statutes of 1957, shall not be applicable to the appropriation made by this section.

State Construction Program Fund

SEC. 13. Upon deposit of funds in the State Construction Program Fund from receipts from sale of State College Dormitory Construction Bonds, that part of the appropriations made by the provisions of Items 447, 448, 448.1, 449, 449.1, 450, 450.1, 451.1, 452, 452.1, 453, 453.1, 454, 454.1, 455, 455.1, 456, and 456.1, Budget Act of 1957, as determined by the Department of Finance, shall revert to the unappropriated balance of the State Construction Program Fund.

Flood Control Fund of 1946

SEC. 14. On the effective date of this act the unexpended balance of the appropriation made by Chapter 142, Statutes of 1946, shall revert to the Flood Control Fund of 1946.

Reversion

SEC. 15. On the effective date of this act, the appropriation made by Chapter 1587, Statutes of 1957, shall revert and no expenditure shall be made under the provisions of said act.

Change in fund

SEC. 16. As of July 1, 1958, the State Controller shall transfer from the Veterans' Dependents' Education Fund to the General Fund the amount of $49,120.

SEC. 17. The sum of $21,413,524 of the appropriation made by the provisions of Item 422, Budget Act of 1957, for transfer from the General Fund to the Capital Outlay and Savings Fund, shall revert and the transfer shall be limited to a total of $84,755,435.

SEC. 18. As of July 1, 1958, the State Controller shall transfer from the State Water Pollution Control Fund to the General Fund the amount of $32,792.58, and from the Soil Conservation Development Fund to the General Fund the amount of $27,674.79, which amounts represent the interest earned on moneys deposited in the Surplus Money Investment Fund.

SEC. 19. As of July 1, 1958, the State Controller shall transfer from the Investment Fund to the General Fund the amount of $1,323,625 and to the State Beach and Park Fund the amount of $8,088,459, which represent the amounts that would have accrued to said funds during the 1955-56 and 1956-57 Fiscal Years had Section 6816 of the Public Resources Code as amended by Chapter 2367, Statutes of 1957, become effective prior to June 30, 1957, and had the unexpended balance of the appropriation made by Chapter 9, Statutes of 1956

(First Extraordinary Session), reverted to the State Lands Act Fund prior to June 30, 1956.

SEC. 19.5. As of the effective date of this act the State Controller shall transfer from the Motor Vehicle Fuel Fund to the Small Craft Harbors Revolving Fund for expenditure in accordance with the provisions of Division 5.7 (commencing at Section 5801) of the Public Resources Code, the amount of $750,000, which amount represents the amount of money in the Motor Vehicle Fuel Fund attributable to taxes imposed on distributions of motor vehicle fuel used or usable in propelling vessels.

SEC. 19.6. From time to time during the 1958-59 Fiscal Year and upon order of the Director of Finance, the State Controller shall transfer from the Investment Fund to the General Fund a total amount of $7,193,738.

SEC. 20. As of June 30, 1959, the State Controller shall transfer from the State Buildings Sinking and Interest Fund to the General Fund any amount which is in excess of $3,000,000. The amount in the State Buildings Sinking and Interest Fund shall be determined as the amount of cash plus the approximate market value as determined by the Department of Finance of securities held on June 30, 1959, less any premium, discount or accrued interest on securities purchased.

SEC. 21. The State Controller shall transfer from the Revenue Deficiency Reserve Fund to the General Fund from time to time during the 1958-59 Fiscal Year, in such amounts as are determined by the Governor, Controller and Director of Finance to be necessary or advisable (1) to avoid the issuance of registered warrants under Chapter 2 (commencing at Section 17200) of Part 4 of Division 4 of Title 2 of the Government Code, (2) to minimize borrowing from other funds under Section 16310 of the Government Code, and (3) to maintain the solvency of the General Fund and balance the General Fund budget.

Limitation

SEC. 22. No money appropriated by this act shall be used to pay the salary of any authorized state position, which position was vacant and had been vacant or continuously unfilled during the period between October 1, 1957, and July 1, 1958, except with the specific approval of the Department of Finance, subsequent to July 1, 1958.

Department of Finance report

The Department of Finance, not later than 30 days prior to the convening of the 1959 Regular Session of the Legislature, shall present to the Joint Legislative Budget Committee, assembled in meeting, a report of all positions as of July 1, 1958, which were vacant or continuously unfilled during the period between October 1, 1957, and July 1, 1958, and a report of all authorizations to fill vacant positions and all positions abolished pursuant to this section.

Additional academic staff appointments

SEC. 23. Since it is imperative for the university and the state colleges to recruit adequate and competent faculty necessary to maintain the current academic standards and the faculty-student ratios and to meet the immediately foreseeable

needs occasioned by the rapid growth of enrollment during the years just ahead, and since, by the nature of their duties, faculty members must as a rule be employed on an annual basis, therefore, the University of California and the state colleges are authorized to incur salary obligations in an amount not to exceed $1,500,000 for the university and a total of $1,500,000 for the state colleges by appointment of additional academic staff members during the 1958-59 Fiscal Year for services beginning in 1959-60.

The intent of this authorization is to assist in maintaining current academic standards and faculty-student ratios in relationship to expanding student enrollments.

Purchase of motor vehicles

SEC. 24. No purchase order for acquisition or replacement of motor vehicles shall be issued against any appropriation made herein until the Department of Finance has investigated and established the necessity therefor.

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 State Board of Control, unless excepted by the Director of Finance on the basis of unusual requirements, such as use by the California Highway Patrol, which would justify the need for an automobile of a heavier class.

SEC. 25. All passenger type motor vehicles purchased either from any appropriation made by this act or from any other appropriation available therefor the use of the Department of Public Works, except for use of officers excepted in Section 24 of this act, shall be of the light class, as defined by the State 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.

Limitations on expenditures· Furnishings

SEC. 26. None of the moneys appropriated by this act or for an expenditure which is supplemented from money appropriated by this act shall be used to purchase furnishings for any house or apartment of three or more rooms other than a 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 State 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.

Cafeteria equipment

SEC. 27. 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 in this act.

Office furnishings

SEC. 28. No moneys 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. 29. 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;

(d) "Working drawings" are defined as a complete set of plans and specifications showing and describing all phases of a project, architectural, structural, mechanical, electrical, civil engineering, and landscaping systems to the degree necessary for the purposes of accurate bidding by contractors and for the use of artisans in constructing the project. All necessary

professional fees and administrative service costs are included in the preparation of such drawings.

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, 1958, to June 30, 1959," submitted by the Governor to the Legislature at the 1958 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.

Transfers from categories

SEC. 30. The Director of Finance may, pursuant to a request by the officer, department, division, bureau, board, commission, or other agency to whom an appropriation is made herein, authorize the augmentation of the amount available for expenditure for a category or project designated in any schedule set forth for such appropriation 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.

Augmentations

SEC. 31. The Director of Finance may authorize the augmentation of the amount available for expenditure for any category in the schedule set forth for any appropriation in this act 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 1958-59 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.

Reductions

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

Premiums for official bonds

SEC. 32. Premiums for official bonds may be paid out of appropriations contained in this act, notwithstanding the period covered by such bonds.

Expenditures from Emergency Fund, etc.

SEC. 33. 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 may, for accounting purposes, be deemed to be an augmentation and increase of the appropriation made by this act.

Application of Gov C., Sec 13320

SEC. 34. The appropriations under this act, unless otherwise provided, shall be subject to the provisions of Section 13320 of the Government Code requiring expenditures to be made in accordance with the allotments and other provisions of fiscal year budgets approved by the Department of Finance.

Established positions

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

Salary savings reserve

Each fiscal year budget shall provide for a salary savings reserve to which shall be transferred on a document initiated by the agency and 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, 1958, 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 payroll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the State Controller that such expenditures comply with the provisions of this section.

Expenditures in excess of appropriations

SEC. 35. The officers of the various departments, boards, commissions and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditure in excess of such appropriations, except the consent of the 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 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. 36. 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. 37. 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. 38. 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. 39. 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, 1958, 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 making an appropriation for salaries of employees of the state departments, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 30, 1958. Filed with Secretary of State May 24, 1958.]

In effect immediately

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

SECTION 1. There is hereby appropriated the amount necessary to provide to employees in the state service the increase provided for in any increased salary range established during the 1957-58 Fiscal Year by the State Personnel Board or other salary-fixing authority, payable as provided in the following schedule:

(a) The sum of five hundred five thousand dollars ($505,000) from the Investment Fund, to be allocated only on authorization of the Department of Finance to the several state offices, departments, commissions, and other state agencies, in augmentation of their respective appropriations for support or for other purposes, in such amounts as will make sufficient money available to be paid each state officer or employee in the state service whose compensation, or a portion thereof, is payable from the General Fund, the increase in compensation provided for in any increased salary range established during the 1957-58 Fiscal Year by the State Personnel Board or other salary-fixing authority.

(b) From each special fund from which the compensation or portion thereof of state 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.

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.

This act provides funds necessary to provide adequate compensation to state employees. The inevitable result of failure to provide such adequate compensation is the loss of trained, competent employees to private industry and to governments other than the Government of the State of California. Such loss of employees seriously disturbs the functioning of the State Government and jeopardizes the public peace, health or safety.

CHAPTER 3

An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

In effect July 24, 1958

[Approved by Governor May 1, 1958. Filed with Secretary of State May 24, 1958.]

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

SECTION 1. The unexpended balance of the Southern Crossing Engineering Fund shall be available for expenditure by the Department of Public Works for preparation of surveys, plans and estimates, and obtaining traffic and financial studies, and the payment of any other necessary expenses in connection with the financing and construction of an additional toll bridge or other toll highway crossing across the Bay of San Francisco between the County of Alameda on the east side of the Bay and the City and County of San Francisco or the County of San Mateo on the west side of the Bay.

CONCURRENT RESOLUTIONS

SECOND EXTRAORDINARY SESSION

1958

CONCURRENT RESOLUTIONS

ADOPTED AT THE 1958 SECOND EXTRAORDINARY SESSION OF THE LEGISLATURE

CHAPTER 1

Senate Concurrent Resolution No. 1—Relative to the Twenty-fifth United States National Soaring Contest.

[Filed with Secretary of State April 14, 1958.]

WHEREAS, The Members of the Legislature of the State of California were greatly pleased to learn that Bishop, California, has been selected as the site of the Twenty-fifth United States National Soaring Contest; and

WHEREAS, The purpose of the contest, which will be held from July 29th through August 7th, is to choose the national soaring champion; and

WHEREAS, Gliding and soaring have made outstanding contributions in the development of this Nation's air power; and

WHEREAS, A list of the names of famous aviators who have made their start in gliders includes the names of Wright, Lindbergh, Doolittle, and Mitchell; and

WHEREAS, Among the present day leaders in the United States of gliding and soaring are such men as Richard Johnson of Arlington, Texas, who took the world distance record from Russia, William Ivans of San Diego, California, who took the world altitude record from Germany, and Dr. Paul McCready, Jr., of Los Angeles, California, the winner of the world championships in France in 1956; and

WHEREAS, The vital role which a glider program can play in military preparedness was effectively demonstrated by Germany's government-sponsored glider program which was the foundation for German air power in World War II; and

WHEREAS, The Soaring Society of America has constantly endeavored to make our citizens aware of the value of gliding and soaring; and

WHEREAS, The forthcoming Twenty-fifth United States National Soaring Contest will re-emphasize and underscore the value of gliding and soaring; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature of the State of California does hereby commend the Soaring Society of America, the Sacramento Soaring Club, and all other organizations active in promoting the Twenty-fifth United States National Soaring Contest and extends to them sincere best wishes for the success of the contest; and be it further

Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the Soaring Society of America and to the Sacramento Soaring Club.

CHAPTER 2

Assembly Concurrent Resolution No. 3—Relative to commending John Anson Ford.

[Filed with Secretary of State April 16, 1958.]

WHEREAS, The Honorable John Anson Ford is not seeking re-election to the Board of Supervisors of Los Angeles County; and

WHEREAS, He is retiring from this body after serving six consecutive four-year terms; and

WHEREAS, John Anson Ford has innovated many humanitarian and cultural programs as a member of the Los Angeles County Board of Supervisors including the Los Angeles County Committee on Human Relations which has instituted a practical program of human relations; and

WHEREAS, John Anson Ford has been in the forefront in presenting many cultural programs particularly those outstanding events presented in the Hollywood Bowl; and

WHEREAS, John Anson Ford has had a rich and varied life in many other fields of endeavor including his years as a reporter and a working member of the press; and

WHEREAS, John Anson Ford has served as chairman of the Los Angeles County Democratic Central Committee and as Democratic national committeeman, working as a strong party man but never a narrow partisan; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature praises and commends John Anson Ford upon his years of service to the people of Los Angeles County and to the State of California, and wishes him all success in his future endeavors; 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. Ford.

CHAPTER 3

Assembly Concurrent Resolution No. 5—Relative to providing space in state buildings for the Legislature.

[Filed with Secretary of State April 22, 1958.]

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Director of Finance is hereby authorized and directed, whenever requested by the Committee on Rules of either house of the Legislature, to plan

for and to take the necessary steps to provide space for legislative committees or their members in state buildings constructed under the state building construction program, or in any buildings which are leased by the State in which space is available; and be it further

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

CHAPTER 4

Assembly Concurrent Resolution No. 7—Relative to the annual program of the California Museum of Science and Industry to honor California's scientist and industrialist of the year.

[Filed with Secretary of State April 24, 1958.]

WHEREAS, The California Museum of Science and Industry, Exposition Park, Los Angeles, has inaugurated an annual program to honor California's scientist of the year and industrialist of the year; and

WHEREAS, This program is designed to give recognition and inspiration to the creative men and women of science and industry and to focus attention on California's outstanding accomplishments in both fields; and

WHEREAS, The awards program is receiving the complete support of the California Museum Foundation, whose members share in the work of the museum; and

WHEREAS, Numerous other citizens, the press, and other communications media in all parts of the State are supporting the awards program; and

WHEREAS, The Title Insurance and Trust Company has donated $5,000, as a gesture of civic good will, to completely underwrite the award to California's scientist of the year; and

WHEREAS, The first annual award of $5,000 to the winning scientist and a token of merit to the winning industrialist will be made in June of this year; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members of the Legislature commend the California Museum of Science and Industry, the California Museum Foundation, and all other individuals and organizations participating in this inspired awards program, and express their approval of a program which will bring long-lasting good will to California; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Don Muchmore, Executive Secretary of the California Museum of Science and Industry, to J. Howard Edgerton, President of the Board of Directors of the Sixth District Agricultural Association, and to the Title Insurance and Trust Company.

CHAPTER 5

Senate Concurrent Resolution No. 3—Relative to adjournment sine die of the 1958 Second Extraordinary Session of the Legislature of the State of California.

[Filed with Secretary of State April 28, 1958.]

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1958 Second Extraordinary Session of the Legislature of the State of California shall adjourn sine die at twelve o'clock noon on the twenty-fourth day of April, 1958.

CHAPTER 6

Senate Concurrent Resolution No. 4—Relative to the study of Bidwell Bar.

[Filed with Secretary of State April 30, 1958.]

WHEREAS, There have been frequent floods on the Feather River in the State of California which have caused great loss of life and wide destruction of property and river control works; and

WHEREAS, During the great flood of December 1955, damage of seventy-five million dollars ($75,000,000) occurred, much of which was attributable to damage caused by the waters of the Feather River; and

WHEREAS, The construction of the Bidwell Bar on the Feather River will substantially reduce the flow of such flood waters at Marysville and Yuba City; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Water Resources be requested to conduct water resources investigations, surveys, and studies, and prepare plans and estimates, for a flood control dam at Bidwell Bar on the Feather River in the vicinity of Oroville in Butte County, to be constructed in co-operation with the United States, and to report thereon to the Legislature upon the convening of the 1959 Regular Session of the Legislature; and be it further

Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the Director of Water Resources.